

SENATE JOINT RESOLUTION 25

Proposed Constitutional Amendment

Official ballot title:*

PORT EXPENDITURES—INDUSTRIAL DEVELOPMENT—PROMOTION

Shall Article VIII of the state constitution be amended to declare that the use of public funds by port districts, in such manner as may be prescribed by the legislature, for industrial development or trade promotion and promotional hosting shall be deemed a public use for a public purpose and shall not be deemed an unconstitutional gift of public funds?

Vote cast by members of the 1965 Legislature on final passage:
SENATE: (49 members) Yeas, 42; Nays, 6; Absent or not voting, 1.
HOUSE: (99 members) Yeas, 89; Nays, 5; Absent or not voting, 5.

* Ballot Title as issued by the Attorney General.

Statement **FOR**

Why SJR 25 is on the ballot:

The Washington State Supreme Court in 1965 overruled opinions and practices in force for many years and said ports of this state could no longer spend money for promotion unless specifically authorized by a vote of the people. The legislature moved swiftly to restore this authority. Both the Senate and House overwhelmingly—as indicated above—passed an amendment which will be on your ballot as SJR 25 when you vote November 8. An explanation of SJR 25 by the Attorney General (who cannot take sides) appears at the top of the opposite page.

Why SJR 25 is urgently needed:

The ports of Washington state, by the Supreme Court action referred to above, are prohibited from doing such simple, customary things as:

- (1) Cooperating fully with local industrial development groups to bring jobs to our state;
- (2) Developing industrial sites for lease or sale to industry;
- (3) Meeting the fierce competition of sea-ports and airports of neighboring states and Canada (which are not subject to these restrictions) with adequate advertising and other promotion; and

- (4) Dealing with port customers on a face to face basis—if such dealings involve any type of hosting.

SJR 25 creates jobs:

SJR 25 has strong support. In addition to a clear-cut legislative vote, Governor Evans and his Advisory Committee on Commerce and Economic Development have endorsed SJR 25. So have a long list of recognized leaders of labor, trade, business, industry and civic organizations. These endorsements recognize the importance of protecting the public investment in port facilities with adequate sales effort to assure full utilization of our ports. If you believe Washington ports should meet the competition of ports in other states, and that the state's \$1.5 billion of export-import trade and great industrial growth is worth promoting and protecting—Vote "YES" for SJR 25.

Committee appointed to compose statement **FOR** Senate Joint Resolution 25:

JOHN L. O'BRIEN, State Representative; R. R. (BOB) GREIVE, State Senator; THOMAS L. COPELAND, State Representative.

Advisory Committee: JOE DAVIS, President, Wash. State Labor Council; HENRY FOSS, Foss Launch & Tug Co.; JOHN FLUKE, former President, Seattle Chamber of Commerce; MRS. GEORGE (CATHERINE) PRINCE, Mercer Island; GLEN HOFER (Farmer), Waitsburg.

*Explanatory comment issued by the
Attorney General as required by law*

The Law as it now exists:

Present state constitutional provisions prohibit the expenditure of public money for nonpublic purposes. In a recent decision the supreme court indicated that port districts could not expend funds for the purpose of acquiring and developing industrial sites for the use of or resale to private industry. In its decision the court stated that industrial development is not a public purpose.

Other state constitutional provisions prohibit the state and its political subdivisions from making gifts of public money or property to private individuals. The state supreme court has recently interpreted these provisions to mean that port districts in our state cannot expend public funds for a certain type of promotional or advertising activity known as promotional hosting. Promotional hosting in the

case of port districts is generally understood to mean hosting individuals and groups of individuals at lunch or dinner for the purpose of cultivating trade relations and promoting business for the port.

**Effect of Senate Joint Resolution
No. 25 if approved into Law:**

The proposed constitutional amendment would permit port districts to use public funds, in such manner as the legislature may specify, for both industrial development and trade promotion and promotional hosting.

Note: Complete text of Senate Joint Resolution No. 25 starts on Page 42.

Statement **AGAINST**

Promotion and promotional hosting—in plain language means advertising, lobbying, banquets and cocktail parties.

If you agree that this is not a proper use for Tax money, vote "NO" on SJR 25.

If you believe that taxing districts should be treated alike rather than special privileges for Port Districts vote "NO" on SJR 25.

If you believe no transportation form should be taxed to build competition against itself—

Vote "NO" on SJR 25.

*Committee appointed to compose statement **AGAINST**
Senate Joint Resolution 25:*

ART AVEY
State Representative

NOTE: State law provides that in the instance of a proposed constitutional amendment, the committee appointed to write a statement, either for or against the proposal, should consist of at least one state senator and one state representative. However, no state senator indicated a desire to serve on such committee and for this reason State Representative Art Avey, alone, composed the above statement against this measure.

priations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of [~~timber,~~] stone, minerals, or [~~other~~] property other than timber and other crops from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating [~~timber,~~] stone, minerals, or [~~other~~] property other than timber and other crops from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund.

There is hereby established the common school construction fund to be used exclusively for the purpose of financing the construction of facilities for common schools. The sources of said fund shall be: (1) Those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for specific purposes; (2) the interest accruing on said permanent common school fund from and after July 1, 1967, together with all rentals and other revenues derived therefrom and from lands and other property devoted to the permanent common school fund [~~shall be exclusively applied to the current use of the common schools~~] from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.

The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section during the period after the effective date of this amendment and prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.

To the extent that the moneys in the common school construction fund are in excess of the amount necessary to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct.

Article XVI, section 5, (~~None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds.~~) The permanent common school fund of this state may be invested as authorized by law.

BE IT FURTHER RESOLVED, That the foregoing amendments shall each be construed as separate amendments within the meaning of Article XXIII, section 1, (Amendment 37) of this Constitution.

AND BE IT FURTHER RESOLVED, That the

secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

Passed the Senate April 5, 1965. Passed the House April 13, 1965.

JOHN A. CHERBERG,
President of the Senate.

Robert M. Schaefer,
Speaker of the House.

EXPLANATORY COMMENT S.J.R. NO. 22:

All words enclosed 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 Constitution as it is now written but will be put in if this amendment is adopted.

A. LUDLOW KRAMER, Secretary of State.

COMPLETE TEXT OF

**Proposed
Constitutional Amendment**

**SENATE JOINT
RESOLUTION 25**

Ballot Title as issued by the Attorney General:

**PORT EXPENDITURES—INDUSTRIAL
DEVELOPMENT—PROMOTION**

Shall Article VIII of the state constitution be amended to declare that the use of public funds by port districts, in such manner as may be prescribed by the legislature, for industrial development or trade promotion and promotional hosting shall be deemed a public use for public purpose and shall not be deemed an unconstitutional gift of public funds?

SENATE JOINT RESOLUTION NO. 25

BE IT RESOLVED, *By the Senate and the 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 of November, 1966, there shall be submitted to the qualified electors of the state, for their approval and ratification, or rejection, a proposed amendment to Article VIII of the Constitution of the state of Washington, to be known as Article VIII, section 8, and to read as follows:

NEW SECTION. Article VIII, section 8. The use of public funds by port districts in such manner as may be prescribed by the legislature for industrial development or trade promotion and promotional hosting shall be deemed a public use for a public purpose, and shall not be deemed a gift within the provisions of section 7 of this Article.

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

Passed the Senate March 23, 1965. Passed the House March 29, 1965.
JOHN A. CHERBERG, JOHN A. CHERBERG,
President of the Senate. Robert M. Schaefer,
Speaker of the House.

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

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

A. LUDLOW KRAMER, Secretary of State.

COMPLETE TEXT OF

**Proposed
Constitutional Amendment
Sub. HOUSE JOINT
RESOLUTION 4**

Ballot Title as issued by the Attorney General:

**VOTER QUALIFICATIONS FOR
PRESIDENTIAL ELECTIONS**

Shall Article VI of the state constitution be amended to allow United States citizens meeting all constitutional qualifications for voting in the state, except for length of residence, to vote at a United States presidential election solely for presidential electors or for the office of president and vice president if they

- (1) Intend to make this state their permanent residence; and
- (2) Have resided in the state at least sixty days immediately preceding the particular presidential election?

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, 1966, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, a proposal to amend Article VI of the Constitution of the State of Washington by adding thereto a new section to be known as section 1A, to read as follows:

NEW SECTION. Article VI, section 1A. In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: PROVIDED, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such person to cast such presidential ballots.

AND BE IT FURTHER RESOLVED, That the

secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

Passed the House April 23, 1965. Passed the Senate April 22, 1965.
Robert M. Schaefer, JOHN A. CHERBERG,
Speaker of the House. President of the Senate.

EXPLANATORY COMMENT SUB. H.J.R. NO. 4:

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

A. LUDLOW KRAMER, Secretary of State.

COMPLETE TEXT OF

**Proposed
Constitutional Amendment
HOUSE JOINT
RESOLUTION 7**

Ballot Title as issued by the Attorney General:

**RETIRED PERSONS PROPERTY
TAX EXEMPTION**

Shall Article VII of the state constitution be amended to authorize the legislature to grant relief from property taxes on real property owned and occupied as a residence by retired persons, subject to such restrictions and conditions as the legislature may establish, including but not limited to level of income and length of residence?

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

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII of the Constitution of the state of Washington, by adding a new section thereto to read as follows:

NEW SECTION. Article VII, section 10. Notwithstanding the provisions of Article 7, section 1 (Amendment 14) and Article 7, section 2 (Amendment 17), the following tax exemption shall be allowed as to real property:

The legislature shall have the power, by appropriate legislation, to grant to retired property owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief to those property owners below a specific level of income and those fulfilling certain minimum residential requirements.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next pre-