



Senate Joint Resolution 120

PROPOSED CONSTITUTIONAL AMENDMENT

Vote cast by the members of the 1979 Legislature on final passage:
HOUSE [98 members]: Yeas, 70; Nays, 25; Absent or not voting, 3.
SENATE [49 members]: Yeas, 36; Nays, 11; Absent or not voting, 2.

Statement for

SJR 120 ENCOURAGES CONSERVATION—QUICK, SAFE, CLEAN, CHEAP ENERGY

SJR 120 encourages conservation to save energy, money and jobs for all Washington's citizens. Conservation—insulation, weather-stripping, storm windows, etc.—can save electricity at a cost one quarter or less than the cost of producing it at a new power plant. Because long construction delays are avoided, we can conserve electricity more quickly than we can build new plants. Conservation is the only new source of electricity which can reduce the high risk of power shortages in the 1980's.

ALL RATEPAYERS BENEFIT FROM CONSERVATION

People who conserve pay less for electricity because they use less. And because each additional well-insulated house helps delay the need for expensive new power plants, conservation holds down electricity rates. This benefits all ratepayers in the state.

SJR 120 ALLOWS PUBLICLY-OWNED UTILITIES TO MAKE CONSERVATION LOANS

Private power companies in Washington already offer low interest conservation loans to their residential customers for insulating their homes. But public utilities (municipals and PUD's), which serve over 60% of Washington's electric customers, are prohibited from offering such services by the State Constitution. SJR 120 amends the Constitution for ten years to permit limited conservation loans.

SJR 120 CAREFULLY AMENDS THE CONSTITUTION TO PROTECT PUBLIC AND PRIVATE CONCERNS

SJR 120 protects the spirit of the Constitution's "lending of credit" prohibition. Only funds from the sale of electricity could be used for conservation loans. The ratepayers who benefit from conservation also pay the costs. No tax dollars are involved. The sale and installation of the conservation materials could only be done by qualified private businesses (or installation could be done by the homeowner). Vote yes on SJR 120.

Official Ballot Title:

Shall municipal utilities be permitted by the constitution to assist owners of residences in financing energy conservation measures until 1990?

The law as it now exists:

Under the state constitution, municipal corporations such as counties, cities, and public utility districts cannot give or lend, or be authorized by the state legislature to give or lend, any of their funds or credit to assist private homeowners, who are not poor or infirm, in financing purchases or services, such as home insulation.

Rebuttal of Statement against

Yes, the Constitution was wisely written. But SJR 120 corrects a problem not anticipated in 1889. It permits public utilities to finance conservation the same way they finance power plants—not from taxes but from electricity sales. The low cost of conserving electricity holds down rates for everyone, no matter how they heat their homes. Conservation loans are already available from private power companies. SJR 120 removes discrimination by permitting conservation loans by public utilities.

Voters' Pamphlet Statement Prepared by:

R. TED BOTTIGER, State Senator; GERALDINE McCORMICK, State Representative; TED HALEY, State Representative.

Advisory Committee: JACK SILVERS, Master, Washington State Grange; JANE SHAFER, President, League of Women Voters of Washington; MARVIN L. WILLIAMS, Secretary-Treasurer, Washington State Labor Council; WALTER BELKA, Elder Citizens Coalition of Washington; ROBERT GILLETTE, Chairman, Puget Sound Chambers of Commerce Energy and Utilities Committee.

The effect of SJR 120, if approved into law:

If approved SJR 120 would permit the legislature to authorize counties, cities, public utility districts, and other municipal corporations and political subdivisions of the state, which sell or distribute energy, to assist owners of residential structures to finance the acquisition and installation of materials and equipment, such as home insulation, for the conservation or more efficient use of energy in their residences. Financial assistance would include the use of funds or credit, such as loans or guarantees of funds. The source of funds available for such assistance would be limited to operating revenues derived from the sale of energy.

Persons other than poor and infirm would be required to pay appropriate charges for this assistance.

The amendment would be automatically repealed January 1, 1990, except as to contracts entered into before that date.

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 120 begins on page 22.

Statement against

OUR CONSTITUTION WAS WISELY WRITTEN

In the Constitution of the State of Washington is a provision preventing municipal corporations, including public utility districts, from giving or lending any of their funds or credit to assist private home owners who are not poor or infirm. This provision was put there to help maintain the financial soundness of these government organizations and it should not be disturbed.

SJR 120 IS DISCRIMINATORY

There is great appeal these days to conserve energy but this plan is actually discriminatory. SJR 120 would result in having the taxpayers subsidize home insulation for those people who heat with electricity supplied by government utility companies. Left out in the cold would be those people who heat with oil, natural gas, propane, wood, electricity supplied by investor-owned utility companies, coal, and probably several other fuels as well.

Vote "no" on SJR 120.

Rebuttal of Statement for

The statement is made that the ratepayers who benefit pay the costs. The electric customers of public utility districts who heat with oil or natural gas do not receive any benefits. They are the victims of the discrimination referred to before. Conservation is very important and the need to conserve oil and natural gas is every bit as great as the need to conserve electricity. SJR 120 misses this entirely. VOTE NO ON SJR 120.


Voters' Pamphlet Statement Prepared by:

DICK BOND, State Representative.

Constitution. Special legislative sessions may also be convened for a period of not more than thirty consecutive days by resolution of the legislature upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. The resolution convening the legislature shall specify a purpose or purposes for the convening of a special session, and any special session convened by the resolution shall consider only measures germane to the purpose or purposes expressed in the resolution, unless by resolution adopted during the session upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, an additional purpose or purposes are expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

(3) Committees of the Legislature. Standing and special committees of the legislature shall meet and conduct official business pursuant to such rules as the legislature may adopt.

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.

 COMPLETE TEXT OF
**Senate Joint
Resolution 112**

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 II of the Constitution of the state of Washington by amending section 13 as follows:

Article II, Section 13. 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. Any member of the legislature who is appointed or elected to any civil office in the state, the emoluments of which have been increased during his legislative term of office, shall be compensated for the initial term of the civil office at the level designated prior to the increase in emoluments.

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.

 COMPLETE TEXT OF
**Senate Joint
Resolution 120**

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 state Constitution by adding a new section to Article VIII to read as follows:

Article VIII, section Notwithstanding the provisions of section 7 of this Article, until January 1, 1990 any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy to assist the owners of residential structures in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the residential structure benefited. Except as to contracts entered into prior thereto, this amendment to the state Constitution shall be null and void as of January 1, 1990 and shall have no further force or effect after that date.

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.

NOTE: Senate Joint Resolution 120 expressly modifies another provision of the state Constitution. This affected provision is included here so that voters may readily compare it to the proposed change contained in SJR 120 and determine how the existing constitutional language would be affected.

Article VIII, Section 7

CREDIT NOT TO BE LOANED. No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.