
HOUSE JOINT RESOLUTION 4205

State of Washington

59th Legislature

2005 Regular Session

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 01/26/2005. 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 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 may provide such support for a period of
23 up to four years and any proposition to levy an additional tax to
24 support the construction, modernization, or remodelling of school
25 facilities may provide such support for a period not exceeding six
26 years: *Provided further*, That a proposition under this subsection to
27 levy an additional tax for a school district shall be authorized by a
28 majority of the voters voting on the proposition;

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

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

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

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

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