
HOUSE JOINT RESOLUTION 4202

State of Washington

58th Legislature

2003 Regular Session

By Representatives Schual-Berke, Kagi, Conway, Hunter, Ruderman, Dunshee, Linville, McCoy, Kenney, Fromhold, McIntire, Cody, Miloscia, Hunt, Hatfield, Berkey, O'Brien, Darneille, Cairnes, Wallace, Clibborn, Wood, Lantz, Sommers, Kessler, Pettigrew, McDermott, Rockefeller, Upthegrove and Kirby

Read first time 01/20/2003. 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 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 and Article VIII, section 6 of the Constitution
7 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 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
19 utility district. Such aggregate limitation or any specific limitation
20 imposed by law in conformity therewith may be exceeded only as follows:

1 (a) By any taxing district when specifically authorized so to do by
2 a majority of at least three-fifths of the voters of the taxing
3 district voting on the proposition to levy such additional tax
4 submitted not more than twelve months prior to the date on which the
5 proposed initial levy is to be made and not oftener than twice in such
6 twelve month period, either at a special election or at the regular
7 election of such taxing district, at which election the number of
8 voters voting "yes" on the proposition shall constitute three-fifths of
9 a number equal to forty percent of the total number of voters voting in
10 such taxing district at the last preceding general election when the
11 number of voters voting on the proposition does not exceed forty
12 percent of the total number of voters voting in such taxing district in
13 the last preceding general election; or by a majority of at least
14 three-fifths of the voters of the taxing district voting on the
15 proposition to levy when the number of voters voting on the proposition
16 exceeds forty percent of the number of voters voting in such taxing
17 district in the last preceding general election: *Provided*, That
18 notwithstanding any other provision of this Constitution, any
19 proposition pursuant to this subsection to levy additional tax for the
20 support of the common schools may provide such support for a period of
21 up to four years and any proposition to levy an additional tax to
22 support the construction, modernization, or remodeling of school
23 facilities may provide such support for a period not exceeding six
24 years: PROVIDED FURTHER, That a proposition under this subsection to
25 levy an additional tax for a school district shall be authorized by a
26 majority of the voters voting on the 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 voters of the taxing district voting on the
33 proposition to issue such bonds and to pay the principal and interest
34 thereon by annual tax levies in excess of the limitation herein
35 provided during the term of such bonds, submitted not oftener than
36 twice in any calendar year, at an election held in the manner provided
37 by law for bond elections in such taxing district, at which election
38 the total number of voters voting on the proposition shall constitute

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

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

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

1 by the municipality and (b) any school district with such assent, may
2 be allowed to become indebted to a larger amount but not exceeding five
3 per centum additional for capital outlays.

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

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 providing for a simple
13 majority of voters voting to authorize school district levies and
14 bonds. If the foregoing amendment is held to be separate amendments,
15 this joint resolution shall be void in its entirety and shall be of no
16 further force and effect.

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