



HOUSE JOINT RESOLUTION 22

PROPOSED CONSTITUTIONAL AMENDMENT

NOTE: The ballot title and explanatory statement were written by the Attorney General as required by state law. The complete text of House Joint Resolution 22 begins on page 12.

Vote cast by the 1985 Legislature on final passage:
HOUSE: Yeas, 73; Nays, 22; Absent or not voting, 3.
SENATE: Yeas, 33; Nays, 15; Absent or not voting, 1.

Statement for

NON-VOTERS SHOULDN'T DECIDE AN ELECTION

Only those who vote should decide the outcome of an election. Yet today, those who don't vote can determine the fate of school levy and bond elections.

Currently, school levies and bonds must receive both a 60% yes vote **and** meet minimum voter turnout requirements based on the number of votes at the previous general election. Unless enough votes are cast to meet this turnout requirement, the levy or bond issue is defeated even if a large majority voted "yes". HJR 22 removes the turnout requirement so that these elections will be decided on their merits, not on the number of people who choose to vote.

CURRENT LAW IS UNFAIR

Historically, many school elections have failed even though 80-90% of the voters voted "yes". This is unfair. Presidential and major state elections generate large voter turnouts. This causes the turnout requirements in subsequent school elections to be very high and difficult to meet. Additional elections to satisfy the turnout requirement are expensive. HJR 22 puts democracy and fairness back in school elections.

PROPERTY OWNERS ARE PROTECTED

School levies and bonds would still require a 60% "yes" vote to pass. This 60% "supermajority" requirement will continue to provide adequate protection for the taxpayer. State law provides another safeguard by limiting the amount school districts can collect in taxes.

SCHOOLS NEED OUR SUPPORT

Levy funds are crucial to the operation of local school district programs. HJR 22 removes an unfair barrier to qual-

Official Ballot Title:

Shall conditions to voter approval of public school excess property tax levies, except the 60% yes vote requirement, be eliminated?

The law as it now exists:

The Washington State Constitution restricts the aggregate of property tax levies to 1% of the true and fair value of the property. However, with voter approval, taxing districts can impose excess property tax levies.

Generally, voter approval of excess tax levies requires that two conditions be met: (1) The total votes cast, both

ity education. Parents, teachers, school administrators, business and community leaders all think HJR 22 makes sense and urge your support.

VOTE YES: HJR 22



Rebuttal of Statement against

HJR 22 would make school levy and bond elections more equitable and fair by encouraging citizens to vote, whether they support or oppose the measure. The current turnout requirement is unnecessary and unfair. **Non-voters shouldn't decide an election.**

"Quiet" elections simply cannot occur in modern times. The law requires ample public notice of all elections. Voters are still protected by the 60% "yes" requirement. Schools and school issues will continue to need widespread community support.

For more information call (206) 357-5226.

Voters' Pamphlet Statement Prepared by:

MARCUS GASPARD, State Senator; GRACE COLE, State Representative; GERALD HESTER, Superintendent, Spokane School District.

Advisory Committee: DAN McDONALD, State Senator; TERRY BERGESON, President, Washington Education Association; JOE TALLER, Chairman, Washington Roundtable Education Working Committee; MARVIN WILLIAMS, President, Washington State Labor Council, AFL-CIO; JIM WHITESIDE, Yakima County Commissioner.

for and against the tax levy proposition, must exceed 40% of the votes cast in the taxing district at the last preceding general election (this is the "40% voter turnout requirement"); and, (2) at least 60% of the votes cast on the levy proposition must be for approval (this is the "60% yes vote requirement").

The Constitution provides an exception to the "40% voter turnout requirement" for one-year excess tax levies for taxing districts in general and for two-year excess tax levies for support of the common schools. That exception provides that if the "40% voter turnout requirement" is not met the tax levy may, nevertheless, be approved if the "yes vote" cast for the proposition equals or exceeds 60% of the "40% voter turnout requirement." Thus, for example if the equivalent of 24% of the votes cast at the preceding general election vote and all those votes are in favor of the levy proposal, it would be approved.

Both the "60% yes vote requirement" and the "40% voter turnout requirement" apply without exception to voter approval of long-term excess tax levies to fund gen-

Statement against

CONSTITUTION REQUIRES SAFEGUARDS

Washington State's Constitution requires a 40% turnout in a special levy election. To validate an increase in property taxes, these voting requirements for tax increases on property were put into the Constitution by the people for their own protection. With recent property revaluation and property tax increases generally, that protection is needed now more than ever. A basic principle is involved here; property taxpayers must be represented when voting additional taxes on property!

HJR 22 WOULD REMOVE SAFEGUARDS

HJR 22 seeks to change that. It would eliminate the 40% minimum necessary to validate school elections, and allow a very few voters to vote property tax increases on all property in the district.

HJR 22 would allow "quiet" elections with a minimum of notification to the voters. **If only 100 people voted and 60 voted "Yes," everyone's property taxes would be increased!** This would be a disaster for our schools and for the property taxpayers in the school district. To be effective, our schools must have community support. When schools are doing a good job, working with the community to build and maintain good educational programs, special levies pass.

People do support their schools, but it would be a tragic mistake to remove the necessity for broad community support. The people should continue to play a role in the spending policies of school districts.

DEFEAT HJR 22

HJR 22 would remove the protection property taxpayers wisely placed in our Constitution. HJR 22 should be defeated—vote "No" in November.

eral obligation bonds issued for a taxing district's capital purposes (for example, construction of school buildings).

The effect of HJR 22, if approved into law:

For public schools the 40% voter turnout requirements would be eliminated as conditions to be met for voter approval of excess levies. The only condition to be met for voter approval of one-year, two-year, and long-term capital bond excess levies for public schools would be a "60% yes vote requirement." The existing constitutional conditions to be met for voter approval of excess levies by other taxing districts would continue to apply.

In addition, two-year excess property levies for public schools would no longer be limited to "support of the common schools" but could include other public school purposes.

Rebuttal of Statement for

Don't be misled by the argument that "non-voters shouldn't decide elections". A constitutional amendment (HJR 47 passed in 1972) dealt with that issue, providing that a 40% turnout is not required if enough "yes" voters vote. "Yes" voters can now pass levies even if all "no" voters stay home.

HJR 22 would eliminate any minimum voter turnout requirement. We must continue to require a minimum number of voters necessary to increase property taxes.

Voters' Pamphlet Statement Prepared by:

JACK METCALF, State Senator; LINDA CRAIG THOMAS, State Representative; A.L. "SLIM" RASMUSSEN, State Senator.

Advisory Committee: HOMER LUNDQUIST, State Representative; R.M. "DICK" BOND, State Representative; RAY HILL, Master, Washington State Grange; NIELS G. NIELSEN, Bremerton.



COMPLETE TEXT OF House Joint Resolution 12

All words printed in italics are in the Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the Constitution as it now is written but will be put in if this amendment is adopted.

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 XXIX, section 1 of the Constitution of the state of Washington to read as follows:

Article XXIX, section 1. Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund or industrial insurance trust fund may be invested as authorized by law.

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 House Joint Resolution 22

All words printed in italics are in the Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the Constitution as it now is written but will be put in if this amendment is adopted.

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, section 2 of the Constitution of the state of Washington 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 the only requirement under this subsection concerning the number of electors necessary to approve a proposition to levy an additional tax for the public schools is that three-fifths of the electors voting on the proposition vote "yes": PROVIDED FURTHER, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the ((support of the common)) public schools may ((provide such support)) be 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 the only requirement under this subsection concerning the number of electors necessary to approve a proposition to levy an additional tax for the public schools is that three-fifths of the electors voting on the proposition vote

“yes”: PROVIDED FURTHER, 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.

or any part of the full faith and credit of the sponsor or any other state or local government, or any tax revenues other than tax allocation revenues, and shall not be considered a debt of the sponsor or other state or local government for general indebtedness limitation purposes.

For the purposes of the section, “property taxes” means:

(1) Property taxes subject to the aggregate limitation on tax levies by the state and all taxing districts in section 2 of this Article; and

(2) Property taxes levied by port districts and public utility districts, except for property taxes levied specifically for the purpose of making required payments of principal and interest on general indebtedness.

For purposes of this section, “public improvements” means capital projects that benefit the public at large and do not discriminate against any citizen on the basis of race, national origin, color, sex, age, economic status, or the presence of any sensory, mental, or physical handicap.

Nothing in this section authorizes the provision of public improvements which counties, cities, and towns may not otherwise provide.

Nothing in this section authorizes a county, city, or town to exercise powers of eminent domain contrary to the provisions of Article I, section 16.

Nothing in this section authorizes a county, city, or town to pledge all or part of its full faith and credit without complying with the laws relating to the incurring of general indebtedness, including Article VIII, section 1 and Article VIII, section 6, or to aggregate tax levies in excess of the limitation on levies in section 2 of this Article.

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 House Joint Resolution 23

The following constitutional amendment is being proposed as a new section to be added to Article VII of the state Constitution.

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

Article VII, section Notwithstanding any provision of this Constitution, the legislature may by general law for the purpose of permitting special financing of public improvements authorize the legislative authority of any county, city, or town to create boundaries, within its jurisdiction, after such legislative authority conducts a public hearing, containing only that real property which the legislative authority determines will be increased in true and fair value by reason of specified public improvements within those boundaries. The legislature may further provide that all or a portion of the property taxes levied within those boundaries against increases in the true and fair value of such real property may be used to pay for the specified public improvements or to pay public obligations incurred to fund the specified public improvements. Any such public obligations payable solely from revenues from these public improvements, including such property taxes levied against the increases in real property value and other available non tax money shall not be the general obligation of or guaranteed by all



COMPLETE TEXT OF House Joint Resolution 42

The following constitutional amendment is being proposed as a new section to be added to Article VIII of the state Constitution.

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 VIII of the Constitution of the