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HOUSE JOINT RESOLUTION 4206

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives McIntire, Ahern, Simpson, Santos, Schindler, Chase and Appleton

Read first time 01/28/2005. Referred to Committee on Finance.

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 the  
4 secretary of state shall submit to the qualified voters of the state  
5 for their approval and ratification, or rejection, an amendment to  
6 Article VII, section 2 of the Constitution of the state of Washington  
7 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 percent of the true and fair value of such property in  
13 money: *Provided, however,* That nothing herein shall prevent levies at  
14 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

1 utility district. Such aggregate limitation or any specific limitation  
2 imposed by law in conformity therewith may be exceeded only as follows:

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

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

1 the total number of voters voting on the proposition shall constitute  
2 not less than forty percent of the total number of voters voting in  
3 such taxing district at the last preceding general election: *Provided,*  
4 That any such taxing district shall have the right by vote of its  
5 governing body to refund any general obligation bonds of said district  
6 issued for capital purposes only, and to provide for the interest  
7 thereon and amortization thereof by annual levies in excess of the tax  
8 limitation provided for herein, *And provided further,* That the  
9 provisions of this section shall also be subject to the limitations  
10 contained in Article VIII, Section 6, of this Constitution;

11 (c) By the state or any taxing district for the purpose of  
12 preventing the impairment of the obligation of a contract when ordered  
13 so to do by a court of last resort.

14 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
15 notice of this constitutional amendment to be published at least four  
16 times during the four weeks next preceding the election in every legal  
17 newspaper in the state.

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