

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 3

BY LOCAL GOVERNMENT COMMITTEE

A JOINT RESOLUTION

1 PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE
2 STATE OF IDAHO, RELATING TO BONDED INDEBTEDNESS OF POLITICAL SUBDIVI-
3 SIONS TO REDUCE THE BONDING REQUIREMENT FOR COUNTIES, CITIES, BOARDS OF
4 EDUCATION, SCHOOL DISTRICTS, AND OTHER SUBDIVISIONS OF THE STATE FROM
5 TWO-THIRDS TO SIXTY PERCENT OF QUALIFIED ELECTORS VOTING AT AN ELECTION
6 TO BE HELD FOR THAT PURPOSE; STATING THE QUESTION TO BE SUBMITTED TO THE
7 ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATE-
8 MENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH
9 THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.
10

11 Be It Resolved by the Legislature of the State of Idaho:

12 SECTION 1. That Section 3, Article VIII, of the Constitution of the
13 State of Idaho be amended to read as follows:

14 SECTION 3. LIMITATIONS ON COUNTY AND MUNICIPAL INDEBTED-
15 NESS. No county, city, board of education, or school district,
16 or other subdivision of the state, shall incur any indebtedness,
17 or liability, in any manner, or for any purpose, exceeding in
18 that year, the income and revenue provided for it for such year,
19 without the assent of ~~two-thirds~~ sixty percent of the qualified
20 electors thereof voting at an election to be held for that purpose,
21 nor unless, before or at the time of incurring such indebtedness,
22 provisions shall be made for the collection of an annual tax suffi-
23 cient to pay the interest on such indebtedness as it falls due, and
24 also to constitute a sinking fund for the payment of the principal
25 thereof, within thirty years from the time of contracting the same.
26 Any indebtedness or liability incurred contrary to this provision
27 shall be void: Provided, that this section shall not be construed
28 to apply to the ordinary and necessary expenses authorized by the
29 general laws of the state and provided further that any city may
30 own, purchase, construct, extend, or equip, within and without
31 the corporate limits of such city, off street parking facilities,
32 public recreation facilities, and air navigation facilities, and
33 for the purpose of paying the cost thereof may, without regard
34 to any limitation herein imposed, with the assent of ~~two-thirds~~
35 sixty percent of the qualified electors voting at an election to
36 be held for that purpose, issue revenue bonds therefor, the prin-
37 cipal and interest of which to be paid solely from revenue derived
38 from rates and charges for the use of, and the service rendered by,
39 such facilities as may be prescribed by law, and provided further,
40 that any city or other political subdivision of the state may own,
41 purchase, construct, extend, or equip, within and without the cor-
42 porate limits of such city or political subdivision, water systems,

1 sewage collection systems, water treatment plants, sewage treat-
2 ment plants, and may rehabilitate existing electrical generating
3 facilities, and for the purpose of paying the cost thereof, may,
4 without regard to any limitation herein imposed, with the assent
5 of a majority of the qualified electors voting at an election to be
6 held for that purpose, issue revenue bonds therefor, the principal
7 and interest of which to be paid solely from revenue derived from
8 rates and charges for the use of, and the service rendered by such
9 systems, plants and facilities, as may be prescribed by law; and
10 provided further that any port district, for the purpose of carry-
11 ing into effect all or any of the powers now or hereafter granted to
12 port districts by the laws of this state, may contract indebtedness
13 and issue revenue bonds evidencing such indebtedness, without the
14 necessity of the voters of the port district authorizing the same,
15 such revenue bonds to be payable solely from all or such part of the
16 revenues of the port district derived from any source whatsoever
17 excepting only those revenues derived from ad valorem taxes, as
18 the port commission thereof may determine, and such revenue bonds
19 not to be in any manner or to any extent a general obligation of the
20 port district issuing the same, nor a charge upon the ad valorem tax
21 revenue of such port district.

22 SECTION 2. The question to be submitted to the electors of the State of
23 Idaho at the next general election shall be as follows:

24 "Shall Section 3, Article VIII, of the Constitution of the State of
25 Idaho be amended to reduce the bonding requirement for counties, cities,
26 boards of education, school districts, and other subdivisions of the state
27 from two-thirds to sixty percent of the qualified electors voting at an elec-
28 tion to be held for that purpose?"

29 SECTION 3. The Legislative Council is directed to prepare the state-
30 ments required by Section 67-453, Idaho Code, and file the same.

31 SECTION 4. The Secretary of State is hereby directed to publish this
32 proposed constitutional amendment and arguments as required by law.