

Proposed Constitutional Amendment

*OFFICIAL BALLOT TITLE

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 1

CITIES, TOWNS: INCREASING LEVY PERIODS

Shall the State Constitution be amended to permit city and town voters to authorize tax levies in excess of the 40-mill limit at a specified maximum rate for up to four years for capital outlay, if the proposition or propositions be approved by a three-fifths majority and the number of voters voting thereon constitutes not less than forty percent of the votes cast at the last preceding general election in such city or town?

* Ballot Title issued by John J. O'Connell, Attorney General.

Vote cast by 1961 Legislature on final passage of Substitute House Joint Resolution No. 1: HOUSE OF REPRESENTATIVES: 99 Members—90 Yeas; 2 Nays; 7 Absent or not voting. STATE SENATE: 49 Members—49 Yeas; 0 Nays; 0 Absent or not voting.

EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

The Law As It Now Exists:

Article VII, section 2, Amendment 17, of the State Constitution (commonly known as the 40-mill limit provision) limits the aggregate of property tax levies by the state and taxing districts, including *cities and towns*, to forty mills
(Continued at top of next page)

OFFICIAL ARGUMENT FOR SUBSTITUTE HOUSE JOINT RESOLUTION NO. 1

What Does HJR-1 Do For YOU?

HJR-1 is a **permissive** resolution. It permits you to approve levies for one, two, three or four years to finance major improvements for parks, playgrounds, libraries, hospitals, freeways, and other civic projects. **HJR-1** retains the 40-mill limit law. It still requires that 40% of those who voted in the last General Election vote on the levy, and that 60% of them approve it.

How Will HJR-1 Save YOU Money?

HJR-1 will eliminate unnecessary bonded indebtedness. When you finance your civic improvements by bond issue, you add as much as 50% to the price tag—you spend half of your tax dollars for interest charges! And you put a lasting tax lien on your property for the life of the bond—for up to forty years!

HJR-1 will eliminate the crushing burden of financing major projects in

a single tax year. **HJR-1** will enable you to pay for your city improvements in two, three or four years—**interest-free!**

Who Supports HJR-1?

98% of your state Legislators . . . 265 mayors across the state . . . Association of Washington Cities . . . both major political parties . . . Washington State Labor Council . . . Washington State Junior Chamber of Commerce . . . League of Women Voters . . . Municipal League . . . Washington Education Association . . . Washington Congress of Parents and Teachers . . . American Association of University Women . . . hundreds of civic groups and forward looking people who want continual improvements in their home towns without back-breaking financial burdens.

HJR-1 Finishes What It Starts

HJR-1 insures long-range planning, careful fiscal management, and economy with every major expenditure.

HJR-1 is a giant step toward enabling local governments to improve their cities today, and not be caught short of funds before the job is done.

HJR-1 will help keep your child off congested city streets and put him on a well-equipped playground. **HJR-1** will help unsnarl your city's traffic jams with new roads and freeways. **HJR-1** will help you build your community library, provide men and equipment to guard your home from fire, strengthen police protection for your family, construct and maintain the other improvements your home town needs—and eliminate finance charges.

HJR-1 is on the ballot because 98% of your state Legislators put it there . . . because the 17th Constitutional Amendment which governs your taxes was approved in 1944 and cannot possibly meet the needs of the Sixties . . . and because thousands of people like you know that we must keep our cities abreast of our tremendous population expansion. Assure their future with **"YES"** on **HJR-1**.

Save a Ton of Money With Fewer Tax Elections — Vote "YES" on Sub. S.J.R. No. 1

COMMITTEE APPOINTED TO COMPOSE ARGUMENT FOR SUBSTITUTE HOUSE JOINT RESOLUTION NO. 1

JOHN RYDER, State Senator
6811 55th N.E., Seattle, Wash.

JOHN BIGLEY, State Representative
Kent, Washington

FRANK BROUILLET, State Representative
619 7th Ave. S.W., Puyallup, Wash.

ADVISORY COMMITTEE

MAYOR GORDON S. CLINTON
President
American Municipal League
Seattle, Wash.

MRS. FORREST S. SMITH
Chairman, Citizens Committee
to Reduce Local Election Costs
4507 University Way N.E., Seattle

MAYOR H. O. DOMSTAD
President, Association
of Washington Cities
Bremerton, Wash.

DAMON R. CANFIELD
State Representative
Granger, Wash.

on the dollar of assessed valuation, except that the voters of a taxing district, under certain specified conditions, may authorize the following levies in excess of the 40-mill limit:

- (a) An excess levy for one year.
- (b) Excess levies sufficient to meet the required annual payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, or to refund such general obligation bonds.

In each case, the proposition must be approved by a three-fifths majority of the voters at an election where the number of persons voting constitute not less than forty percent of the total number of votes cast in such taxing district at the last preceding general election.

There are further limitations as to the number of such propositions and the time within which they may be submitted to the people.

Effect of Substitute House Joint Resolution No. 1 If Approved Into Law:

The proposed constitutional amendment would add a new subsection additionally permitting *city and town* voters to authorize, at a single election, tax levies in excess of the 40-mill limit for a specified number of years, not to exceed four years, *for capital outlay purposes, only*. Such propositions would be subject to the same percentage requirements for voter approval as now govern excess levies.

No city or town would be permitted to submit to the voters a proposition to authorize additional levies under the new subsection for any year for which the voters have previously authorized an excess levy under this subsection for the same purpose. However, under certain specified conditions, a city or town could submit to the voters at any time a new proposition for the same purpose as a substitute for a prior excess levy authorization made under this subsection.

NOTE: Complete text of Substitute House Joint Resolution No. 1 starts on Page 43.

OFFICIAL ARGUMENT AGAINST SUBSTITUTE HOUSE JOINT RESOLUTION NO. 1

THE SPENDERS CONSTANTLY DEMAND MORE

1. You, the taxpayers, are suffering under their system of "tax and tax, spend and spend, elect and elect." This vicious practice has spread from the national administrations to every taxing subdivision. For example, at the 1961 legislative session the school districts demanded two 4-year levies, one for current expenses and one for capital outlay, so the cities and towns asked for the same under Sub. HJR No. 1. Their official representative, when asked why they wanted 4-year levies when comparatively few cities and towns had used the excess levy method, replied, "Others are asking for it, why shouldn't we?" The Senate, on motion of a former school director, struck out the 4 levies each for current expense and capital outlay for cities and towns from the school district resolution. When Sub. HJR No. 1 reached the Senate the senators struck out the 4-year levy for current expense, recognizing such provision is neither advisable nor logical.

2. **GOVERNMENTAL EXPENSES EXCESSIVE.** This year national, state, and local governments are spending \$162 billion, over one-third the entire earnings in the U. S. In the last 12 years state and local governments have increased expenditures from \$27 billion to \$53 billion. This is nearly double. Elected officials seek voters' favor and reelection by enormously increased expenditure, as shown above.

3. They demand that you vote for Sub. HJR No. 1 to permit cities and towns to pass 4 levies for capital outlay at one election. They now are permitted to ask for 2

levies each year. They are asking you to authorize 4 levies in 4 years under Sub. HJR No. 1. City and town officials want a 4-year levy in addition to the 2 levies each year, which are now permitted under the 40-mill limit.

4. Do you know that if you vote resolutions authorizing additional excess levies you are amending the state constitution? It took 20 years to secure the 40-mill limit constitutional provision, which is your protection against higher taxes. Do not wipe out its benefits by a single stroke. VOTE "NO" ON SUB. HJR No. 1.

5. Do you know if this resolution carries November 6 at least \$50 million in additional property taxes will be added? VOTE "NO" ON SUB. HJR No. 1.

6. Since 1947 the assessed value of property in this state has multiplied 3-fold. This now produces both for cities, towns and school districts three times the revenue produced in 1947 by the regular 15-mill city levy, and 14-mill school district levy.

7. Do you know that state, county, school districts, cities and towns of Washington now owe over \$1 billion dollars? You are being asked to pay off this indebtedness. Do you know that to meet debts and current expenses to carry on state and local governments, Washington citizens are now paying over \$900 million annually? Do you, the voters, want to give cities and towns a blank check to add 10 to 15% to the enormous tax burden of \$900 million, with which taxpayers are already saddled?

Don't Kill the 40-Mill, Vote "NO" on Substitute House Joint Resolution No. 1

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST SUBSTITUTE HOUSE JOINT RESOLUTION NO. 1

EDWARD F. RILEY
State Senator
303 4th and Pike Bldg., Seattle, Wash.

STANLEY C. PENCE
State Representative
Rt. 8, Box 81, Yakima, Wash.

FRANK C. JACKSON, Secy.
40-Mill Tax Limit Committee
1203 Vance Bldg., Seattle, Wash.

election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the Senate Feb. 14, 1961.
JOHN A. CHERBERG,
President of the Senate.

Passed the House Mar. 6, 1961.
JOHN L. O'BRIEN,
Speaker of the House.

EXPLANATORY COMMENT S.J.R. NO. 9:

All words underscored do not appear in our State Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, Secretary of State

COMPLETE TEXT OF

Senate Joint Resolution No. 21

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington in Legislative Session Assembled:*

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1962, there shall be submitted to the qualified voters of this state, for their adoption or rejection, the following proposed amendment to the Constitution of the State of Washington:

Section 33, Article II and Amendments 24 and 29 amendatory thereof, of the Constitution of the State of Washington are each hereby repealed.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such newspaper is published.

Passed the Senate Feb. 24, 1961.
JOHN A. CHERBERG,
President of the Senate.

Passed the House Mar. 5, 1961.
JOHN L. O'BRIEN,
Speaker of the House.

EXPLANATORY COMMENT S.J.R. NO. 21:

All the words printed below and lined through are in our State Constitution at the present time and are being taken out by this amendment.

VICTOR A. MEYERS, Secretary of State

~~Sec. 33, Article II (as amended): Alien Ownership. The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state.~~

COMPLETE TEXT OF

Senate Joint Resolution No. 25

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington in Legislative Session Assembled:*

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in

November, 1962, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article XXIII, section 1 of the Constitution of the State of Washington, to read as follows:

Article XXIII, section 1. Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: PROVIDED, that if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause notice of the amendments that are to be submitted to the people to be published ((for at least three months next preceding the election, in some weekly newspaper, in every county where a newspaper is published throughout the state)) at least four times during the four weeks next preceding the election in every legal newspaper in the state: PRO-VIDED, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election.

BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the Senate Feb. 24, 1961.
JOHN A. CHERBERG,
President of the Senate.

Passed the House Mar. 8, 1961.
JOHN L. O'BRIEN,
Speaker of the House.

EXPLANATORY COMMENT S.J.R. NO. 25:

All words in double parentheses and lined through are in our State Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the State Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, Secretary of State

COMPLETE TEXT OF

*Substitute House
Joint Resolution No. 1*

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington in Legislative Session Assembled:*

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1962, there shall be submitted to the qualified electors of the state, for their approval and ratification, or rejection, an amendment to Article 7, section 2 as amended by Amendment 17 of the Constitution of the State of Washington, by adding thereto a new subsection designated as subsection () which shall read as follows:

Article 7, section 2, subsection (). By any city or town, for the purposes and in the manner in this subsection provided. The tax levy or levies at a specified maximum rate for each year may be authorized at any single election for a specified number of years not in excess of four years for a levy for capital outlay when the proposition therefor has been approved by a majority of at least three-fifths of the electors voting thereon at which election the number of persons voting on the proposition shall constitute not less than forty percentum of the total number of votes cast at the last preceding general election in such city or town. If any tax levy is authorized pursuant to the provisions of this subsection, the governing body of the city or town shall determine annually thereafter the amount of funds required from the authorized levy or levies of the city or town for capital purposes, and within the limits of each tax levy so authorized a levy shall be made at the rate required to produce the amount of funds determined as aforesaid.

The proposition or propositions to authorize additional tax levies for capital outlays may be submitted to the electors of a city or town at any election, whether called specially for this purpose, or called for any other purpose, but may be submitted not more than twice in any one year.

No city or town shall submit to the electorate upon authority of this subsection a proposition to authorize additional levies for capital outlays for any year for which such electors have previously approved a levy under the authority of this subsection for the same purpose. A city or town may however at any time submit to the electorate a proposition to substitute for any prior authorization, a new authorization for the same purpose: PROVIDED, That (1) the levy authorized by the substituted authorization will be adequate to fulfill all contractual obligations of the city or town incurred by reason of the prior authorization, and (2) the substitute proposition shall by its terms supersede the prior authorization and by its terms shall not become effective until the first tax levy year following the date of the election at which it was authorized and then be in lieu of any tax levy authorized by the superseded authorization.

The procedures specified in this subsection shall be deemed cumulative to the other procedures specified in this section.

AND BE IT RESOLVED, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the House Mar. 30, 1961.

JOHN L. O'BRIEN,
Speaker of the House.

Passed the Senate Mar. 29, 1961.

JOHN A. CHERBERG,
President of the Senate.

EXPLANATORY COMMENT SUB. H.J.R. NO. 1:

All words underscored do not appear in the Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, Secretary of State

COMPLETE TEXT OF

House Joint Resolution No. 6

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington in Legislative Session Assembled:*

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1962, there shall be submitted to the qualified voters of this state, for their approval and ratification, or rejection, an amendment to Article IV of the Constitution of the State of Washington, by adding thereto a **new section** to be numbered section 2(a) of Article IV, which shall read as follows:

Section 2(a). When necessary for the prompt and orderly administration of justice a majority of the Supreme Court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the Supreme Court, and to authorize any superior court judge to perform judicial duties in any superior court of this state.

BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election, in some weekly newspaper, in every county where a newspaper is published throughout the state.

Passed the House Mar. 9, 1961.

JOHN L. O'BRIEN,
Speaker of the House.

Passed the Senate Mar. 9, 1961.

JOHN A. CHERBERG,
President of the Senate.

EXPLANATORY COMMENT H.J.R. NO. 6:

All words underscored do not appear in the Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, Secretary of State

COMPLETE TEXT OF

House Joint Resolution No. 9

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington in Legislative Session Assembled:*

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1962, there shall be submitted to the qualified electors of the state, for their approval and ratification, or rejection, an amendment to the State Constitution by the addition thereto of a **new section** to read as follows:

NEW SECTION. Article II, section 42. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack, shall have the power and the duty, immediately upon and after adoption of this amendment, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents and legal successors of which may become unavailable for carrying on the powers and duties