

FORMATTING NOTE:

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (({- text here -})) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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INITIATIVE 679

February 18, 1997
LEAGUE OF WASHINGTON TAXPAYERS
PROPERTY TAX INITIATIVE

Following are the Section by Section changes, and/or deletions of the Office of the Code Reviser draft of the League of Washington Tax-payers property tax initiative:

New section. Sec. 1. Approved with exception of change in line 13, which shall read...assessed and valued for tax purposes as of, the levy rate of January 1, 1989. This levy rate shall comply with the 80 per cent change of the true and fair market value of the property. These new and revised property values shall become effective at the beginning of the tax year, January 1, 1998. The 106 per cent tax law shall become null and void as of the enactment date of this Initiative and shall no longer be applicable after January 1, 1998.

New Section. Sec. 2. Approved as submitted by the Office of Code Revisor.

New Section. Sec 3. Approved as submitted by the Office of Code Revisor.

Section 4. Approved as submitted by the Office of Code Revisor.

Section 5. Approved as submitted by the Office of Code Revisor.

Section 6. Approved as submitted by the Office of Code Revisor.

New section. Sec. 7. Approved as submitted by the Office of Code Revisor.

Section 8. Shall be revised to read: The Board of Park Commissioners may submit to the voters of the affected park district, levy tax proposals at the next general election. These taxes shall be approved by a 60 per cent majority vote and shall be enacted the year following voter approval. Any excess levy proposals shall comply with the afore-mentioned requirements. No levy proposals shall be authorized at a specially called election and shall not be approved in the Initiative to allow for a stipulated monetary amount per thousand dollars of assessed value.

Line 4. Beginning with the words...The manner of etc....and continuing through line 15 is approved as submitted by the Office of Code Revisor.

Sec.9. Shall be revised to read:A Park and Recreation district may submit to the voters of the affected Park District, levy tax proposals at the next general election.These taxes shall be approved by a 60 percent majority vote and shall be enacted the year following voter approval.Any propostion shall furthermore require a 60 per centum number of voters from the preceeding general election. This revises and amends Sec.9. from lines 18 through mid-line 36. Beginning with mid-line 36,which reads...Ballot propositions shall conform to RCW 29.30.111. The remainder of the text of SEC.9. is approved as submitted by the Office of Code Revisor.

Sec.10.Shall be revised to read: The governing body of a cultural arts, stadium, and convention district may submit to voters of the affected district,ad volorem tax proposals at the next general election.These shall be approved by a sixty per cent majority vote and shall be enacted the year following voter approval.Any proposition shall furthermore require a 60 per centum number of voters from the preceeding general election. This revises and amends Sec.10.lines 12 through 26,except the word ballot on line 26 shall be included with remainder of the text of SEC.10 line 18 on page 7 of the Office of Code Revisor wordage.

Sec.11. Shall be eliminated from the requirements of this Initiative in its entirety.Page 2 of Office of Code Revier draft revisions,deletions and additions of League of Washington Taxpayers Property Tax Initiative.

Sec.12. Approved as submitted by the Office of Code Revisor.

Sec.13. Approved with the addition of item (3) which shall read: All software and embedded software referred to in section 13 shall be defined as personal business software and embedded software and shall not include personal private individual software or embedded software.

Sec.14.Approved with the following additions:Line2,Page12,the word,real,shall precede the word property.Line 11,Page12, the word,real, shall precede property. Line 14, Page 12, personal property shall be changed to read,personal business property.The same change shall be inserted at the end of line 18and the beginning of line19.Line 21,beginning of line shall read personal business property.Line 31 shall read,personal business property.Line 33,shall read personal business property.Line 37 ,shall read,personal business property. Line 2,Page13;shall have inserted,any taxable personal business property.

Sec.15.Line 18 and 23,Page 13,shall read personal business property. Remainder of text submitted for Sec.15 by the Office of Code Revisor is approved.

Sec.16.Page 14.The text as submitted by the Office Of Code Revisor is approved through Line 18. Beginning with Line 19 it shall read, when approved by a 60 per cent majority of the ballots cast,by the voters of a taxing district in a manner set forth in Article VII, section 2(a) of the Constitution of this state at the next general election. This levy approval shall then become effective the following January after being approved. No special election shall be called other than the duly called general election.The text for lines 22 through 29 inclusive hall be eliminated from Sec.16.

Sec. 17.Line 32,Page 14 shall read,A rural library district may submit to the voters of a library district a levy proposal for its implementation, at the next general election.The levy shall be approved bya 60 per cent majority of the ballots cast and shall be enacted the year following voter approval.The levy

amount shall be assessed against the assessed value multiplied by an assessed valuation to eighty percent of the true and fair value of the taxable property in the rural library district, as determined by the department of revenue's indicated county ratio: should the county assessor deem it necessary to make levy adjustments to avoid conflict with any applicable RCW code, he shall so be authorized.

Sec. 18. Line 19 shall be revised to read, all taxable real property within the state equalized, etc. The remainder of the text as submitted by the Office of Code Revisor is approved.

Sec. 19. (1) Approved as submitted. (2) to be revised and to read as follows: a taxing district may submit a property tax levy to the voters of the affected district and such a levy shall be required to receive 60% approval of the ballots cast in a general election. The levy shall be authorized for 3 consecutive years. Votes cast in the general election for this proposition shall constitute three-fifths of a number equal to sixty percent of the total number of voters voting in such taxing district in Page 3 of Office of Code Revisor draft revisions, deletions and additions of

League of Washington Taxpayers Tax Initiative.

at the last general election.

Sec. 19. Page 16. Lines 3b through 11 shall be eliminated.

Sec. 19. (3) Is approved as submitted by the Office of the Code reviser.

Sec. 19. (4) Revised to read... If a county has received voter approval in a general election for a tax to support the service(s) in the county, no other taxing district may submit a levy to provide the same service(s). No county-wide levy proposal may be placed on the ballot without the approval of the legislative authority of each city exceeding fifty thousand population within the county: AND PROVIDED FURTHER, That this section and RCW 36.32.480 shall not prohibit any city or town from submitting an annual excess levy proposal to the voters at a general election to fund emergency medical services. Such a levy shall be enacted upon receiving a majority of 60 per cent of the ballots cast in a general election and the levy shall become effective on January first, following said general election.

Sec. 19. Line 35... beginning with wordage.. AND PROVIDED, FURTHER and continuing through line 4 on Page 17 is approved as appearing in the draft submitted by the Office of Code Revisor.

(5) Approved as submitted by the Office of Code reviser.

Sec. 20. Shall be revised to read. A levy by or for a port district shall be submitted to the voters of the affected district at a general election, and shall be required to receive a 60 per cent majority of the ballots cast for approval prior to being enacted.

New Section. Sec. 21. Approved as submitted by the Office of Code Revisor.

New Section. Sec. 22 Shall read. Any acts or parts of acts that need to be repealed as a result of the passage of this Initiative shall be so done.

New Section. Sec. 23. Shall read. This act applies for real property and personal business property taxes levied in 1998 for collection in 1999.

New Section. Sec. 24. Approves as submitted by the Office of Code Revisor.

New Section. Sec. 25. There shall be no minimum or maximum percentages of increases based upon the increases or decreases of inflation as may be determined by the Consumer Price Index, or by any taxing district within the State of Washington, any governmental body in the State of Washington. Any such automatic increase shall

be approved by a 60 per cent majority vote of the ballots cast at a general election.

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NOTE: The text of the Office of Code Reviser draft follows.

AN ACT Relating to property taxes; amending RCW 84.40.030, 35.61.210, 36.69.145, 67.38.130, 70.44.060, 84.08.115, 84.40.037, 84.40.040, 84.40.320, 84.52.052, 84.52.063, 84.52.065, 84.52.069, and 84.55.045; adding new sections to chapter 84.40 RCW; adding new sections to chapter 84.52 RCW; creating new sections; and repealing RCW 84.55.010, 84.55.020, 84.55.030, and 84.55.060.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. A new section is added to chapter 84.40 RCW to read as follows:

Property taxes for all classes of real estate in Washington state, such as privately owned residential and commercial, developed or undeveloped, including new construction, shall be returned to, and assessed and valued for tax purposes as of, the levy rate of January 1, 1989. These new and revised property values shall become effective at the beginning of the tax year, January 1, 1998.

{+ NEW SECTION. +} Sec. 2. A new section is added to chapter 84.40 RCW to read as follows:

In no event shall the assessed value of any property exceed eighty percent of the true and fair market value of the property. In valuing any tract or parcel of real property the value of the land, exclusive of structures, shall be determined at the 1989 assessed value, and shall not be valued at an accelerated rate. The value shall not exceed the value of the total property as it exists. All such assessments shall be done by an on-site inspection every four years. All counties of the state of Washington shall abide by the four-year assessment stipulation. In valuing agricultural land, growing crops shall be excluded. Assessments shall be based upon capital land and improvements as dictated by the assessed values of the tax year 1989.

{+ NEW SECTION. +} Sec. 3. A new section is added to chapter 84.52 RCW to read as follows:

Any local taxing district wishing to increase revenue shall do so by obtaining voter approval at the next general election. This section applies to property tax increases only.

Sec. 4. RCW 84.40.030 and 1994 c 124 s 20 are each amended to read as follows:

All property shall be valued at (({- one hundred -})) {+ eighty +} percent of its true and fair value in money and assessed on the same basis unless specifically provided otherwise by law.

Taxable leasehold estates shall be valued at {+ eighty percent of +} such price as they would bring at a fair, voluntary sale for cash without any deductions for any indebtedness owed including rentals to be paid.

The true and fair value of real property for taxation purposes (including property upon which there is a coal or other mine, or stone or other quarry) shall be based upon the following criteria:

(1) Any sales of the property being appraised or similar properties with respect to sales made within the past five years. The appraisal shall be consistent with the comprehensive land use plan, development regulations under chapter 36.70A RCW, zoning, and any other governmental policies or practices in effect at the time of appraisal that affect the use of property, as well as physical and environmental influences. The appraisal shall also take into account: (a) In the use of sales by real estate contract as similar sales, the extent, if any, to which the stated selling price has been increased by reason of the down payment, interest rate, or other financing terms; and (b) the extent to which the sale of a similar property actually represents the general effective market demand for property of such type, in the geographical area in which such property is located. Sales involving deed releases or similar seller-developer financing arrangements shall not be used as sales of similar property.

(2) In addition to sales as defined in subsection (1) {+ of this section +}, consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property. In the case of property of a complex nature, or being used under terms of a franchise from a public agency, or operating as a public utility, or property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection (2) shall be the dominant factors in valuation. When provisions of this subsection (2) are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

(3) {+ In addition to sales as defined in subsection (1) of this section and costs as determined under subsection (2) of this section, the assessed value of all classes of real estate must be reduced by the local assessor in the event of substantial damage, such as arson, destruction due to natural disaster, or any other factors causing a significant decline in true and fair market value, such as direct government action. The appraisal shall also take into consideration any reduction in property values or highest and best use that are the result of direct government action, including, but not limited to, rezoning of property, critical areas or wetland designations, wildlife habitat, stream buffer zones, eagle buffer zones, greenbelt separators, airport flight path zones, and riparian zones. If notified by a real property owner or by a state, county, or local government authority of a change in the permitted use of a parcel of real estate, the county assessor shall review the impact of the change in permitted use on the highest and best use of the property and shall relist, revalue, reassess, and lower the tax on that property accordingly.

(4) {+} In valuing any tract or parcel of real property, the value of the land, exclusive of structures thereon shall be determined; also the value of structures thereon, but the valuation shall not exceed the value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded.

{+ NEW SECTION. +} Sec. 5. A new section is added to chapter 84.40 RCW to read as follows:

If an individual taxpayer believes that his or her levied tax or assessment is not fair or equitable, the county assessor's office shall provide either or both a comparable assessment and tax information to that taxpayer for use in the taxpayer's appeal, if the taxpayer requests the information.

{+ NEW SECTION. +} Sec. 6. A new section is added to chapter 84.40 RCW to read as follows:

All real property in the state of Washington, personal and business, shall be assessed, valued, and taxed using the same criteria.

{+ NEW SECTION. +} Sec. 7. A new section is added to chapter 84.52 RCW to read as follows:

No changes in the tax rates, assessments, valuations, taxes, percentages, or criteria shall be enacted by any governmental body until the changes are submitted to, voted upon, and approved by at least sixty percent of the voters voting in a duly called general election.

Sec. 8. RCW 35.61.210 and 1990 c 234 s 3 are each amended to read as follows:

The board of park commissioners may levy or cause to be levied a general tax on all the property located in said park district each year not to exceed fifty cents per thousand dollars of assessed value of the property in such park district. In addition, the board of park commissioners may levy or cause to be levied a general tax on all property located in said park district each year not to exceed twenty-five cents per thousand dollars of assessed valuation. (({- Although park districts are authorized to impose two separate regular property tax levies, the levies shall be considered to be a single levy for purposes of the one hundred six percent limitation provided for in chapter 84.55 RCW. -}))

The board is hereby authorized to levy a general tax in excess of its regular property tax levy or levies when authorized so to do at a special election conducted in accordance with and subject to all the requirements of the Constitution and laws of the state now in force or hereafter enacted governing the limitation of tax levies. The board is hereby authorized to call a special election for the purpose of submitting to the qualified voters of the park district a proposition to levy a tax in excess of the seventy-five cents per thousand dollars of assessed value herein specifically authorized. The manner of submitting any such proposition, of certifying the same, and of giving or publishing notice thereof, shall be as provided by law for the submission of propositions by cities or towns.

The board shall include in its general tax levy for each year a sufficient sum to pay the interest on all outstanding bonds and may include a sufficient amount to create a sinking fund for the redemption of all outstanding bonds. The levy shall be certified to the proper county officials for collection the same as other general taxes and when collected, the general tax shall be placed in a separate fund in the office of the county treasurer to be known as the "metropolitan park district fund" and paid out on warrants.

Sec. 9. RCW 36.69.145 and 1994 c 156 s 3 are each amended to read as follows:

(({- (1) -})) A park and recreation district may impose regular property tax levies in an amount equal to sixty cents or less per thousand dollars of assessed value of property in the district in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the voters thereof approving a proposition authorizing the levies submitted at a special election or at the regular election of the district, at which election the number

of voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the number of voters voting in such district at the last preceding general election when the number of voters voting on the proposition does not exceed forty per centum of the 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 thereof voting on the proposition if the number of voters voting on the proposition exceeds forty per centum of the number of voters voting in such taxing district in the last preceding general election. A proposition authorizing the tax levies shall not be submitted by a park and recreation district more than twice in any twelve-month period. Ballot propositions shall conform with RCW 29.30.111. In the event a park and recreation district is levying property taxes, which in combination with property taxes levied by other taxing districts subject to the one percent limitation provided for in Article 7, section 2, of our state Constitution result in taxes in excess of the limitation provided for in RCW 84.52.043, the park and recreation district property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced.

(({- (2) The limitation in RCW 84.55.010 shall not apply to the first levy imposed under this section following the approval of the levies by the voters under subsection (1) of this section. -}))

Sec. 10. RCW 67.38.130 and 1984 c 131 s 4 are each amended to read as follows:

The governing body of a cultural arts, stadium and convention district may levy or cause to levy the following ad valorem taxes:

(1) Regular ad valorem property tax levies in an amount equal to twenty-five cents or less per thousand dollars of the assessed value of property in the district in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the electors thereof approving a proposition authorizing the levies submitted at a general or special election, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percentum of the total votes cast in such taxing district at the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition when the number of electors voting yes on the proposition exceeds forty percentum of the total votes cast in such taxing district in the last preceding general election. Ballot propositions shall conform with RCW 29.30.111.

In the event a cultural arts, stadium and convention district is levying property taxes, which in combination with property taxes levied by other taxing districts subject to the one percent limitation provided for in Article VII, section 2, of our state Constitution result in taxes in excess of the limitation provided for in RCW 84.52.043, the cultural arts, stadium and convention district property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced: PROVIDED, That no cultural arts, stadium, and convention district may pledge anticipated revenues derived from the property tax herein authorized as security for payments of bonds issued pursuant to subsection (1) of this section: PROVIDED, FURTHER, That such limitation shall not apply to property taxes approved pursuant to subsections (2) and (3) of this section.

(({- The limitation in RCW 84.55.010 shall apply to levies after the first levy authorized under this section following the approval of such levy by voters pursuant to this section. -}))

(2) An annual excess ad valorem property tax for general district purposes when authorized by the district voters in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.052.

(3) Multi-year excess ad valorem property tax levies used to retire general obligation bond issues when authorized by the district voters in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.056.

The district shall include in its regular property tax levy for each year a sum sufficient to pay the interest and principal on all outstanding general obligation bonds issued without voter approval pursuant to RCW 67.38.110 and may include a sum sufficient to create a sinking fund for the redemption of all outstanding bonds.

Sec. 11. RCW 70.44.060 and 1990 c 234 s 2 are each amended to read as follows:

All public hospital districts organized under the provisions of this chapter shall have power:

(1) To make a survey of existing hospital and other health care facilities within and without such district.

(2) To construct, condemn and purchase, purchase, acquire, lease, add to, maintain, operate, develop and regulate, sell and convey all lands, property, property rights, equipment, hospital and other health care facilities and systems for the maintenance of hospitals, buildings, structures, and any and all other facilities, and to exercise the right of eminent domain to effectuate the foregoing purposes or for the acquisition and damaging of the same or property of any kind appurtenant thereto, and such right of eminent domain shall be exercised and instituted pursuant to a resolution of the commission and conducted in the same manner and by the same procedure as in or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: PROVIDED, That no public hospital district shall have the right of eminent domain and the power of condemnation against any health care facility.

(3) To lease existing hospital and other health care facilities and equipment and/or other property used in connection therewith, including ambulances, and to pay such rental therefor as the commissioners shall deem proper; to provide hospital and other health care services for residents of said district by facilities located outside the boundaries of said district, by contract or in any other manner said commissioners may deem expedient or necessary under the existing conditions; and said hospital district shall have the power to contract with other communities, corporations, or individuals for the services provided by said hospital district; and they may further receive in said hospitals and other health care facilities and furnish proper and adequate services to all persons not residents of said district at such reasonable and fair compensation as may be considered proper: PROVIDED, That it must at all times make adequate provision for the needs of the district and residents of said district shall have prior rights to the available hospital and other health care facilities of said district, at rates set by the district commissioners.

(4) For the purpose aforesaid, it shall be lawful for any district so organized to take, condemn and purchase, lease, or acquire, any and all property, and property rights, including state and county lands, for any of the purposes aforesaid, and any and all other facilities necessary or convenient, and in connection with the construction,

maintenance, and operation of any such hospitals and other health care facilities, subject, however, to the applicable limitations provided in subsection (2) of this section.

(5) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the hospitals thereof, and the revenues of any other facilities or services that the district is or hereafter may be authorized by law to provide, and to issue and sell: (a) Revenue bonds, revenue warrants, or other revenue obligations therefor payable solely out of a special fund or funds into which the district may pledge such amount of the revenues of the hospitals thereof, and the revenues of any other facilities or services that the district is or hereafter may be authorized by law to provide, to pay the same as the commissioners of the district may determine, such revenue bonds, warrants, or other obligations to be issued and sold in the same manner and subject to the same provisions as provided for the issuance of revenue bonds, warrants, or other obligations by cities or towns under the Municipal Revenue Bond Act, chapter 35.41 RCW, as may hereafter be amended; (b) general obligation bonds therefor in the manner and form as provided in RCW 70.44.110 and 70.44.130, as may hereafter be amended; or (c) interest-bearing warrants to be drawn on a fund pending deposit in such fund of money sufficient to redeem such warrants and to be issued and paid in such manner and upon such terms and conditions as the board of commissioners may deem to be in the best interest of the district; and to assign or sell hospital accounts receivable, and accounts receivable for the use of other facilities or services that the district is or hereafter may be authorized by law to provide, for collection with or without recourse. General obligation bonds shall be issued and sold in accordance with chapter 39.46 RCW. Revenue bonds, revenue warrants, or other revenue obligations may be issued and sold in accordance with chapter 39.46 RCW.

(6) To raise revenue by the levy of an annual tax on all taxable property within such public hospital district not to exceed fifty cents per thousand dollars of assessed value, and an additional annual tax on all taxable property within such public hospital district not to exceed twenty-five cents per thousand dollars of assessed value, or such further amount as has been or shall be authorized by a vote of the people. (({- Although public hospital districts are authorized to impose two separate regular property tax levies, the levies shall be considered to be a single levy for purposes of the one hundred six percent limitation provided for in chapter 84.55 RCW. -})) Public hospital districts are authorized to levy such a general tax in excess of their regular property taxes when authorized so to do at a special election conducted in accordance with and subject to all of the requirements of the Constitution and the laws of the state of Washington now in force or hereafter enacted governing the limitation of tax levies. The said board of district commissioners is authorized and empowered to call a special election for the purpose of submitting to the qualified voters of the hospital district a proposition or propositions to levy taxes in excess of its regular property taxes. The superintendent shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file the same in the records of the commission on or before the first Monday in September. Notice of the filing of said proposed budget and the date and place of hearing on the same shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in said county. On the first Monday in October the commission shall hold a public

hearing on said proposed budget at which any taxpayer may appear and be heard against the whole or any part of the proposed budget. Upon the conclusion of said hearing, the commission shall, by resolution, adopt the budget as finally determined and fix the final amount of expenditures for the ensuing year. Taxes levied by the commission shall be certified to and collected by the proper county officer of the county in which such public hospital district is located in the same manner as is or may be provided by law for the certification and collection of port district taxes. The commission is authorized, prior to the receipt of taxes raised by levy, to borrow money or issue warrants of the district in anticipation of the revenue to be derived by such district from the levy of taxes for the purpose of such district, and such warrants shall be redeemed from the first money available from such taxes when collected, and such warrants shall not exceed the anticipated revenues of one year, and shall bear interest at a rate or rates as authorized by the commission.

(7) To enter into any contract with the United States government or any state, municipality, or other hospital district, or any department of those governing bodies, for carrying out any of the powers authorized by this chapter.

(8) To sue and be sued in any court of competent jurisdiction: PROVIDED, That all suits against the public hospital district shall be brought in the county in which the public hospital district is located.

(9) To pay actual necessary travel expenses and living expenses incurred while in travel status for (a) qualified physicians who are candidates for medical staff positions, and (b) other qualified persons who are candidates for superintendent or other managerial and technical positions, when the district finds that hospitals or other health care facilities owned and operated by it are not adequately staffed and determines that personal interviews with said candidates to be held in the district are necessary or desirable for the adequate staffing of said facilities.

(10) To make contracts, employ superintendents, attorneys, and other technical or professional assistants and all other employees; to make contracts with private or public institutions for employee retirement programs; to print and publish information or literature; and to do all other things necessary to carry out the provisions of this chapter.

Sec. 12. RCW 84.08.115 and 1991 c 218 s 2 are each amended to read as follows:

(1) The department shall prepare a clear and succinct explanation of the property tax system, including but not limited to:

(a) The standard of true and fair value as the basis of the property tax.

(b) How the assessed value for particular parcels is determined.

(c) The procedures and timing of the assessment process.

(d) How district levy rates are determined((- , including the one hundred six percent limit -)).

(e) How the composite tax rate is determined.

(f) How the amount of tax is calculated.

(g) How a taxpayer may appeal an assessment, and what issues are appropriate as a basis of appeal.

(h) A summary of tax exemption and relief programs, along with the eligibility standards and application processes.

(2) Each county assessor shall provide copies of the explanation to taxpayers on request, free of charge. Each revaluation notice shall

include information regarding the availability of the explanation.

Sec. 13. RCW 84.40.037 and 1991 sp.s. c 29 s 4 are each amended to read as follows:

(1) Computer software, except embedded software, shall be valued in the first year of taxation at (({- one hundred -})) {+ eighty +} percent of the acquisition cost of the software and in the second year at fifty percent of the acquisition cost. Computer software, other than embedded software, shall have no value for purposes of property taxation after the second year.

(2) Embedded software is a part of the computer system or other machinery or equipment in which it is housed and shall be valued in the same manner as the machinery or equipment.

Sec. 14. RCW 84.40.040 and 1988 c 222 s 15 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. The assessor shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction (({- under RCW 36.21.040 through 36.21.080 -})) shall be completed by August 31st of each year, and in the following manner, to wit:

The assessor shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter (({- one hundred -})) {+ eighty +} percent of the value of such land and of the total value of such improvements, together with the total of such (({- one hundred percent -})) valuations, opposite each description of property on the assessment list and tax roll.

The assessor shall make an alphabetical list of the names of all persons in the county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property: PROVIDED, That the assessor may list and value improvements on publicly owned land in the same manner as real property is listed and valued, including conformance with the revaluation program required under chapter 84.41 RCW. Such list and statement shall be filed on or before the last day of April. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: PROVIDED, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter (({- one hundred -})) {+ eighty +} percent of the same on the assessment roll opposite the name of the party assessed; and in making such entry in the assessment list, the assessor shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of the party's

residence or place of business. The assessor may, after giving written notice of the action to the person to be assessed, add to the assessment list any taxable property which should be included in such list.

Sec. 15. RCW 84.40.320 and 1988 c 222 s 18 are each amended to read as follows:

The assessor shall add up and note the amount of each column in the detail and assessment lists in such manner as prescribed or approved by the state department of revenue, as will provide a convenient and permanent record of assessment. The assessor shall also make, under proper headings, a certification of the assessment rolls and on the 15th day of July shall file the same with the clerk of the county board of equalization for the purpose of equalization by the said board. Such certificate shall be verified by an affidavit, substantially in the following form:

State of Washington, County, ss.

I,, Assessor, do solemnly swear that the assessment rolls and this certificate contain a correct and full list of all the real and personal property subject to taxation in this county for the assessment year 19. . ., so far as I have been able to ascertain the same; and that the assessed value set down in the proper column, opposite the several kinds and descriptions of property, is in each case, except as otherwise provided by law, (({- one hundred -})) {+ eighty +} percent of the true and fair value of such property, to the best of my knowledge and belief, and that the assessment rolls and this certificate are correct, as I verily believe.

. ,
Assessor.

Subscribed and sworn to before me this day of ,
19. . .
(L. S.), Auditor of county.

PROVIDED, That the failure of the assessor to complete the certificate shall in nowise invalidate the assessment. After the same has been duly equalized by the county board of equalization, the same shall be delivered to the county assessor.

Sec. 16. RCW 84.52.052 and 1996 c 230 s 1615 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district except school districts in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. As used in this section, the term "taxing district" means any county, metropolitan park district, park and recreation service area, park and recreation district, water-sewer district, solid waste disposal district, public facilities district, flood control zone district, county rail district, service district, public hospital district, road district, rural county library district, island library district, rural partial-county library district, intercounty rural library district, fire protection district, cemetery district, city, town, transportation benefit district, emergency medical service district with a population density of less than one thousand per square mile, or cultural arts, stadium, and convention district.

Any such taxing district may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or (({- 84.55.010 -})) {+ 84.55.012 +} through 84.55.050, when authorized so to do by the voters of such taxing district in the manner set forth in Article VII, section 2(a) of the Constitution of this state at a special or general election to be held in the year in which the levy is made.

A special election may be called and the time therefor fixed by the county legislative authority, or council, board of commissioners, or other governing body of any such taxing district, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "yes" and those opposed thereto to vote "no."

Sec. 17. RCW 84.52.063 and 1973 1st ex.s. c 195 s 105 are each amended to read as follows:

A rural library district may impose a regular property tax levy in an amount equal to that which would be produced by a levy of fifty cents per thousand dollars of assessed value multiplied by an assessed valuation equal to (({- one hundred -})) {+ eighty +} percent of the true and fair value of the taxable property in the rural library district, as determined by the department of revenue's indicated county ratio: PROVIDED, That when any county assessor shall find that the aggregate rate of levy on any property will exceed the limitation set forth in RCW 84.52.043 and 84.52.050(({- , as now or hereafter amended, -})) before recomputing and establishing a consolidated levy in the manner set forth in RCW 84.52.010, the assessor shall first reduce the levy of any rural library district, by such amount as may be necessary, but the levy of any rural library district shall not be reduced to less than fifty cents per thousand dollars against the value of the taxable property, as determined by the county, prior to any further adjustments pursuant to RCW 84.52.010. For purposes of this section "regular property tax levy" shall mean a levy subject to the limitations provided for in Article VII, section 2 of the state Constitution and/or by statute.

Sec. 18. RCW 84.52.065 and 1991 sp.s. c 31 s 16 are each amended to read as follows:

(({- Subject to the limitations in RCW 84.55.010, -})) {+ I +}n each year the state shall levy for collection in the following year for the support of common schools of the state a tax of three dollars and sixty cents per thousand dollars of assessed value upon the assessed valuation of all taxable property within the state adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue.

As used in this section, "the support of common schools" includes the payment of the principal and interest on bonds issued for capital construction projects for the common schools.

Sec. 19. RCW 84.52.069 and 1995 c 318 s 9 are each amended to read as follows:

(1) As used in this section, "taxing district" means a county, emergency medical service district, city or town, public hospital district, urban emergency medical service district, or fire protection district.

(2) A taxing district may impose additional regular property tax levies in an amount equal to fifty cents or less per thousand dollars of the assessed value of property in the taxing district in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the registered voters thereof approving a proposition authorizing the levies submitted at a general or special election, at which election the number of persons 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 registered 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 registered voters thereof voting on the proposition when the number of registered voters voting on the proposition exceeds forty percent of the total number of voters voting in such taxing district in the last preceding general election. Ballot propositions shall conform with RCW 29.30.111.

(3) Any tax imposed under this section shall be used only for the provision of emergency medical care or emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles and structures needed for the provision of emergency medical care or emergency medical services.

(4) If a county levies a tax under this section, no taxing district within the county may levy a tax under this section. No other taxing district may levy a tax under this section if another taxing district has levied a tax under this section within its boundaries: PROVIDED, That if a county levies less than fifty cents per thousand dollars of the assessed value of property, then any other taxing district may levy a tax under this section equal to the difference between the rate of the levy by the county and fifty cents: PROVIDED FURTHER, That if a taxing district within a county levies this tax, and the voters of the county subsequently approve a levying of this tax, then the amount of the taxing district levy within the county shall be reduced, when the combined levies exceed fifty cents. Whenever a tax is levied county-wide, the service shall, insofar as is feasible, be provided throughout the county: PROVIDED FURTHER, That no county-wide levy proposal may be placed on the ballot without the approval of the legislative authority of each city exceeding fifty thousand population within the county: AND PROVIDED FURTHER, That this section and RCW 36.32.480 shall not prohibit any city or town from levying an annual excess levy to fund emergency medical services: AND PROVIDED, FURTHER, That if a county proposes to impose tax levies under this section, no other ballot proposition authorizing tax levies under this section by another taxing district in the county may be placed before the voters at the same election at which the county ballot proposition is placed: AND PROVIDED FURTHER, That any taxing district emergency medical service levy that is authorized subsequent to a county emergency medical service levy, shall expire concurrently with the county emergency medical service levy.

(5) The limitations in RCW 84.52.043 shall not apply to the tax levy authorized in this section.

(((- (6) The limitation in RCW 84.55.010 shall not apply to the first levy imposed pursuant to this section following the approval of such levy by the voters pursuant to subsection (2) of this section. -
}))

Sec. 20. RCW 84.55.045 and 1982 1st ex.s. c 3 s 2 are each amended to read as follows:

For purposes of applying the provisions of this chapter(({- :

(1) -}))){+ , a +} levy by or for a port district pursuant to RCW 53.36.100 shall be treated in the same manner as a separate regular property tax levy made by or for a separate taxing district(({- ; and

(2) The first levy by or for a port district pursuant to RCW 53.36.100 after April 1, 1982, shall not be subject to RCW 84.55.010 - })).

{+ NEW SECTION. +} Sec. 21. The department of revenue shall adopt rules to implement this act.

{+ NEW SECTION. +} Sec. 22. The following acts or parts of acts are each repealed:

(1) RCW 84.55.010 and 1979 ex.s. c 218 s 2, 1973 1st ex.s. c 67 s 1, & 1971 ex.s. c 288 s 20;

(2) RCW 84.55.020 and 1971 ex.s. c 288 s 21;

(3) RCW 84.55.030 and 1973 1st ex.s. c 195 s 107 & 1971 ex.s. c 288 s 22; and

(4) RCW 84.55.060 and 1979 ex.s. c 218 s 6.

{+ NEW SECTION. +} Sec. 23. This act applies for taxes levied in 1998 for collection in 1999.

{+ NEW SECTION. +} Sec. 24. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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