



HOUSE JOINT RESOLUTION 4220

PROPOSED CONSTITUTIONAL AMENDMENT

Vote cast by the 2002 Legislature on final passage:

House: Yeas, 98; Nays, 00; Absent, 0; Excused, 0.

Senate: Yeas, 48; Nays, 00; Absent, 0; Excused, 1.

Official Ballot Title:

The Legislature has proposed a constitutional amendment on fire protection property tax levies. This amendment would permit property tax levy propositions for fire protection districts to be submitted to voters for periods up to four years, or six years for fire facility construction, rather than annually.

Should this constitutional amendment be:

Approved [] Rejected []

Statement For

SAFETY, SECURITY AND STABILITY

Your family relies on local firefighters to help save lives during fires or medical emergencies. A yes vote is a vote for safety, security and stability.

THE PROBLEM

Right now, your local fire department must pay for levy elections every year.

These elections are expensive and they waste your tax dollars.

That money should go to fighting fires and saving lives.

THE SOLUTION

Give local fire districts the opportunity to ask voters for levies that last longer.

Safety -- This simple reform would save fire districts -- and taxpayers -- millions of dollars in election costs. That money could help make your community safer.

Security -- Voters would still have the final say, and levies would still need 60 percent yes votes to pass.

Stability -- Rather than planning for elections, and paying for them every year, longer levies would give firefighters the time and stability to plan for the future.

This reform is supported by the Washington State Council of Firefighters and the Washington State Association of Fire Chiefs.

Voters Pamphlet Argument Prepared by:

GEOFF SIMPSON, (D-Covington), State Representative, professional firefighter; DAVE MORELL, (R-Puyallup), State Representative, former fire commissioner; HANS DUNSHEE, (D-Snohomish), State Representative, former volunteer firefighter; JOYCE MULLIKEN, (R-Ephrata), State Representative; GEORGIA GARDNER, (D-Blaine), State Senator; JIM HORN, (R-Mercer Island), State Senator.

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of House Joint Resolution 4220 begins on page 47.

The constitutional provision as it presently exists:

When the state or a local government is authorized to submit a special property tax levy for voter approval, the state constitution (article VII, section 2) generally requires these levies to be submitted to the voters not more than twelve months prior to the date of the proposed levy. This requirement means that, for most taxing districts, a new levy proposition must be submitted to the voters each year. The current language of the constitution has an exception allowing levy propositions of up to four years for support of the common schools. A levy proposition for the construction, modernization, or remodeling of school facilities may be submitted for up to a six-year period.

The effect of the proposed amendment, if it is approved:

The proposed amendment would add additional language to article VII, section 2 of the state constitution. The amendment would permit fire protection district levy propositions, like school levies, to be submitted for up to four-year periods. Levies for the construction, modernization, or remodeling of fire facilities would be eligible, as school construction levies currently are, for propositions covering up to six-year periods.

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 or other individual opposing House Joint Resolution 4220 consented to write an argument against the measure for publication in this pamphlet.



COMPLETE TEXT OF House Joint Resolution 4220

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 the secretary of state shall submit 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 percent 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 as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district 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 voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting 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 or fire protection districts may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities or fire 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 voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies 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 voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting 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 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 this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.