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SENATE JOINT RESOLUTION 8215

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State of Washington

53rd Legislature

1993 Regular Session

By Senator Pelz

Read first time 02/23/93. Referred to Committee on Ways & Means.

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 of the Constitution of the state of Washington; and an  
7 amendment to Article VII of the Constitution of the state of Washington  
8 by adding a new section to read as follows:

9 Article VII, section . . . (1) Income is not property within the  
10 meaning of this article, and an income tax is not a tax on property.  
11 The legislature may enact an income tax, subject to the conditions in  
12 this section, with a single rate for persons other than corporations  
13 and a separate single rate for corporations.

14 (2) The rate of an income tax imposed on persons other than  
15 corporations shall never exceed seven percent, and the rate of an  
16 income tax imposed on corporations shall never exceed twelve percent.

17 (3) The rate of the income tax imposed on persons other than  
18 corporations in the act initially adopting an income tax shall be five  
19 and one-fourth percent. The rate of the income tax imposed on  
20 corporations in the act initially adopting an income tax shall be nine

1 percent. The maximum rate of state and local general sales and use  
2 taxes in the act initially adopting an income tax shall be five and  
3 eighty-five one-hundredths percent.

4 (4) During any period in which an income tax is in effect:

5 (a) The combined rate of state and local general sales and use  
6 taxes shall not exceed seven and eight-tenths percent.

7 (b) The following ratios as established in the act initially  
8 adopting an income tax shall not be altered:

9 (i) The ratio between the rate of the income tax imposed on  
10 individuals and the rate of the income tax imposed on corporations; and

11 (ii) The ratio between the rate of the income tax imposed on  
12 individuals and the maximum rate of state general sales and use taxes.

13 (5) The state shall not levy ad valorem property taxes under Title  
14 84 RCW for collection in 1995, nor thereafter.

15 (6) The legislature may by law coordinate the administration and  
16 collection of state income taxes with the income tax laws, regulations,  
17 and procedures of the United States. The legislature may adopt by  
18 reference any federal statutes relating to federal income taxes,  
19 including future amendments thereto.

20 (7) As used in this section, "income tax" means a tax imposed on or  
21 measured by income as defined by the legislature.

22 Article VII, section 2. Except as hereinafter provided and  
23 notwithstanding any other provision of this Constitution, the aggregate  
24 of all tax levies upon real and personal property by the state and all  
25 taxing districts now existing or hereafter created, shall not in any  
26 year exceed one per centum of the true and fair value of such property  
27 in money for taxes collected before 1995 and seventy-five one-  
28 hundredths of one percent for taxes collected in 1995 and thereafter:  
29 Provided, however, That nothing herein shall prevent levies at the  
30 rates now provided by law by or for any port or public utility  
31 district. The term "taxing district" for the purposes of this section  
32 shall mean any political subdivision, municipal corporation, district,  
33 or other governmental agency authorized by law to levy, or have levied  
34 for it, ad valorem taxes on property, other than a port or public  
35 utility district. Such aggregate limitation or any specific limitation  
36 imposed by law in conformity therewith may be exceeded only

37 (a) By any taxing district when specifically authorized so to do by  
38 a majority of at least three-fifths of the electors thereof voting on

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

21 (b) By any taxing district otherwise authorized by law to issue  
22 general obligation bonds for capital purposes, for the sole purpose of  
23 making the required payments of principal and interest on general  
24 obligation bonds issued solely for capital purposes, other than the  
25 replacement of equipment, when authorized so to do by majority of at  
26 least three-fifths of the electors thereof voting on the proposition to  
27 issue such bonds and to pay the principal and interest thereon by an  
28 annual tax levy in excess of the limitation herein provided during the  
29 term of such bonds, submitted not oftener than twice in any calendar  
30 year, at an election held in the manner provided by law for bond  
31 elections in such taxing district, at which election the total number  
32 of persons voting on the proposition shall constitute not less than  
33 forty per centum of the total number of votes cast in such taxing  
34 district at the last preceding general election: Provided, That any  
35 such taxing district shall have the right by vote of its governing body  
36 to refund any general obligation bonds of said district issued for  
37 capital purposes only, and to provide for the interest thereon and  
38 amortization thereof by annual levies in excess of the tax limitation  
39 provided for herein, And provided further, That the provisions of this

1 section shall also be subject to the limitations contained in Article  
2 VIII, Section 6, of this Constitution;

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

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

11 The legislature finds that the changes contained in the foregoing  
12 amendment constitute a single integrated plan for the purpose of  
13 taxation. If the foregoing amendment is held to be separate  
14 amendments, this joint resolution shall be void in its entirety and  
15 shall be of no further force and effect; and

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

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