

---

HOUSE JOINT RESOLUTION 4206

---

State of Washington

67th Legislature

2021 Regular Session

By Representatives Chase and McCaslin

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state the  
4 secretary of state shall submit to the qualified voters of the state  
5 for their approval and ratification, or rejection, an amendment to  
6 Article I, section 11 of the Constitution of the state of Washington,  
7 an amendment to Article IX, sections 1, 2, and 3 of the Constitution  
8 of the state of Washington, an amendment to Article IX of the  
9 Constitution of the state of Washington by repealing section 4 in its  
10 entirety, and an amendment to Article XVI, section 5 of the  
11 Constitution of the state of Washington to read as follows:

12 Article I, section 11. Absolute freedom of conscience in all  
13 matters of religious sentiment, belief and worship, shall be  
14 guaranteed to every individual, and no one shall be molested or  
15 disturbed in person or property on account of religion; but the  
16 liberty of conscience hereby secured shall not be so construed as to  
17 excuse acts of licentiousness or justify practices inconsistent with  
18 the peace and safety of the state. No public money or property shall  
19 be appropriated for (~~or applied to~~) any religious worship, exercise  
20 or instruction, or the support of any religious establishment:  
21 PROVIDED, HOWEVER, That this article shall not be so construed as to  
22 forbid the employment by the state of a chaplain for such of the

1 state custodial, correctional, and mental institutions, or by a  
2 county's or public hospital district's hospital, health care  
3 facility, or hospice, as in the discretion of the legislature may  
4 seem justified. No religious qualification shall be required for any  
5 public office or employment, nor shall any person be incompetent as a  
6 witness or juror, in consequence of his opinion on matters of  
7 religion, nor be questioned in any court of justice touching his  
8 religious belief to affect the weight of his testimony.

9 Article IX, section 1. It is the paramount duty of the state to  
10 make (~~ample~~) sufficient provision for the education of all children  
11 residing within its borders, without distinction or preference on  
12 account of race, color, caste, or sex.

13 Article IX, section 2. The legislature shall provide for a  
14 general and uniform system of public schools. The public school  
15 system shall include common schools, and such high schools, normal  
16 schools, and technical schools as may hereafter be established. (~~But~~  
17 ~~the entire revenue derived from the common school fund and the state~~  
18 ~~tax for common schools shall be exclusively applied to the support of~~  
19 ~~the common schools.))~~

20 Article IX, section 3. The principal of the (~~common school~~)  
21 K-12 education fund as the same existed on June 30, 1965, shall  
22 remain permanent and irreducible. The said fund shall consist of the  
23 principal amount thereof existing on June 30, 1965, and such  
24 additions thereto as may be derived after June 30, 1965, from the  
25 following named sources, to wit: Appropriations and donations by the  
26 state to this fund; donations and bequests by individuals to the  
27 state or public for (~~common schools~~) K-12 education; the proceeds  
28 of lands and other property which revert to the state by escheat and  
29 forfeiture; the proceeds of all property granted to the state when  
30 the purpose of the grant is not specified, or is uncertain; funds  
31 accumulated in the treasury of the state for the disbursement of  
32 which provision has not been made by law; the proceeds of the sale of  
33 stone, minerals, or property other than timber and other crops from  
34 school and state lands, other than those granted for specific  
35 purposes; all moneys received from persons appropriating stone,  
36 minerals or property other than timber and other crops from school  
37 and state lands other than those granted for specific purposes, and  
38 all moneys other than rental recovered from persons trespassing on  
39 said lands; five per centum of the proceeds of the sale of public

1 lands lying within the state, which shall be sold by the United  
2 States subsequent to the admission of the state into the Union as  
3 approved by section 13 of the act of congress enabling the admission  
4 of the state into the Union; the principal of all funds arising from  
5 the sale of lands and other property which have been, and hereafter  
6 may be granted to the state for the support of (~~common schools~~)  
7 K-12 education. The legislature may make further provisions for  
8 enlarging said fund.

9 There is hereby established the common school construction fund  
10 to be used exclusively for the purpose of financing the construction  
11 of facilities for the common schools. The sources of said fund shall  
12 be: (1) Those proceeds derived from the sale or appropriation of  
13 timber and other crops from school and state lands subsequent to June  
14 30, 1965, other than those granted for specific purposes; (2) the  
15 interest accruing on said permanent common school fund from and after  
16 July 1, 1967, together with all rentals and other revenues derived  
17 therefrom and from lands and other property devoted to the permanent  
18 common school fund from and after July 1, 1967; and (3) such other  
19 sources as the legislature may direct. That portion of the common  
20 school construction fund derived from interest on the permanent  
21 common school fund may be used to retire such bonds as may be  
22 authorized by law for the purpose of financing the construction of  
23 facilities for the common schools.

24 The interest accruing on the permanent (~~common school~~) K-12  
25 education fund together with all rentals and other revenues accruing  
26 thereto pursuant to subsection (2) of this section during the period  
27 after the effective date of this amendment and prior to July 1, 1967,  
28 shall be exclusively applied to the current use of (~~the common~~  
29 ~~schools~~) K-12 education.

30 To the extent that the moneys in the common school construction  
31 fund are in excess of the amount necessary to allow fulfillment of  
32 the purpose of said fund, the excess shall be available for deposit  
33 to the credit of the permanent (~~common school~~) K-12 education fund  
34 or available for the current use of (~~the common schools~~) K-12  
35 education, as the legislature may direct.

36 Article XVI, section 5. The permanent (~~common school~~) K-12  
37 education fund of this state may be invested as authorized by law.

1 BE IT FURTHER RESOLVED, That this amendment is a single amendment  
2 within the meaning of Article XXIII, section 1 of the state  
3 Constitution.

4 The legislature finds that the changes contained in this  
5 amendment constitute a single integrated plan for a system of  
6 publicly funded elementary and secondary education. If this amendment  
7 is held to be separate amendments, this joint resolution is void in  
8 its entirety and is of no further force and effect.

9 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
10 notice of this constitutional amendment to be published at least four  
11 times during the four weeks next preceding the election in every  
12 legal newspaper in the state.

--- END ---