



# HOUSE JOINT RESOLUTION 4223

## 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 4223 begins on page 35.

Vote cast by the 1988 Legislature on final passage:  
HOUSE: Yeas, 94; Nays, 0; Absent or not voting, 4.  
SENATE: Yeas, 33; Nays, 16; Absent or not voting, 0.

### Official Ballot Title:

Shall the constitutional authority for public utilities to assist residential energy conservation continue and extend to other structures and equipment?

### The law as it now exists:

The State Constitution prohibits municipal corporations, such as counties, cities and public utility districts, from giving or lending their funds to private persons who are not poor or infirm. In 1979, the Constitution was amended to specifically permit the legislature to

authorize municipal corporations which sell or distribute energy to assist owners of residential structures to finance the acquisition and installation of materials and equipment for the conservation or more effective use of energy. This 1979 constitutional authorization expires on January 1, 1990.

### The effect of HJR 4223, if approved into law:

If approved, HJR 4223 will permit the continuation of the energy conservation program for residences by eliminating the expiration date of January 1, 1990. It will also permit the legislature to expand the eligibility of the program to all structures and equipment but will exclude any purposes which result in a conversion from one energy source to another.

### Statement for

#### HJR 4223 PRESERVES THE BENEFITS OF ENERGY CONSERVATION

Since 1979, when Washington voters approved a constitutional amendment permitting publicly-owned utilities to make residential energy conservation loans, energy conservation has proven to be the quickest, cleanest, and cheapest source of new energy.

Approval of HJR 4223 allows publicly-owned utilities to continue highly successful loan programs to help residential customers conserve electricity. HJR 4223 also authorizes conservation loans to non-profit corporations, small businesses, and other commercial interests.

#### ENERGY CONSERVATION LOANS ARE PROVEN AND EFFECTIVE

- All ratepayers benefit from continued energy conservation loan programs:
- Conservation defers the need for expensive new power plants and rate increases to pay for them.
- Thousands of homeowners and renters have saved significant amounts of money through lower utility bills.
- Utilities have saved millions of kilowatts.
- Hundreds of private sector jobs have been generated because authorized loan programs required private contractors to perform the work.

#### HJR 4223 MAINTAINS THE PROTECTION OF PUBLIC AND PRIVATE INTERESTS

HJR 4223 carefully limits conservation loan programs. No tax dollars are involved. Only funds from the sale of electricity can be used for conservation loans.

Loans can be used only for the purchase and installation of energy conservation materials. They cannot be used to change from one energy source to another.

The sale and installation of conservation materials will continue to be performed by qualified private businesses.

#### VOTE ENERGY CONSERVATION. VOTE YES ON HJR 4223.

#### Voters Pamphlet Statement Prepared by:

DICK NELSON, State Representative; MAX BENITZ, State Senator; DANIEL J. EVANS, U.S. Senator.

Advisory Committee: WANDA HASS, President, League of Women Voters of Washington; RAY HILL, Master, Washington State Grange; LARRY KENNEY, President, Washington State Labor Council; GARY D. BRACKETT, Tacoma-Pierce County Chamber of Commerce; BOOTH GARDNER, Governor.

### Statement against

State law requires that the argument and rebuttal statement against a constitutional amendment be written by one or more members of the state Legislature who voted against that proposed measure on final passage or, in the event that no such member of the Legislature consents to prepare the statement, by any other responsible individual or individuals to be appointed by the Speaker of the House of Representatives, the President of the State Senate, and the Secretary of State. No legislator who voted against House Joint Resolution 4223 or other individual opposing the measure consented to write an argument against the measure for publication in this pamphlet.



## COMPLETE TEXT OF House Joint Resolution No. 4223

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, section 10 of the Constitution of the state of Washington to read as follows:

Article VIII, section 10. 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 or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures or equipment. 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 or a security interest in the equipment benefited. Any financing authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another. ~~((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.

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.

BE IT FURTHER RESOLVED, That the foregoing amendment shall be construed as a single amendment within the meaning of Article XXIII, section 1 of this Constitution.

The legislature finds that the changes contained in the foregoing amendment constitute a single integrated plan for updating terminology. If the foregoing amendment is held to be separate amendments, this joint resolution shall be void in its entirety and shall be of no further force and effect.



## COMPLETE TEXT OF House Joint Resolution No. 4231

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 VI, section 3 and an amendment to Article XIII, section 1 of the the state Constitution to read as follows:

Article VI, section 3. All ~~((idiots, insane persons, and))~~ persons convicted of infamous crime unless restored to their civil rights and all persons while they are judicially declared mentally incompetent are excluded from the elective franchise.

Article XIII, section 1. Educational, reformatory, and penal institutions; those for the benefit of ~~((blind, deaf, dumb, or otherwise defective youth; for the insane or idiotic))~~ youth who are blind or deaf or otherwise disabled; for persons who are mentally ill or developmentally disabled; and such other institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be provided by law. The regents, trustees, or commissioners of all such institutions existing at the time of the adoption of this Constitution, and of such as shall thereafter be established by law, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by ayes and noes, and entered upon the journal.