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HOUSE JOINT RESOLUTION 4211

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Brumsickle, Carlson, Cole, Dickerson, Radcliff, Benton, Poulsen, Hatfield, Chopp, Mulliken, Valle, Conway, Regala, Basich, Voloria, Jacobsen, Ogden and Patterson; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction

Read first time 02/13/95. 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

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

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 ((electors)) voters thereof voting on the  
34 proposition to issue such bonds and to pay the principal and interest  
35 thereon by an annual tax levy 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  
39 the total number of ((persons)) voters voting on the proposition shall

1 constitute not less than forty per centum of the total number of  
2 (~~votes cast~~) voters voting in such taxing district at the last  
3 preceding general election: PROVIDED, That any such taxing district  
4 shall have the right by vote of its governing body to refund any  
5 general obligation bonds of said district issued for capital purposes  
6 only, and to provide for the interest thereon and amortization thereof  
7 by annual levies in excess of the tax limitation provided for  
8 herein(~~(7)~~): PROVIDED FURTHER, That a proposition by a school district  
9 to issue bonds, and to pay the principal and interest on the bonds by  
10 an annual tax levy during the term of the bonds in excess of the  
11 limitation provided in this section, shall be authorized by a majority  
12 of the voters voting on the proposition: AND PROVIDED FURTHER, That  
13 the provisions of this section shall also be subject to the limitations  
14 contained in Article VIII, Section 6, of this Constitution;

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

20 Article VIII, section 6. No county, city, town, (~~school~~  
21 ~~district,~~) or other municipal corporation shall for any purpose become  
22 indebted in any manner to an amount exceeding one and one-half per  
23 centum of the taxable property in such county, city, town, (~~school~~  
24 ~~district,~~) or other municipal corporation, without the assent of  
25 three-fifths of the voters therein voting at an election to be held for  
26 that purpose, nor in cases requiring such assent shall the total  
27 indebtedness at any time exceed five per centum on the value of the  
28 taxable property therein, to be ascertained by the last assessment for  
29 state and county purposes previous to the incurring of such  
30 indebtedness, except that in incorporated cities the assessment shall  
31 be taken from the last assessment for city purposes: PROVIDED, That  
32 the assent necessary to authorize a school district to incur such debt  
33 shall be a majority vote: PROVIDED FURTHER, That no part of the  
34 indebtedness allowed in this section shall be incurred for any purpose  
35 other than strictly county, city, town, school district, or other  
36 municipal purposes: PROVIDED FURTHER, That (a) any city or town, with  
37 such assent, may be allowed to become indebted to a larger amount, but  
38 not exceeding five per centum additional for supplying such city or  
39 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 secretary of state shall cause  
6 notice of the foregoing constitutional amendment to be published at  
7 least four weeks next preceding the election in every legal newspaper  
8 in the state.

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

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

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