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HOUSE JOINT RESOLUTION 4204

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives G. Cole, Brough, Flemming, Dorn, Peery, Karahalios, Rust, Sheldon, Jones, Chappell, Holm, Shin, R. Johnson, Johanson, J. Kohl, Springer, Cooke, Wood, Lemmon, Jacobsen, Wang, Leonard, Quall, Brumsickle, Thomas, H. Myers, Rayburn and King; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction

Read first time 01/22/93. Referred to Committee on Education.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state there  
4 shall be submitted to the qualified voters of the state for their  
5 approval and ratification, or rejection, an amendment to Article VII,  
6 section 2 and Article VIII, section 6 of the Constitution of the state  
7 of Washington to read as follows:

8 Article VII, section 2. Except as hereinafter provided and  
9 notwithstanding any other provision of this Constitution, the aggregate  
10 of all tax levies upon real and personal property by the state and all  
11 taxing districts now existing or hereafter created, shall not in any  
12 year exceed one per centum of the true and fair value of such property  
13 in money: PROVIDED, HOWEVER, That nothing herein shall prevent levies  
14 at the rates now provided by law by or for any port or public utility  
15 district. The term "taxing district" for the purposes of this section  
16 shall mean any political subdivision, municipal corporation, district,  
17 or other governmental agency authorized by law to levy, or have levied  
18 for it, ad valorem taxes on property, other than a port or public  
19 utility district. Such aggregate limitation or any specific limitation  
20 imposed by law in conformity therewith may be exceeded only

1 (a) By any taxing district when specifically authorized so to do by  
2 a majority of at least three-fifths of the electors thereof voting on  
3 the proposition to levy such additional tax submitted not more than  
4 twelve months prior to the date on which the proposed levy is to be  
5 made and not oftener than twice in such twelve month period, either at  
6 a special election or at the regular election of such taxing district,  
7 at which election the number of persons voting "yes" on the  
8 proposition shall constitute three-fifths of a number equal to forty  
9 per centum of the total votes cast in such taxing district at the last  
10 preceding general election when the number of electors voting on the  
11 proposition does not exceed forty per centum of the total votes cast in  
12 such taxing district in the last preceding general election; or by a  
13 majority of at least three-fifths of the electors thereof voting on the  
14 proposition to levy when the number of electors voting on the  
15 proposition exceeds forty (~~percentum~~) per centum of the total votes  
16 cast in such taxing district in the last preceding general election:  
17 PROVIDED, That notwithstanding any other provision of this  
18 Constitution, any proposition pursuant to this subsection to levy  
19 additional tax for the support of the common schools may provide such  
20 support for a two year period and any proposition to levy an additional  
21 tax to support the construction, modernization, or remodelling of  
22 school facilities may provide such support for a period not exceeding  
23 six years: PROVIDED FURTHER, That a proposition under this subsection  
24 to levy an additional tax for a school district or a library district  
25 shall be authorized by a majority of the electors voting on the  
26 proposition;

27 (b) By any taxing district otherwise authorized by law to issue  
28 general obligation bonds for capital purposes, for the sole purpose of  
29 making the required payments of principal and interest on general  
30 obligation bonds issued solely for capital purposes, other than the  
31 replacement of equipment, when authorized so to do by majority of at  
32 least three-fifths of the electors thereof voting on the proposition to  
33 issue such bonds and to pay the principal and interest thereon by an  
34 annual tax levy in excess of the limitation herein provided during the  
35 term of such bonds, submitted not oftener than twice in any calendar  
36 year, at an election held in the manner provided by law for bond  
37 elections in such taxing district, at which election the total number  
38 of persons voting on the proposition shall constitute not less than  
39 forty per centum of the total number of votes cast in such taxing

1 district at the last preceding general election: PROVIDED, That any  
2 such taxing district shall have the right by vote of its governing body  
3 to refund any general obligation bonds of said district issued for  
4 capital purposes only, and to provide for the interest thereon and  
5 amortization thereof by annual levies in excess of the tax limitation  
6 provided for herein(~~(7)~~): PROVIDED FURTHER, That a proposition under  
7 this subsection to levy an additional tax for a school district or  
8 library district shall be authorized by a majority of the electors  
9 voting on the proposition: AND PROVIDED FURTHER, That the provisions  
10 of this section shall also be subject to the limitations contained in  
11 Article VIII, Section 6, of this Constitution;

12 (c) By the state or any taxing district for the purpose of paying  
13 the principal or interest on general obligation bonds outstanding on  
14 December 6, 1934; or for the purpose of preventing the impairment of  
15 the obligation of a contract when ordered so to do by a court of last  
16 resort.

17 Article VIII, section 6. No county, city, town, (~~school~~  
18 ~~district,~~) or other municipal corporation shall for any purpose become  
19 indebted in any manner to an amount exceeding one and one-half per  
20 centum of the taxable property in such county, city, town, school  
21 district, or other municipal corporation, without the assent of  
22 three-fifths of the voters therein voting at an election to be held for  
23 that purpose, nor in cases requiring such assent shall the total  
24 indebtedness at any time exceed five per centum on the value of the  
25 taxable property therein, to be ascertained by the last assessment for  
26 state and county purposes previous to the incurring of such  
27 indebtedness, except that in incorporated cities the assessment shall  
28 be taken from the last assessment for city purposes: PROVIDED, That no  
29 part of the indebtedness allowed in this section shall be incurred for  
30 any purpose other than strictly county, city, town, school district, or  
31 other municipal purposes: PROVIDED FURTHER, That (a) any city or town,  
32 with such assent, may be allowed to become indebted to a larger amount,  
33 but not exceeding five per centum additional for supplying such city or  
34 town with water, artificial light, and sewers, when the works for  
35 supplying such water, light, and sewers shall be owned and controlled  
36 by the municipality and (b) any school district (~~with such assent,~~)  
37 or library district may become indebted in excess of one and one-half  
38 per centum of the taxable property in such district with the assent of

1 a majority of the voters therein voting at an election to be held for  
2 that purpose and school districts may be allowed to become indebted to  
3 a larger amount but not exceeding five per centum additional for  
4 capital outlays.

5 BE IT FURTHER RESOLVED, That the foregoing amendment shall be  
6 construed as a single amendment within the meaning of Article XXIII,  
7 section 1 of the state Constitution.

8 The legislature finds that the changes contained in the foregoing  
9 amendment constitute a single integrated plan providing for a simple  
10 majority of electors voting to authorize school district and library  
11 district levies and bonds. If the foregoing amendment is held to be  
12 separate amendments, this joint resolution shall be void in its  
13 entirety and shall be of no further force and effect.

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