H-3143.1   _____

HOUSE JOINT RESOLUTION 4214

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State of Washington   53rd Legislature   1994 Regular Session

By Representatives G. Cole, Dorn, Brumsickle, Pruitt, Patterson, Rust, Sheldon, Leonard, Jones, Wineberry, Valle, Eide, King, Cothern, Carlson, Holm, Ogden, L. Johnson, Quall, Springer and J. Kohl; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction

Read first time 01/12/94. 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 an amendment to Article VIII, section 6 of the
7 Constitution of the state 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

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the ((electors)) voters thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed initial levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of ((persons)) voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total ((votes cast)) number of voters voting in such taxing district at the last preceding general election when the number of ((electors)) voters voting on the proposition does not exceed forty per centum of the total ((votes cast)) number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the ((electors)) voters thereof voting on the proposition to levy when the number of ((electors)) voters voting on the proposition exceeds forty ((percentum)) per centum of the total ((votes cast)) number of voters voting in such taxing district in the last preceding general election: PROVIDED, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities may provide such support for a period not exceeding six years: PROVIDED FURTHER, That a proposition under this subsection to levy an additional tax for a school district shall be authorized by a majority of the voters voting on the proposition;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the ((electors)) voters thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of ((persons)) voters voting on the proposition shall

constitute not less than forty per centum of the total number of ((~~votes cast~~)) voters voting in such taxing district at the last preceding general election: PROVIDED, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein((~~,~~)): PROVIDED FURTHER, That a proposition by a school district to issue bonds, and to pay the principal and interest on the bonds by an annual tax levy during the term of the bonds in excess of the limitation provided in this section, shall be authorized by a majority of the voters voting on the proposition: AND PROVIDED FURTHER, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

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

Article VIII, section 6. No county, city, town, ((~~school district,~~)) or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, ((~~school district,~~)) or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: PROVIDED, That the assent necessary to authorize a school district to incur such debt shall be a majority vote: PROVIDED FURTHER, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: PROVIDED FURTHER, That (a) any city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city or town with water, artificial light, and sewers, when the works for

1 supplying such water, light, and sewers shall be owned and controlled
 2 by the municipality and (b) any school district with ((such)) majority
 3 assent, may be allowed to become indebted to a larger amount but not
 4 exceeding five per centum additional for 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 voters voting to authorize school district levies and
11 bonds. If the foregoing amendment is held to be separate amendments,
12 this joint resolution shall be void in its entirety and shall be of no
13 further force and effect.

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