S-1228.1 _____

SUBSTITUTE SENATE JOINT RESOLUTION 8202
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State of Washington   59th Legislature   2005 Regular Session

By Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Eide, Keiser, Doumit, Poulsen, Weinstein, Fairley, Schmidt, Jacobsen, Kastama, Regala, Fraser, Berkey, Kline, Brown, Spanel, Kohl-Welles, Shin, Rasmussen and Pridemore)

READ FIRST TIME 02/24/05.

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 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

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((ㆍ)): *Provided further*, That a
11 proposition by a school district to issue bonds, and to pay the
12 principal and interest on the bonds by an annual tax levy during the
13 term of the bonds in excess of the limitation provided in this section,
14 shall be authorized by a majority of the voters voting on the
15 proposition: *And provided further,* That the provisions of this section
16 shall also be subject to the limitations contained in Article VIII,
17 Section 6, of this Constitution;
18   (c) By the state or any taxing district for the purpose of
19 preventing the impairment of the obligation of a contract when ordered
20 so to do by a court of last resort.

21   Article VIII, section 6. No county, city, town, school district,
22 or other municipal corporation shall for any purpose become indebted in
23 any manner to an amount exceeding one and one-half per centum of the
24 taxable property in such county, city, town, school district, or other
25 municipal corporation, without the assent of three-fifths of the voters
26 therein voting at an election to be held for that purpose, nor in cases
27 requiring such assent shall the total indebtedness at any time exceed
28 five per centum on the value of the taxable property therein, to be
29 ascertained by the last assessment for state and county purposes
30 previous to the incurring of such indebtedness, except that in
31 incorporated cities the assessment shall be taken from the last
32 assessment for city purposes: *Provided,* That the assent necessary to
33 authorize a school district to incur such debt shall be by a majority
34 of the voters voting on the proposition: *Provided further,* That no
35 part of the indebtedness allowed in this section shall be incurred for
36 any purpose other than strictly county, city, town, school district, or
37 other municipal purposes: *Provided further,* That (a) any city or town,
38 with such assent, may be allowed to become indebted to a larger amount,

1 but not exceeding five per centum additional for supplying such city or
2 town with water, artificial light, and sewers, when the works for
3 supplying such water, light, and sewers shall be owned and controlled
4 by the municipality and (b) any school district with such assent, may
5 be allowed to become indebted to a larger amount but not exceeding five
6 per centum additional for capital outlays.

7   BE IT FURTHER RESOLVED, That the secretary of state shall cause
8 notice of this constitutional amendment to be published at least four
9 times during the four weeks next preceding the election in every legal
10 newspaper in the state.
11   BE IT FURTHER RESOLVED, That the foregoing amendment shall be
12 construed as a single amendment within the meaning of Article XXIII,
13 section 1 of the state Constitution.
14   The legislature finds that the changes contained in the foregoing
15 amendment constitute a single integrated plan providing for a simple
16 majority of voters voting to authorize school district levies and
17 bonds. If the foregoing amendment is held to be separate amendments,
18 this joint resolution shall be void in its entirety and shall be of no
19 further force and effect.

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