



# HOUSE JOINT RESOLUTION 55

## PROPOSED CONSTITUTIONAL AMENDMENT

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of House Joint Resolution 55 begins on page 20.

Vote cast by the 1986 Legislature on final passage:  
HOUSE: Yeas, 94; Nays, 1; Absent or not voting, 3.  
SENATE: Yeas, 44; Nays, 4; Absent or not voting, 1.



### Official Ballot Title:

Shall a constitutional amendment permit voters to approve school excess levies, not exceeding six years for construction, modernization or remodeling?



### 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 property. However, with voter approval, taxing districts

such as public school districts can impose excess property tax levies.

Under current law the voters of a school district may authorize the district to either: (1) impose a one year excess tax levy for the purpose of directly financing capital projects such as facility construction with the tax receipts, or (2) sell bonds in order to finance capital projects and impose an excess tax levy for the number of years needed to retire the bonds.

### The effect of HJR 55, if approved into law:

The voters of a school district would be permitted to authorize the district to impose an excess tax levy for up to six years for the purpose of directly financing capital projects consisting of facility construction, modernization or remodeling. The current provisions of law respecting the issuance of bonds for capital purposes and the levy of excess taxes to retire the bonds would not be changed.

## Statement for

### HJR 55: A LESS EXPENSIVE OPTION FOR SCHOOL CONSTRUCTION

Many school buildings across Washington are in disrepair due to a shortage of money to fix or replace them. Currently, school districts must sell bonds to fund school construction projects. However, they often must wait several years to receive state matching funds. Consequently, projects approved by local voters may be stalled indefinitely. Also, because long-term bonds must be repaid with interest, the cost to taxpayers is much more than just the cost of construction.

HJR 55 would establish a "pay-as-you-go" option that would allow local school district voters to authorize capital levies to fund remodeling, modernization, or construction projects. These capital levies could run up to six years and would provide a short-term, less expensive option for school districts that need to repair or build facilities now, in order to remodel aging buildings and to meet the needs of increasing student enrollment.

Using levies rather than bonds to finance construction projects would be *faster*, since districts would have the option of not waiting for state matching funds to complete their capital projects; it would be *less expensive*, since there would be no interest to pay; and passage of HJR 55 would help *ensure that our children are educated in safe, modern facilities*.

Our children's education is of *paramount importance* and cannot be adequately accomplished in run-down, out-of-date schools.

HJR 55 is not a cure-all, but it does offer *another option to provide for our kids' safety and their future*.

## Rebuttal of Statement against

Don't be misled. HJR 55 is for building purposes *only*. The terms *are* defined in law.

HJR 55 gives *local voters* an important alternative to provide better educational opportunities for kids: *less expensive school construction*.

HJR 55 is not a cure-all. School construction projects will still be subject to 60% *voter approval*. HJR 55 simply gives voters a *less expensive alternative* that saves money by avoiding bond interest.

Vote **yes** on HJR 55.

For additional information, call (206) 834-2642.

### Voters Pamphlet Statement Prepared by:

KIM PEERY, State Representative; MARC GASPARD, State Senator; JOHN BETROZOFF, State Representative.

Advisory Committee: FRED T. HALEY, Chairman/CEO, Brown and Haley, Chairman, Temporary Committee on Educational Policies, Structure and Management; TERRY BERGESON, President, Washington Education Association; KRIS VAN GORKOM, Assistant Executive Director, Washington Association of School Administrators; LINDA LEE URQUHART, Spokane School District Board of Directors; DR. FRANK B. BROUILLET, Superintendent of Public Instruction.

## Statement against

### HJR 55 IS VAGUE AND DANGEROUS

The terms "modernization" and "school facilities" are undefined and could mean almost anything. In fact, the language of the constitutional amendment is so vague, any sort of costly six-year levy, possibly even for non-capital purposes, could be submitted to the voters so long as the issue was loosely tied to the concept of "modernization".

### HJR 55 WILL CAUSE LEAP-FROGGING LEVIES

Leap-frogging levies will harm both the taxpayers and our educational system. Because HJR 55 establishes a third type of levy, voters may now be faced with a complicated and confusing blizzard of leap-frogging levies.

### HJR 55 WILL HURT EDUCATION

Because the voters will have strong objections to a confusing blizzard of leap-frogging levies, all levies, including worthwhile maintenance and operation levies, will be in jeopardy if HJR 55 passes. The increased likelihood of failing such levies will be very harmful to the education of our children.

### HJR 55 WILL HURT TAXPAYERS

Regrettably, HJR 55 provides yet another mechanism for raising property taxes in excess of the 106% levy lid. Property owners are already overburdened, and HJR 55 will provide one more means of increasing the property tax burden.

### VOTE "NO" ON HJR 55

Vote **no** to protect our educational system, to protect the rights of taxpayers, and to avoid a confusing blizzard of leap-frogging levies.

## Rebuttal of Statement for

"Pay-as-you-go" of HJR 55 would have taxpayers paying for major school construction projects in only six years. This is exactly like asking home buyers to pay for their homes in six years. Everyone wants to avoid interest, but homes and schools are such large items, most people must pay interest over a longer period in order to afford them at all.

HJR 55 surely is not a cure-all, *it is a whole new disease*.

### Voters Pamphlet Statement Prepared by:

PAUL O. SNYDER, Citizen Taxpayers Association; GLADYS E. EDWARDS, Property Owners Protection Association; BILL FOSBRE, Overtaxed, Thurston County.

Advisory Committee: LLOYD GARDNER, United Republicans of Washington; JIM GALBRAITH, National Conservative Task Force; DON BUSTER, North Kitsap Taxpayers Association.

received, make the appointment within the time prescribed by statute.

(5) An otherwise qualified member of a county legislative authority is eligible to be appointed to fill a vacancy governed by this section only if the member does not vote in an action or joint action to fill the vacancy.

(6) The legislature shall prescribe the time limits within which the state and county central committees must submit lists of nominees, within which a county legislative authority or county legislative authorities must agree upon an appointment, and within which the governor must make appointments under the terms of this section. If lists of nominees are not timely received, the appointing authority may appoint any qualified person to fill the vacancy.

(7) A person appointed to fill a vacancy in a partisan office under this section shall hold office until a successor is elected at the next state general election as specified by statute and has been qualified.

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 49

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

Article XXVIII, section 1. (*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.*)

Salaries for members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts shall be fixed by an independent commission created and directed by law to that purpose. No state official, public employee, or person required by law to register with a state agency as a lobbyist, or immediate family member of the official, employee, or lobbyist, may be a member of that commission.

As used in this section the phrase "immediate family" has the meaning that is defined by law.

Any change of salary shall be filed with the secretary of state and shall become law ninety days thereafter without action of the legislature or governor, but shall be subject to referendum petition by the people, filed within the ninety-day period. Referendum measures under this section shall be submitted to the people at the next following general election, and shall be otherwise governed by the provisions of this Constitution generally applicable to referendum

measures. The salaries fixed pursuant to this section shall supersede any other provision for the salaries of members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts. The salaries for such officials in effect on January 12, 1987, shall remain in effect until changed pursuant to this section.

After the initial adoption of a law by the legislature creating the independent commission, no amendment to such act which alters the composition of the commission shall be valid unless the amendment is enacted by a favorable vote of two-thirds of the members elected to each house of the legislature and is subject to referendum petition.

The provisions of section 14 of Article IV, sections 14, 16, 17, 19, 20, 21, and 22 of Article III, and section 23 of Article II, insofar as they are inconsistent herewith, are hereby (*repealed*) superseded. The provisions of section 1 of Article II relating to referendum procedures, insofar as they are inconsistent herewith, are hereby superseded with regard to the salaries governed by this section.

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 55

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 7, 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 and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities may provide such support for a period not exceeding six years;

(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.

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## WASHINGTON STATE VOTER INFORMATION

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### VOTER REGISTRATION

#### Qualifications for registering:

1. You are a U.S. citizen by birth or naturalization.
2. You will be 18 or older on the day of the primary or general election.
3. You are a legal resident of the state of Washington.

#### When to register:

Anytime, but you must register 30 days before the election to be qualified to vote. The voter registration deadline for the 1986 state general election is October 4, 1986.

#### Where to register:

You must register in person before the county auditor, city or town clerk or deputy voter registrar. Deputy registrars are located in most public schools, some fire stations, and state offices. Contact your county auditor for the location of the registration facility nearest to you. The address and telephone number of each county auditor is on page 45 of this voters' pamphlet.

#### When to re-register:

Keep your registration current. ***Your registration remains valid as long as you exercise your right to vote!*** You must re-register only if:

1. You did not vote in the previous 24-month period, or
2. You did not vote in the most recent presidential election, or
3. You have legally changed your name, or
4. You have moved from one county to another.

To be eligible to vote, you must re-register 30 days before the election.

#### If you move:

Whenever you move within a county, you should also change your voter registration. This can be done before a voter registrar or by mail. If you mail the information to the county auditor's office, include both your old and new addresses and your signature. To be eligible to vote in your new area, you must transfer your registration ***no later than 30 days before the election.***