



Senate Joint Resolution 137

PROPOSED CONSTITUTIONAL AMENDMENT

Vote cast by the members of the 1976 Legislature on final passage:
HOUSE [98 members]: Yeas, 72; Nays, 23; Absent or not voting, 3.
SENATE [49 members]: Yeas, 42; Nays, 2; Absent or not voting, 5.

Official Ballot Title:

Shall the voters be permitted to approve excess levies for school support for two-year periods?

The Law as it now exists:

Article VII, § 2 of the state Constitution limits property taxes by the state and most taxing districts, including school districts, to a total of one percent of the value of the property per year. This section provides, however, that the voters, under certain specified con-

Statement for

What It Does

SJR 137 is a simple amendment to the State Constitution. If adopted by the voters, the amendment would allow school districts to run excess levies, subject to the existing 60 percent voter approval requirement, for a period of two years rather than the current one-year limitation.

Why A Two-Year Levy

Every voter has the right to vote "no" on any ballot measure; but in recent years, the school districts often have been running four elections every two years. Those elections take time and money that should be spent in the classroom. *SJR 137* will put school personnel back to their jobs, rather than spending months pleading with voters to pass their levies.

Proper Planning Saves Money

The most necessary and immediate problem facing the legislature is how to provide stable revenue for schools. Districts must be able to know how much money is available so that proper planning of future expenditures can occur.

But local levies will still exist. They should be for *only special purposes*. And they should be for two-year periods so that elected school boards may anticipate revenue, plan accordingly, and save taxpayers' dollars.

SJR 137 Will Not Increase Levies

This amendment can only help to *reduce levies*, since election costs will be substantially reduced.

SJR 137 will also reduce the time and effort currently placed upon county assessors and county treasurers. Therefore, it could reduce expenditures and free important local government money.

SJR 137 will not solve all the school problems, but it will help.

Rebuttal of Statement against

The Committee advocating approval of *SJR 137* chose not to prepare a rebuttal of the statement against.

Voters' Pamphlet Statement Prepared by:

ALBERT BAUER, State Representative, Democrat; FRANK B. "BUSTER" BROUILLET, Superintendent of Public Instruction; LOUIS O. STEWART, Education Director, Washington State Labor Council.

ditions, may authorize the following additional levies:

- (a) For one-year periods for any lawful purpose;
- (b) To pay principal and interest on general obligation bonds for capital purposes, throughout the life of the bonds.

The effect of Senate Joint Resolution 137, if approved into Law:

This proposed constitutional amendment would provide for an exception to the one-year limit on excess levies in the case of levies for the support of common schools only. The amendment would allow such excess levies to be approved by the voters for two-year periods.

NOTE: The ballot title and explanatory statement were written by the Attorney General as required by state law. The complete text of Senate Joint Resolution 137 begins on Page 18.

Statement against

Voters Previously Rejected This Amendment

In 1962, the voters of this state defeated SJR 1, which would have authorized multi-year levies. Why, then, would the Legislature resubmit an issue that the voters had already rejected?

Legislative Priorities Were Confused

The answer lies in the fact that the Legislature was besieged by a combination of educator strikes, highly vocal school boards, increasingly militant teacher unions, and frustrated taxpayers. It felt compelled to do something — anything — to appear responsive to the various pressures. Its “response” involved actions such as raising the sales tax, raising the B & O tax, and passing token measures like SJR 137.

Bigger, More Complicated Levies

Although this Constitutional amendment probably would facilitate the operations of the good school boards, it would also play into the hands of the bad ones. The larger two-year budgets would be more complicated making it easier to hide unnecessary items. Some school boards would take advantage of the confusion surrounding the introduction of the new two-year levy to include costly expenditures previously rejected by the voters.

What We Really Need

A “no” vote on SJR 137 is a vote for better priorities. We don’t want tokenism, increased taxes, or high special levies. We do want a sound, well-defined system of basic education.

Rebuttal of Statement for

SJR 137 **WILL INCREASE LEVIES**. Obviously, a two-year levy is going to be bigger than a one-year levy. The real question is, will it also be bigger when adjusted to an annual basis? Taxpayers should beware that any small savings cited by the proponents may be more than offset by the loss of annual local control and by the larger, more complicated expenditures hidden within the bigger levies.

Voters’ Pamphlet Statement Prepared by:

KENT PULLEN, State Senator, Republican; and WILLIAM “BILL” SCHUMAKER, State Representative, Republican.

(e) All persons for whom any legislation, or any rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation: PROVIDED, That for the purposes of this subsection, "compensation" shall not include payments made to an elected official by the governmental entity for which such person serves as an elected official for his service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid; and

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and with respect to each such entity: (i) With respect to a governmental unit in which the elected official holds any elective office, if such entity has received compensation in any form during the preceding twelve months from such governmental unit, the value of such compensation and the consideration given or performed in exchange for such compensation; (ii) The name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which such entity has received compensation in any form in the amount of two thousand five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for such compensation: PROVIDED, That the term "compensation" for purposes of this subsection (1)(g)(ii) shall not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing such service; ~~((iii) The name, address, and occupation of every other director and/or officer of any bank or commercial lending institution, the name of which is required to be reported under this subsection or all interest paid by a borrower on loans from and all interest paid to a depositor by such bank or commercial lending institution if such interest exceeds six hundred dollars);~~ PROVIDED, FURTHER, That with respect to any bank or commercial lending institution in which is held any such office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of such bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by such bank or commercial lending institution from the governmental entity for which the individual is an elected official or candidate, or all interest paid by a borrower on loans from and all interest paid to a depositor by such bank or commercial lending institution if such interest exceeds six hundred dollars; and

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: PROVIDED, That if a description of such property has been included in a

eighteen

report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(l) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.

(3) ~~((Elected officials and candidates))~~ All persons reporting under this section shall not be required to file the statements required to be filed with the secretary of state under RCW 42.21.060.

NEW SECTION. Sec. 2. The 1976 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.



BE IT RESOLVED, BY THE SENATE AND 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 amending section 2 thereof, as amended by Amendments 55 and 59, to read as follows:

Article VII, section 2. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one per centum of the true and fair value of such property in money: PROVIDED, HOWEVER, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only



(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on

the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election: PROVIDED, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: PROVIDED, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, AND PROVIDED FURTHER, That the provisions of this section shall also be subject to the limitations contained in Article VIII, section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

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.

 <p>EXISTING CONSTITUTIONAL PROVISIONS</p>	<p>NOTE: The proposed constitutional amendment which appears on this page repeals or modifies the effect of other provisions of the state constitution. These affected provisions are printed in the left-hand column of the page so that voters may readily compare them to the proposed changes, in the right-hand column of the page, and determine how the existing constitutional language would be affected.</p>	<p>PROPOSED CONSTITUTIONAL AMENDMENT</p> 
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THE EFFECT OF THESE CONSTITUTIONAL PROVISIONS WOULD BE MODIFIED, BUT NOT REPEALED, BY SENATE JOINT RESOLUTION 139:

Article II, Section 13

LIMITATION ON MEMBERS HOLDING OFFICE IN THE STATE. No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Article XXVIII, Section 1

COMPENSATION OF STATE OFFICERS. All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.

The provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed.

COMPLETE TEXT OF



Senate Joint Resolution 139

BE IT RESOLVED, BY THE SENATE AND 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 the Constitution of the state of Washington by amending Article II, section 25 (Amendment 35) to read as follows:

Article II, section 25. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office: PROVIDED, That notwithstanding the provisions of section 13 of Article II, section 1 of Article XXVIII (Amendment 20), and section 1 of Article XXX (Amendment 54), when a salary increase or decrease first becomes effective for a majority of the members of the legislature, such increase or decrease shall then apply to all members of the legislature.