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**SUBSTITUTE HOUSE JOINT RESOLUTION 4205**

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**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives Schual-Berke, Haigh, Jarrett, Quall, Tom, Hunter, Hunt, Fromhold, Chase, Appleton, Darneille, Williams, Clibborn, McDermott, Simpson, P. Sullivan, Dickerson, O'Brien, Wood, Sells, Roberts, Green, Conway, Hudgins, Kirby, Kenney, McIntire, Dunshee, Hasegawa, Linville, Santos, Kagi, Ormsby, Lantz, Moeller and Blake)

READ FIRST TIME 02/07/05.

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

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

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

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

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

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