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STATE OF WASHINGTON

A PAMPHLET

CONTAINING

Copies of all Measures "Proposed by Initiative Petition," "Measures Passed by the Legislature and Referred to the People," and "Laws Passed by the Legislature and Referred to the People by Petition," together with "Amendments to the Constitution Proposed by the Legislature."

Including Initiative Measures Nos. 49, 50, and 52. Referendum Bill No. 3 and Referendum Measure No. 16 and Submitting to the People the Question of Amending Section 1 of Article XV, of the State Constitution, Relating to Harbors and Harbor Areas; and of Amending Section 5 of Article XI, of the State Constitution, Relating to County Officers.

To be Submitted to the Legal Voters
of the State of Washington for Their
Approval or Rejection at the GEN-
ERAL ELECTION to be held on

Tuesday, November 4, 1924



Compiled and Issued by

J. GRANT HINKLE, Secretary of State

Under and by Authority of Chapter 30
Laws of 1917

OLYMPIA

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1924

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Initiative Measure No. 49

BALLOT TITLE

"AN ACT compelling children between seven (7) and sixteen (16) years of age to attend the public schools, and prescribing penalties."

A BILL FOR AN ACT requiring all children within the state of Washington between the ages of seven and sixteen years to attend the public schools thereof; amending sections 5072 and 5074 of "Remington's Compiled Statutes of Washington"; adding certain sections thereto; repealing all acts and parts of acts in conflict herewith; and prescribing penalties.

Be it enacted by the People of the State of Washington:

SECTION 1. That Section 5072 of Remington's Compiled Statutes of Washington be, and the same is hereby amended to read as follows:

Section 5072. That all parents, guardians, or other persons in this State having, or who may hereafter have immediate custody of any child between the ages of seven and sixteen years shall cause such child to attend the public school of the District in which the child resides, for the full time when such school may be in session. *Provided, however,* That the Superintendent of Public Schools of the District in which such child resides, or the County Superintendent of Common Schools may excuse such child from such attendance if said child is physically or mentally unable to attend school as above set forth in this section, or has completed the course in such Public School in the branches required to be taught in the first eight grades of the Public Schools of this State as provided by the course of study for such schools. Proof of absence from the Public Schools shall be deemed prima facie evidence of the violation of this section.

SEC. 2. That Section 5074 of Remington's Compiled Statutes of Washington be, and the same are hereby amended to read as follows:

Section 5074. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Dollars (\$5.00) or more than One Hundred Dollars (\$100.00), or imprisonment in the county jail not less than Two (2) Days or more than Thirty (30) Days, for each separate offense, or by both such fine and imprisonment. Attendance officials shall, and any citizen of the State of Washington may, make complaint for violations of this Act to a Justice of the Peace, or to a Judge of the Superior Court.

SEC. 3. That there be and is hereby added to Remington's Compiled Statutes of Washington a new section to be known as Section 5074-A, to read as follows:

Section 5074-A. That whenever it shall be necessary for any minor child over the age of fourteen (14) years to engage in any kind of gainful occupation for the support and maintenance of itself or any person or persons which such child may by law be required to support, such child may be excused from attendance at the Public Schools of the State as required herein, upon petition and showing of such necessity to the Superior Court or any Judge thereof in the County in which such minor child shall be a resident. Upon proper petition and showing the Superior Court or any Judge thereof in the County of the residence of said minor child shall have the power to make an order granting said minor child permission to absent itself from the Public Schools of this State and to engage in such gainful occupation so long as the necessity mentioned in this Section shall continue to exist.

SEC. 4. That there be and hereby is added to Remington's Compiled Stat-

Initiative Measure No. 49

utes of Washington a new Section to be known as Section 5074-B, to read as follows:

Section 5074-B. That this act shall be and remain in full force and effect from and after the first day of September, 1925.

SEC. 5. That there be and hereby is added to Remington's Compiled

Statutes of Washington a new Section to be known as Section 5074-C, to read as follows:

Section 5074-C. That all acts and parts of Acts heretofore enacted in this State, which are contrary to the provisions of this Act, be and the same are hereby repealed insofar as same conflict with this Act.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State January 15, 1924.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENTS ON BEHALF OF PROPONENTS OF INITIATIVE MEASURE NUMBER FORTY-NINE

Under this bill the State requires all children mentally and physically fit, to attend the public schools until the **eight grammar grades** shall have been completed, or until the child reaches the age of sixteen years. Children not so fitted may be educated elsewhere, and special public schools created to take care of them. No restraint is placed upon parents wishing to send their children to schools, public or private in other states.

The country may command our property and life in its service. It may require each citizen to be self-supporting and trained in the duties of citizenship. It may prohibit the working of children in factories, and require them to attend school.

All parties admit the right of the State to control the education of its children. Then why should any one object to their attending the public schools? It is the school **and college**, of the common people; it is the nursery of democracy; it was the starting point and inspiration of our great men. The United States has given 86,000,000 acres of land from the public domain to the public schools. It is a national institution.

Even if this measure should cost us more money, the State owes its children the opportunity of a public education. If any private school should suffer because of this law, it will be for the general welfare, the public good. Every good citizen should be willing to concede something for the good of all.

The so-called Oregon decision is in no wise binding on this question. In the first place, that decision was rendered by the lowest Federal court in that State. No court, save the United States Supreme Court can finally construe the Federal Constitution, and this case has been appealed. Moreover, the wording of the two measures is entirely different, and the fact that one may have been held unconstitutional is no criterion by which to judge the other. Many times it is the wording, not the intent of the law which is most considered by some courts.

If one group may take a portion of the children out of the public schools, then a **hundred** groups may take them all out of these schools.

The parochial schools have failed to keep step with the progress of society in Spain, France, Italy, South America, Mexico, and in the United States. Where they rule, the percentage of illiteracy and ignorance is on the increase. Even in Great Britain, where they have been incorporated into the system of Public Education, the system is an ever growing failure.

These things do not come within the scope and objects of special groups nor special schools. They can be found **only** in the public school, made for all,—good enough for all, **attended by all**, and in the charge of teachers who **appreciate and love** our greatest institution, the public schools. How shall the State discharge its high duty of **insuring** an adequate training to all its children? It must be done in public schools. It can not so control and regulate private schools and the teaching in them, as to secure the grade of citizenship.

The public school then, is the **only** answer to the riddle. It is a choice of means to this end. The **only** question involved in this measure, is a political one—a matter of public policy. Will it be better for a united America to have the advantage of personal contact with all classes of society—**under the supervision of good teachers?** Children so educated will receive the advantage of the **best qualities of all classes.**

Thus we shall be able to solve the problems of democratic government and assure the progress of mankind. Under the Constitution of the State of Washington, such an educational system is "the paramount duty of the State." Why should we hesitate? The path of duty to the children, to humanity, to our Country, to the future, points in **one** direction. Also the way is pleasant and beautiful.

LET US TAKE IT!

LET US PASS THIS BILL!

BEN H. BRITTON,

One of Committee.

JOHN A. JEFFREY,

Ch. Ex. Com. G. G. L.

A. C. CARR.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State July 17, 1924.

J. GRANT HINKLE, *Secretary of State.*

INITIATIVE MEASURE No. 49 IS UNCONSTITUTIONAL, UNNECESSARY AND UNAMERICAN

Vote against INITIATIVE No. 49 because it VIOLATES THE CONSTITUTION OF THE UNITED STATES. The United States District Court, the highest trial court in the land, so decided when it ruled out an identical measure in Oregon.

Vote "Against" Initiative No. 49 because WASHINGTON NOW HAS THE BEST COMPULSORY SCHOOL LAW and the best system of education of any state in the Union. Initiative No. 49 would only weaken these.

Your TAXES WOULD BE INCREASED by Initiative No. 49. Why spend more money to pass and operate a law which is not as good as the law we now have?

INITIATIVE No. 49 would injure the public schools, financially and by overcrowding.

Vote "Against" Initiative No. 49, because it is born of hatred and intolerance and gained place on the ballot through misrepresentation in securing signatures on the petition. Thousands of persons have voluntarily signed public statements withdrawing their names from the bill and declaring that the message was misrepresented to them.

The Friends of Educational Freedom, an organization formed by Protestants of all creeds and classes to defend American principles and constitutional liberty, asks you to consider carefully the following facts:

49 Would Increase Taxes

According to the official report of the Superintendent of Public Instruction, issued at Olympia, there are 18,517 children receiving grammar school education in private schools in Washington, AT NO COST TO THE STATE.

This same official report shows that the average annual cost of instruction for each child in the public school is \$120.03, and that the cost of school buildings per child is \$226.24.

If the thousands of private school pupils were forced into the public schools, it would cause an added tax

burden of \$6,411,833.59, as the multiplication of these figures will show. With the people suffering under high taxation, why add more than \$6,000,000 to the load?

49 Would 'Occasion Financial Loss to Public Schools

TAXES ARE APPORTIONED to the public schools in every district ACCORDING TO THE NUMBER OF CHILDREN IN THE DISTRICT, AND NOT ACCORDING TO THE NUMBER OF CHILDREN IN THE PUBLIC SCHOOL. For instance, if there are 1500 children in the public school in a district, and 150 attending a private school in the same district, the PUBLIC SCHOOL gets an annual donation from the state fund for the 150 children who are in the private school, as well as for the 1500 attending the public school. The public school now gets all of this allotment, and if the private schools were abolished, the public schools would have to educate these children without receiving any larger allotment.

Private Schools Maintained at Private Expense

Not one cent of public money goes to the building or maintenance of any private school in the State of Washington, nor can any tax money ever be appropriated for any church or private school. This is prohibited by the Constitution of the State.

Pupils Affected

Only one-fifteenth of the children of school age in the state of Washington attend private schools. These schools are maintained by private institutions, or are established by religious denominations, principally, the Protestant Episcopal, Catholic, Methodist, Seventh Day Adventists, Christian and Lutheran.

All Appreciate Public School System

Citizens who maintain such private schools have no quarrel with the state educational system. Many of them feel that the state system, while excellent in organization and results, does not go far enough to

meet the approval of their consciences, which—from their standpoint, at least—require them to give a definite training in religion and morality. They feel that the liberty which they and you enjoy as American citizens should not be taken from them, as long as their children are receiving the same education on all subjects as children in the public schools, and as required by the general laws of the state. Present state laws require every child of school age to receive an education equal to the standard established for the public schools, and pupils in private schools pass state examinations.

No Such Restriction of Individual Liberty Ever Enforced in Any State In the United States.

The American people have grown great and strong under the principles of individual liberty. If this liberty ever is undermined, it will not be taken away all at once, but gradually, step by step. Shall the State of Washington take a step backward, and say that there shall no longer be liberty in the matter of education?

Everyone admits that the state has the right and the duty to provide public schools and to fix standards for all schools, but the state has no right to deprive the parent of his right to select the school for his child. Once grant that, the state can say to a parent "you must send your child to this school and no other" then the state can say to a parent, you must dress your child thus and so, you must send your child to this public health officer, and to no other practitioner.

Private schools have existed from the foundation of this country, and many of the greatest Americans were educated in them. Among these were George Washington, Thomas Jefferson, Patrick Henry, James Madison, William McKinley, Theodore Roosevelt and Woodrow Wilson.

If you try to take from your neighbor the liberty which all have enjoyed during the 137 years of American Constitutional Government in one particular, there is no reason why your neighbor, when some other question shall arise, will not vote for another measure which will deprive you of some privilege which you now possess and value. If we value our own liberties, we must concede to our neighbor the same liberty.

The Executive Committee of the Friends of Educational Freedom includes:

Reginald H. Parsons,
Dr. S. B. Penrose, President Whitman College, Walla Walla,
Dr. O. E. Tiffany, President Seattle Pacific (Methodist) College,
Rev. Oscar Fedder, Trinity Evangelical Lutheran Church,
Clark P. Bissett, Professor University of Washington,
Clarence L. Reames,
William Short
and many ministers and representative laymen of all creeds are members.

FRIENDS EDUCATIONAL FREEDOM

By W. M. INGLIS,
Executive Secretary.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 23, 1924.

J. GRANT HINKLE, Secretary of State.

TO THE FAIRMINDED VOTERS OF THE STATE OF WASHINGTON, GREETINGS.

As citizens, who desire the greatest welfare of the state and nation, and as Catholics who profess their religion out of sincere conviction and who cherish the principles of religious freedom for all, we present these facts without malice or prejudice:

Who Are Back of Initiative No. 49?

Initiative No. 49 is sponsored solely by the Ku Klux Klan. The only argument in its favor is made by the Klan. For proof, turn to the argument on behalf of Initiative No. 49 (which appears on a preceding page of this pamphlet). The argument is signed by "John A. Jeffrey, Chairman of the Executive Committee, Good Government League." John A. Jeffrey is the "Exalted Cyclops" and leader of the Ku Klux Klan in this state. "The Good Government League," organized by the Ku Klux is another mask for their activities. It is a sham—behind the mask is the Klan.

What 49 Proposes

Initiative No. 49 would make it a crime punishable by fine and imprisonment for a citizen of this state to send his children to a private school, either in this state or in any other state, or to send his children to a public school in any other district than that in which the child resides. Under this iniquitous measure a widowed or abandoned mother, who placed her child in a private boarding school or orphanage while she worked for a living, would be liable to a jail sentence; a father might go to jail for placing his motherless children in a boarding school. There are hundreds of orphans and half-orphans being cared for in the private schools at no expense to the state. There are no public boarding schools or orphanages to care for these children. What would become of them?

No Public Necessity for This Act

No public necessity demands that YOU should sacrifice more money; no necessity requires the destruction of the orphans' school and home; no public necessity demands the destruc-

tion of private schools that have been a part of the American system of education since the nation was founded.

Shall We Imitate Oregon In Voting An Unconstitutional Law?

The United States District Court, in holding that an Oregon measure, identical in purpose and terms with Initiative No. 49 violated the Constitution of the United States, said:

"Compulsory education being the paramount policy of the state, can it be said with reason and justice that the privilege of parochial and private schools to teach in the common school grades is inimical or detrimental to or destructive of that policy? Such schools and their patrons have the same interest in fostering primary education as the state, and proper legislation places them under supervision of school authorities."

"It would seem that the Act in question is neither necessary nor essential for the proper enforcement of the state's school policy," the United States Court said.

Public and Private Schools Teach the Same Subjects—Pupils Pass the Same State Examinations

Pupils in private and parochial schools, which are maintained either as non-sectarian or by Episcopalians, Catholics, Methodists, Seventh Day Adventists, Lutherans and others, are taught the same history, language, mathematics and the same respect for the flag and devotion to their country as are the children in the public schools, and they pass the same state examinations in these subjects.

Those who support these private schools do so out of a sincere conviction that their children should be taught the Ten Commandments, Bible History and simple religious and moral truths for a short period each school day. Under our laws and Constitution these things cannot be taught in the public school. It is absurd to say that children can be made to attend private school after

Argument Against Initiative Measure No. 49

ordinary school hours. A tired mother or father cannot adequately impart religious instructions after their daily work.

We are deeply sensible of the high-minded purposes, and lofty tolerance of the representative gentlemen of Protestant faith who have organized the Friends of Educational Freedom to defend American principles, to vindicate the American spirit of fair play and to uphold the spirit of Him who said:

“Do unto others as you would have others do unto you.”

As Catholics, we shall rest our case, confident that the citizens of the State of Washington will not discredit themselves and the state by making, at the suggestion of prejudice, a useless attempt against the constitutional rights of their fellow citizens.

For the Catholics of the State
of Washington:

WILLIAM PIGOTT,
J. J. DONOVAN,
LAURENCE S. BOOTH.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 23, 1924.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST INITIATIVE No. 49

(Resolutions Unanimously Adopted by the Norwegian Lutheran Church.)

Whereas, the intent of Initiative No. 49 is, in effect to destroy all private and parochial schools in the State of Washington; and

Whereas, the proposed bill is based upon the philosophy of autocracy, that the child belongs primarily to the state and not to the parent; and

Whereas, said bill is an unjustifiable invasion of family authority and threatens ultimately the guarantee of our American liberty depriving the parents of their inherent and God-given right and duty to direct the education of their children; and

Whereas, said bill tends to create State monopoly of Education, which in effect would banish from our Educational System all schools giving moral and religious training; and

Whereas, said bill would work a direct injury to the Public School System, eliminating from it the inestimable aid rendered by Private and Religious Schools; and

Whereas, such a law would increase the taxation to the enormous extent of \$6,000,000; and

Whereas, said bill is a direct violation of the Constitution of the United States of America which guarantees religious liberty and freedom of conscience to all its citizens; and

Whereas, a similar law in the State of Oregon was found unconstitutional this year, said bill would be an

absolute disregard of a Federal Decision, and would be wasteful in time, energy and money, and would unnecessarily engender discord and strife of such serious consequence as to cripple our progress beyond concept;

Therefore, BE IT RESOLVED, That, we, the Pacific District of The Norwegian Lutheran Church of America in convention assembled at Stanwood, Washington, June 18 to 25, do hereby solemnly appeal to the voting public of the State of Washington to vote "No" on Initiative No. 49.

We, the members of the Pacific District of the Norwegian Lutheran Church of America, believe and maintain that the State of Washington already has an adequate compulsory Attendance Law, with right to regulate and supervise the course of studies in any school within the state.

We believe in the free American Public School System. We willingly and gladly pay our share to the upkeep and furtherance of the Public Schools; but we also on the other hand recognize the necessity of religious schools, and Christian education for which we are willing to pay, and do not ask for any Public Funds for such schools.

Submitted for publication by

(Rev.) O. L. HAAVIK,

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 23, 1924.

J. GRANT HINKLE, *Secretary of State.*

Initiative Measure No. 50

BALLOT TITLE

"AN ACT relating to the taxation of real and personal property and limiting the aggregate annual rate of levy thereon for general state, county, municipal and school district purposes to 40 mills."

AN ACT relating to the taxation of real and personal property and limiting the rate of levy thereon by the state, counties, cities, towns and school districts.

Be it enacted by the People of the State of Washington:

SECTION 1. Except as hereinafter provided, the aggregate of all tax levies upon real and personal property by the state, county, school district and city or town, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per cent of the true and fair value of any such property in money, and the levy by the state shall not exceed five mills, the levy by any county shall not exceed ten mills, including the levy for the county school fund, the levy by or for any school district shall not exceed ten mills, and the levy by any city or town shall not exceed fifteen mills; *Provided*, That nothing herein shall limit the power of any county to levy taxes, at the rate provided by law, for any taxing district, other than a school district, where such taxing district includes less than the whole county: *Provided further*, That the limitations imposed by this section shall not prevent the levy of additional taxes to pay interest or principal on bonds issued by or

through the agency of the state, or any county, city, town or school district, nor the levy of additional taxes to pay interest on, or toward the reduction at the rate provided by statute, of the principal of county, city, town or school district warrants outstanding at the time of the taking effect of this act: *Provided further*, That any county, school district, city or town shall have the power to levy taxes at a rate in excess of the rate specified in this act, when authorized so to do by the electors of such county, school district, city or town by a three-fifths majority of those voting on the proposition at a special election, to be held on the Tuesday next preceding the first Monday in October of the year in which the levy is made, in the manner provided by law for holding general elections, which special election may be called by the board of county commissioners, board of school directors, or council or other governing body of any city or town, by giving notice thereof for two successive weeks by publication and posting in the manner provided by law for giving notices of general elections, at which special election the proposition of 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."

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State February 21, 1924.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT FOR INITIATIVE No. 50
LIMITS PROPERTY TAX TO 40 MILLS ON 50% OF THE CASH VALUE
WILL REDUCE TAXES—FORCES SPREADING OF TAX LOAD—
ONLY TAX REDUCTION MEASURE OFFERED.

A just distribution of the tax burden in this state will relieve the owner of a farm or home from paying more than his fair share of the cost of schools, state, county and city government and require those now escaping taxation to pay their proportionate share.

Backward in Tax Reform

Washington has not changed its tax laws to meet modern conditions but operates today under the same tax system adopted when it became a territory in 1853. Real property then constituted the principal asset; it is now less than half the total wealth of the state, and other forms of wealth greatly multiplied remain untaxed.

An Emergency Exists

The general tax rate has increased at an alarming rate and is sure to go higher and higher unless checked, stopping all land development.

Real property also bears the sole costs of street improvements in cities and towns, drainage, diking and irrigation, projects in the country.

Taxable Property Diminishes

As our lands become confiscated for non-payment of taxes, and are taken from the tax rolls, which is in process to an alarming extent throughout the state; and the vast acreage of land that is being denuded of its natural wealth—the timber—disappears from the tax rolls, we find our already narrow base diminishing and the load upon the remainder of taxed land more consuming and impossible.

The taxes on many good farms added to other expenses consume more than the gross earnings, leaving nothing for the owners. This condition is the rule rather than the exception.

Taxing System Needs Revision

In 1921 the State Legislature enacted the following:

"Whereas, real property and tangible personal property are now bearing the entire burden of taxation; and, whereas, this class of property cannot be any more burdened without confiscation * * *."

In May, 1924, the Washington Education Association and the Washington State Parent-Teachers Association adopted resolutions, reciting: " * * * We realize the antiquated and inequitable character of the general property tax and the imperative need of tax revision looking toward the relief of real property."

Economy measures have failed because the general public is demanding more and better service.

The home and farm owners have rebelled against the high taxation and joined in many efforts to reduce the taxes through economy, only to see the tax rate mount higher and higher each year. It is therefore evident that the home and farm owner can get relief only by forcing owners of other forms of wealth, who receive equal benefits from government and schools, to bear a fair share of the burden.

65,000 Petitioners Seek Relief

Responsive to the unwritten law of self-preservation, property owners formed an organization to obtain relief. Initiative No. 50, their constructive measure, limiting the tax on land and tangible personal property, was signed by 65,000 citizens. This argument is submitted on their behalf.

Fixed Tax Limit Sound Principle

The burden that anything can bear is limited. Experience proves and experts agree that 40 mills (on 50% valuation) is all land can bear and prosper. Materially more than this defeats its own purpose, depresses values, forces property off the tax rolls, drives industry elsewhere and hinders normal growth and general prosperity.

Not Experiment

Other States Recognize Limitations

Maximum tax rate limits are recognized by law or practice in Massachusetts, New York, Ohio, Oklahoma, California and other states. Ohio fixes the limit at 20 mills (possibly too low) and Oklahoma's constitution fixes the maximum limit at 31½ mills for all purposes. New Mexico has maximum of 5½ mills, Louisiana, 5¼ mills, for all state purposes.

Argument Favoring Initiative Measure No. 50

Initiative No. 50 provides 5 mills maximum for state purposes.

The present tax rates of Seattle, 71.84 mills; Tacoma, 74.97 mills; Olympia, 85 mills and most Washington cities, are more than double that of San Francisco, 34.7 mills, and nearly double that of Los Angeles, 39.60 mills and Portland, 40 mills.

Oregon and California spread the tax load; Washington does not.

Indebtedness Not Repudiated Voters May Increase Rate

While the main provision of Initiative No. 50 limits the tax on real and personal property to 40 mills, it is provided that such limitation shall not prevent the levy of additional taxes to pay interest or principal on outstanding bonds and warrants.

The bill also provides that any county, school district, city or town shall have the power to levy taxes in excess of the limitation, by special election which may be held annually after the boards of equalization have acted and before the final consideration of budgets, which time is months before contracts with teachers and others for the year under consideration are made.

A 3-5 favorable vote of those voting is required, not an unreasonable provision where the district tax limit is entirely removed and where the voting is not limited to direct tax payers.

Washington Schools Generously Supported

The tax payers of this state have been exceedingly generous with our educational institutions. No other function of government receives so large a portion of the tax revenues. Over 40% of every dollar of taxes paid in this state goes for educational support.

The sponsors of Initiative No. 50 are in favor of ample provision for the schools; in fact have seen to it that the schools are well cared for. Initiative No. 50 provides that they must receive at least 25% in the cities and at least 40% in the country, of all taxes and the people may vote any additional tax for schools which they choose in addition to giving the

schools their portion of the county and state levy.

Opposition

The opposition will claim that 40 mills will not raise enough money. If this were true, under the Constitution the Legislature must tax other sources of revenue.

Some now escaping their fair share are naturally opposed because they feel they would be compelled to pay under a 40 mill limitation.

Another group, paying little or nothing, are satisfied, and oppose any change. Those who oppose this measure are either on the receiving end, or fear they will be placed on the paying end.

Taxpayer for Initiative No. 50.

Because Initiative No. 50 means live and let live.

Forty mills is all property can bear.

A 40-mill limit will force efficiency and economy.

A 40-mill limit will encourage ownership of homes and farms.

A 40-mill limit will increase land values, will aid liquidation of land debts, lower interest rates, help those who rent, bring in new capital.

Its passage will bring new industries to this state, and a new statewide development, giving more employment to our people and giving every man and woman a better chance.

Remember to vote for Initiative No. 50. It stands for "50-50."

Justice in taxation, prosperity and progress.

J. W. WHEELER, Ch'm,
PHIL T. BECHER,
Pres. Spokane Real Estate Board.
ALBERT S. GOSS,
Master Washington State Grange.
JOHN F. ADAMS,
Pres. Seattle Real Estate Board.
HON. W. R. MOULTRAY,
Member State Senate.
H. B. CREEL,
Special Rep. Farm Bureau.
W. C. RALEIGH,
Pres. Tacoma Real Estate Board.
For 65,000 PETITIONERS
and 40-MILL TAX LIMIT
STATE COMMITTEE.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 17, 1924.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST INITIATIVE No. 50

THE 40 MILL TAX LIMIT BILL

The passage of the 40 mill limit bill, Initiative 50, spells ruin for the common schools of the state as well as for many other absolutely necessary state agencies.

Initiative No. 50 limits the total taxes (now averaging 71 mills) that may be levied on real estate to forty mills. State taxes now twelve to fifteen mills are to be held at five mills. County taxes now eight to thirty mills are limited to ten mills. School district taxes now ranging from nothing to twenty mills have ten mills as their limit. Cities may levy up to fifteen mills. The total reduction in the state's income would be approximately \$30,000,000. No provision is made, however, for raising revenue to make up for any part of this reduction. Consequently the effect upon the common schools, the higher educational institutions, and other governmental agencies of the State would be nothing short of disastrous.

Effect on Common Schools

How would the enactment of this measure affect the common schools of this State? The public schools of Washington are supported by taxation from three sources amounting in all to \$25,000,000, the state supplying \$7,500,000, the counties \$3,750,000, and the school districts, \$13,750,000. State and county support, the life blood of our present school system, have been growing slowly for 30 years, because of the failure of the inequitable district support due to the varying wealth of the districts.

Now, this bill by reducing the total state tax to five mills practically eliminates state support for the common schools; it reduces the county school support in most counties and eliminates it entirely in others. The district support cannot go higher than 10 mills (20 mills by a 3/5 vote of the people). This means that for many districts the only revenue available for school purpose would be about one-fifth of the present state apportionment plus the district levy; we would then be back where we were before 1895 when the famous Barefoot School

Boy Law saved the common schools of the state.

Effect on Institutions of Higher Learning

Our institutions of higher learning are now on a millage basis, the result of long years of study and constructive effort by the best friends of education. These institutions together now require 2 mills state tax. On a pro rata reduction from 12 mills to 5 mills for the state they would receive less than five-sixths of one mill. They could not exist on this.

A Drastic, Revolutionary Measure

This bill is a drastic measure; it is not scientific; its ultimate effects have not been thoroughly studied nor are they clearly understood by its proponents. Its one and only aim and purpose is to relieve real estate. Its one certain effect will be a cut in the total income of the state to a point where governmental activities including the schools will have to be curtailed on an average of 50 per cent.

The proponents of the bill assert that a drastic measure of this kind will force the legislature to provide substitute income from sources of wealth now untaxed, but the sources of this substitute revenue are indeed vague, of uncertain extent, and most strongly entrenched.

Any initiative measure that reduces the revenue of the State of Washington \$30,000,000 must, to merit favorable consideration, provide for revenue substitutes of proved and measured producing power. If direct legislation makes such a cut, direct legislation must provide the substitute revenue.

MRS. VICTOR H. MAHLSTROM,
President, Washington State Parent-Teachers' Association.

A. S. BURROUGHS,
Chairman, Legislative Committee,
Washington Education Association.

MISS CLARA JOHNKE,
President, Washington Education Association.

ELMER L. BRECKNER,
Vice-president, Washington Education Association.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State July 28, 1924.

J. GRANT HINKLE, *Secretary of State.*

Initiative Measure No. 52

BALLOT TITLE

"AN ACT authorizing cities and towns to purchase, sell and dispose of electric current, inside or outside their corporate limits, without the payment of any tax thereon; authorizing the acquisition, construction, operation and maintenance of facilities in connection therewith, and authorizing cities and towns to condemn private property, including the right to use and damage railroads, not common carriers, booming, rafting and sorting works, for such purposes."

AN ACT authorizing cities and towns to use, purchase, sell and dispose of electric current inside or outside their corporate limits; to acquire, construct, maintain and operate inter-tie lines, transmission lines and distribution systems; and to exercise the right of eminent domain in aid of the acquisition, construction, repair, operation, extension or betterment of any plant or system for generating, transmitting or distributing electricity.

Be it enacted by the People of the State of Washington:

SECTION 1. Any city or town shall have the right to sell and dispose of electric current to any other city or town, governmental agency or municipal corporation, or to any person, firm or corporation, inside or outside its corporate limits, and to purchase electric current therefrom. No such purchase or sale of electric current shall subject or make liable any city or town, or any other purchaser or seller of such electric current, to any tax on account of such purchase or sale.

SEC. 2. Any city or town is hereby authorized to acquire, construct, purchase, condemn and purchase, own, operate, control, add to and maintain, electric generating plants, lands, easements, rights, rights-of-way, franchises, distribution systems, sub-stations, inter-tie or transmission lines, to enable it to use, purchase, sell and dispose of electric current inside or outside its corporate limits, or to connect its plant with any other electric plant or system, or to connect parts of its own electric system.

SEC. 3. Whenever in aid of the work of construction, repair, operation, extension or betterment of any electric plant or system of any city or town, or in aid of the work of logging or clearing a reservoir or impounding site therefor, the owner, lessee or operator of any railroad not a common carrier, shall refuse, for a reasonable consideration to be mutually agreed upon, to transport any materials, machinery, equipment, logs, timber products, supplies or labor, to or from the place or places on said railroad nearest or most convenient to the point or points where such work of construction, repair, operation, extension or betterment, or such work of clearing or logging in such reservoir or impounding site, is being done or performed; or whenever the owner, lessee or operator of any booming, rafting or sorting works, shall refuse, for a reasonable consideration to be mutually agreed upon, to boom, raft or sort, any logs, or lumber products, removed or to be removed by or under the direction of such city or town, from any lands used in such work, then and in that event such city or town shall be and is hereby empowered to acquire by condemnation, the right to use and damage such railroad, and sufficient of its equipment, and such booming, rafting or sorting works, for such time as shall be deemed reasonably necessary by such city or town to accomplish such work, after just compensation has been first made or paid into court for such owner, operator or lessee.

SEC. 4. Any city or town is hereby authorized to exercise the power of eminent domain hereby granted, under the same provisions and procedure as

Initiative Measure No. 52

is or shall be provided by law for the condemnation of private property for any of the corporate uses or purposes of such city or town. In exercising the power of eminent domain for the public purposes herein enumerated or specified, by such city or town, it shall not be a defense or an objection thereto that a portion of the electric current generated or sold by such city or town will be applied to private purposes, provided the principal uses intended are public.

SEC. 5. Nothing in this act shall authorize or entitle any city or town to acquire by eminent domain any

electric plant or any part of such utility now or hereafter owned by any other city, town or municipal corporation.

SEC. 6. If any part of this act shall be adjudged to be invalid or unconstitutional, such adjudication of invalidity or unconstitutionality shall not affect the validity or constitutionality of the act as a whole, or of any part thereof not adjudged invalid or unconstitutional. The provisions of this act shall be cumulative, and nothing herein contained shall abridge or limit the powers of cities or towns under existing laws.

STATE OF WASHINGTON—*ss.*

Filed in the office of the Secretary of State April 8, 1924.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST INITIATIVE No. 52

THE SO-CALLED "BONE POWER BILL."

NO ARGUMENT FILED FOR INITIATIVE MEASURE No. 52. It is a significant fact that no argument has been filed in support of this measure. The reason is obvious. The people of Seattle were told that this bill must be passed to enable Seattle to complete the costly Skagit project; that it would place a large portion of the burden of paying for this plant upon the rest of the state. They were reminded that for the current which Seattle now sells outside its city limits it charges a rate of 45% in excess of that paid by the citizens of Seattle. That the Bone bill would give the city a monopoly on all of the light and power business in the Puget Sound district at a high rate, since the municipal plant is not subject to state regulation.

Elsewhere in the state the people were told that the passage of the Bone bill meant cheaper rates, as well as conservation of the state's power resources.

The proponents of the Bone bill evidently found it impossible to reconcile their conflicting statements and promises in one argument which was to reach all the voters.

THE HISTORY OF INITIATIVE No. 52. This initiative is the first step in a carefully prepared program of state ownership. It originated in Initiative Measure No. 44, which gave cities the right to engage in practically every line of business. This measure was so radical that it failed to obtain a place on the ballot. The same group organized the Washington State Superpower League to initiate the so-called Erickson bill. This measure also was repudiated by the taxpayers. The League then took up the Bone bill, first adding sections 2 and 4, so as to include these features of the Erickson bill. Their official announcement was as follows: "We will spend until July 1st obtaining the 50,000 signatures needed to put the Bone bill on the ballot and then our time will be devoted to the Erickson bill." Their ultimate plan of complete state ownership is disclosed by George Wheeler Hinman, Hearst newspaper writer, in the Seattle Post-Intelligencer of March 7th, entitled: "Common Ownership of Farms, Socialism Aim":

"In the United States we have not gone far enough yet to see these things as they really are. The Socialists who go to eastern Washington and North Dakota wheat farmers, for instance, soft pedal the proposition about nationalizing land and dwell on the proposition to nationalize factories, notably large factories and trusts. But, as a main 'means of production,' the farms are marked for the same fate as the factories. Every student of revolutionary socialism knows it. The course of events in England proves it. Only farmer Socialists seem to be totally ignorant of it."

WATER POWERS. Initiative Measure No. 52 has nothing to do with conservation of the state's water powers. They are not mentioned.

MUNICIPAL OWNERSHIP. The principles of municipal ownership are in no way involved in the measure nor does it affect completion of any municipal projects now under way, or to be constructed.

RATES. The measure contains no guarantee of any electric service or of rates to be charged if furnished. These will be subject to arbitrary decisions by the city officials of Seattle and Tacoma.

FALSE CLAIMS. The measure is printed in this pamphlet. Read it carefully and determine for yourself the falsity of the claims made by its proponents.

CONDEMNATION. This is not simply a measure to permit Seattle and Tacoma to sell electric energy outside their city limits. Sections 2 and 4 give these cities the right to condemn all light and power properties now furnishing service in this state. Under present laws any city desiring to furnish its citizens with light and power has the right to condemn the distributing system and any property of a private power company within the city limits. This measure permits Seattle or Tacoma to condemn a privately owned distributing system within the limits of any other city without the consent of such city. But if such city should later wish to furnish its own citizens with light and power, it is prohibited by the bill (read section 5)

Argument Against Initiative Measure No. 52

from retaking such property by condemnation for its own use. The monopoly once acquired by Seattle or Tacoma would forever prohibit other cities from owning and operating their own municipal plants.

The granting of such power would be extremely dangerous and without precedent. That they expect to exercise this power has been repeatedly admitted by proponents of the measure.

MUNICIPAL MONOPOLY. This measure does not provide competition in the light and power field. The right to condemn privately owned properties will give the cities absolute monopoly.

REGULATION. Privately owned public utilities are regulated by the state, both as to service and rates. Every community and every individual has the right of appeal to the regulatory body if dissatisfied. Municipal plants are subject to no regulation. In event this measure becomes law, the City of Seattle, for instance, having obtained a monopoly of the light and power business in any district, could charge any rate for service which it saw fit. These rates would be fixed by Seattle officials in whose election the people living outside the city limits would have no voice. There would be no appeal on the part of the consumer. Electric power for large industries can now be purchased at a practically uniform rate all over the state. No city is handicapped by reason of any material difference in power rates for industries. If Seattle obtains its monopoly under the Bone bill, does anyone believe it would give a power rate to any other city which would permit that city to compete for new industries?

TAXES. Practically every taxpayer in the state demands that taxes be reduced.

The proponents of Initiative No. 52 have decided that taxes shall be increased.

The light and power properties in the state are today paying in excess of \$2,000,000 a year in taxes; over \$5,000 a day. The passage of this bill means that all this property will be removed from the tax rolls and placed with the other tax exempt property of Seattle and Tacoma. Who is to pay the taxes when these properties become exempt? How much more of a burden can home owners and taxpayers stand?

YOUR DECISION FINAL. Initiative No. 52 is a complete law in itself. Having once granted these extraordinary powers to the cities they can exercise them at any time without further action by the people. It is not necessary that bond issues to provide money to take over the properties be submitted to the people. City councils have the right to issue such bonds at will. The bill, if it becomes a law, is self-operative and Seattle and Tacoma can launch their announced program of state-wide ownership and operation of all light and power properties without further vote of the people or legislative action.

THE REAL ISSUE. Stripped of all false pretenses—such as “free power”—the Bone bill presents but one issue. Do the people of Washington desire that the light and power industry, with its tax payments of \$2,000,000 a year, its annual payroll of over \$7,000,000 and its average annual expenditure of more than \$9,000,000 in creating new taxable wealth, remain in business under strict state regulation, or do they wish this entire property taken from the tax rolls and the light and power business of this state conducted by the politicians and shifting office holders of Seattle and Tacoma?

**NORTHWEST ELECTRIC LIGHT
& POWER ASSOCIATION,**

**By NORWOOD W. BROCKETT,
Vice-President.**

NORWOOD W. BROCKETT.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 21, 1924.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST INITIATIVE No. 52

I am not concerned with the problems of municipal ownership, nor is this question raised in this measure.

I am concerned, however, with the effect that all legislation has upon people living outside of the larger cities of the state.

When the Bone bill was introduced at the last session of the Legislature, it merely empowered cities owning municipal plants to sell their surplus light and power outside their limits. While I am willing to concede that the furnishing of light and power by a city to its own inhabitants might be a governmental function, I believed that when such cities sought to do business outside their limits that they were departing from any governmental function and were engaging in the light and power business.

Since the cities of this state are not permitted by law to go into any other kind of business, such as banking, manufacturing, or retailing, I believed that they were asking an unusual privilege.

An investigation was made by the Department of Taxation and the Department of Public Works of the state, and it was found that the light and power companies were paying over 9% of their gross earnings in taxes, thus helping to carry the tax burden for state, school, road, county, municipal and all other purposes. I believed that granting these cities the right to sell light and power generally throughout the state would result in the elimination of the privately owned companies and the taxing of their property from the tax rolls. This would necessarily decrease the tax revenue.

I also believed that the undeveloped water powers of the state of Washington belong to all the people. That they were not the property either of the private companies nor of Seattle and Tacoma. That when they are developed by private capital all the expenditures made went upon the tax rolls and that their annual tax payments were in the nature of a rental for the use of the people's water powers.

Since neither Seattle nor Tacoma own these water powers, I believed it only fair that they also should pay some compensation to all of the peo-

ple for their use. For these reasons, a law was passed granting the cities the right to sell their electric light and power outside their city limits but imposing a gross earnings tax of 5% in the event the cities should exercise the right granted by the law. The tax does not have to be paid unless the city elects to sell current outside its city limits, nor is the tax cumulative. It is paid only by the city which generates and sells the light and power. If purchased by another city and re-sold by it to its citizens, the latter city would pay no tax.

This bill carried a referendum clause. It will be on the ballot at the November election. It is commonly called the Reed bill.

Initiative Measure No. 52 is not the same measure as introduced by Mr. Bone at the last session of the Legislature. It grants to the cities not only the right to sell electric light and power outside their city limits, but gives to such cities the power to condemn all existing light and power properties. I have every reason to believe that these sections were written into the measure for the purpose of having the cities exercise them if the bill is passed. This would of course take from the tax rolls properties which are today paying a large amount of taxes each year. This will necessarily throw a heavier burden of taxation upon all other property.

In Seattle and King County alone there is now over \$215,000,000 in tax exempt property. Investigation shows that approximately \$60,000,000 of this is in public utilities, including the recently acquired street railway system. Were this property upon the tax rolls, the tax burden of every other taxpayer in the state would be correspondingly decreased. Initiative No. 52 appears to be another plan to make the rest of the state pay, through increased taxes, for more experiments in municipal ownership.

I believe that the best interests of the State of Washington can be served by the acquiring of new industries and the creation of new taxable property within this state rather than by taking property now paying taxes from the tax rolls.

SENATOR WM. BISHOP.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 21, 1924.

J. GRANT HINKLE, *Secretary of State.*

**PROPOSED TO THE PEOPLE BY THE
LEGISLATURE**

Referendum Bill No. 3

BALLOT TITLE

AN ACT authorizing the sale and disposal of surplus electric energy by cities and towns outside their corporate limits; authorizing the construction, betterment or extension of electric plants and the acquisition and maintenance of transmission lines, distribution system and equipment necessary therefor; providing the manner and form in which accounts and reports of such sales shall be kept and made, and for the payment monthly to the State Treasurer for state purposes of a tax of five per cent of the gross receipts of such sales, and providing penalties.

AN ACT relating to and authorizing the sale of electric light, power, current and energy by cities and towns, providing for the payment and collection of an excise tax thereon and referring this Act to the people for their ratification.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Any city or town within the State of Washington now or hereafter owning or operating its own electric plant, shall have the right to sell and dispose of any surplus energy that it may generate to any other city or town or other municipal corporation, governmental agency, firm, person or corporation for use outside the corporate limits of such city or town.

SEC. 2. For the purpose of carrying out the provisions of Section 1 hereof, any city or town or other municipal corporation, governmental agency, firm, person or corporation intending to sell or purchase such electric energy may, in the manner provided by law for the construction of electric plants or for the making of additions and betterments thereto or extensions thereof, construct, acquire and maintain all the necessary transmission lines, distribution system and other equipment necessary to conduct such electric energy to its point of consumption and to distribute the same.

SEC. 3. Any city or town generating for sale and selling electric light, power, current or energy under the provisions of this act shall keep books of account in such manner and form as may be prescribed by the director of taxation and examination, showing in detail all receipts from sales of electric light, power, current or energy both within and without its corporate limits and shall remit and pay to the state treasurer monthly for state purposes, on or before the tenth day of each calendar month, five per cent (5%) of the gross receipts of all such sales so made during the preceding calendar month, and file with the state treasurer a detailed report verified under oath by the officer of such city or town charged with the duty of collecting such receipts, on a form to be prescribed by the director of taxation and examination, and it shall be the duty of the state treasurer on the next business day after the receipt of any such report and remittance, to transmit the report, accompanied by his duplicate receipt for the remittance, to the department of taxation and examination, and to deposit in the state treasury to the credit of the general fund the moneys on hand at the close of the preceding business day, received from such city or town, after making all corrections and refunding all overpayments, and the director of taxation

Referendum Bill No. 3

and examination, shall have access to the books and records of such city or town, for the purpose of determining the amount due and payable to the state and verifying the correctness of the payments made.

SEC. 4. Any officer of any city or town which shall be liable for the payment of the tax provided for in Section 3 hereof, who shall fail, neglect or refuse to comply with the provisions of this act shall forfeit to the State of Washington the sum of twenty dollars (\$20.00) per day for each and every day of such failure, neglect or refusal, which penalty shall be recovered in a civil action to be brought by the attorney general in the name of the State of Washington in the superior court of Thurston county. The attorney general is also authorized to institute other appropriate legal proceedings against any city or town, or the officers thereof, to compel the payment of said tax, which proceedings may be instituted in the superior court of Thurston county.

SEC. 5. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SEC. 6. This act shall be submitted to the people for their ratification at the next general election in accordance with the provisions of Section 1 of Article II of the State Constitution, as amended at the general election held in November, 1912, and the laws adopted to facilitate the operation thereof.

Passed the House February 16, 1923.—Mark E. Reed, Speaker.

Passed the Senate, February 28, 1923.—Wm. J. Coyle, President.

Filed without the signature of the Governor.—J. Grant Hinkle, Secretary of State.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 14, 1923, at 9:30 a. m.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT FOR REFERENDUM BILL NO. 3

This act permits any city or town operating an electric plant to sell any surplus energy it may generate to any other city or town or to private individuals or corporations for use outside of the limits of the city owning the plant. This is a right which cities do not possess under the existing law. For this privilege of engaging in the general light and power business and as compensation to the state for its exercise the act also provides that any city which shall sell light and power outside its limits shall pay into the State Treasury for state purposes a license fee or excise of 5% of its gross receipts.

Cities and towns in the State of Washington have for many years been permitted by statute to own and operate electric plants for furnishing their own citizens with electric light and power. At the last session of the legislature the cities of Seattle and Tacoma asked that this right be extended so as to permit them to engage in the general light and power business and sell outside their limits. Three bills were introduced seeking to grant this right. The Bone Bill which was known as House Bill No. 5 gave this right to the cities with no provision for a license fee. The Davis Bill, House Bill No. 1 granted the right to the cities but imposed a license fee of 5% upon the gross earnings derived by the city from its sales outside the city limits. Senate Bill No. 106 granted the same right to the cities and imposed an annual license fee of 6% upon the gross earnings both within and without the city limits and contained a further provision placing municipal plants selling outside the city limits under the jurisdiction of the Department of Public Works. It soon became apparent that the Legislature was willing to grant this right to the cities only on condition that it did not increase the tremendous amount of property already taken off the tax rolls by the cities of Seattle and Tacoma.

At a public hearing on this question the Speaker of the House, Mr. Reed, voiced the sentiment of the

Legislature when he stated that if the cities were given this privilege it should only be upon the condition of their assuming some reasonable share of the tax burden of the state. Mr. Reed said a 5% tax on gross receipt would be just.

The Attorney General was then requested to draft a bill embodying this principle. He did so and this bill was then introduced as House Bill No. 126. Both the Bone and Davis Bills were then indefinitely postponed in the House and the bill drawn by the Attorney General passed. When this bill reached the Senate it was amended so as to place municipal plants selling their product outside the limits of the city owning them under the jurisdiction of the Department of Public Works. The House refused to concur in this amendment and as the Senate refused to recede the bill went to Joint Conference. When it became apparent that the bill could not pass the House with the regulatory amendment attached the Senate receded rather than cause a deadlock and defeat the bill. This bill drawn by the Attorney General and commonly known as the Reed Bill, with a few minor amendments was then passed by both the House and Senate with a referendum clause submitting it to a vote of the people at the next general election.

It will be noted that as long as any city exercises only its function of supplying light and power to its own citizens it is not subject to the license fee imposed by this bill but is only required to bear its fair share of state taxation where it seeks to engage in the general light and power business outside its limits. Even in this case the tax is not a burdensome one and is much less than that paid by private companies engaged in the same business. The privately owned utilities in the State of Washington pay on an average of 8.27% of their gross receipts in taxes for state, county, city, school, road and other purposes while municipal plants under this act are only required to pay 5%. The tax does not pyramid but would only be paid by the city generating and selling the electric energy and is not required

Argument for Referendum Bill No. 3

to be paid by any other city which might purchase the energy and resell it to its own citizens.

The reason which caused the members of the Legislature to insist upon this license fee becomes very apparent when it is realized that the city and port of Seattle own over \$117,000,000 of tax exempt property consisting mostly of public utilities. This vast amount of property taken from the tax rolls necessarily increases the taxes paid by all the citizens of the State of Washington, including the taxpayers in the cities which operate these utilities. Were the cities permitted to make large additional expenditures outside their city limits without the license fee provided for in this bill it would mean just that much more property taken from the tax rolls with a corresponding increase in the tax burden. Were all of the tax exempt property of the city and port of Seattle upon the tax rolls the state tax alone derived annually from them would equal the state tax now paid by the ten counties of Asotin, Ferry, Garfield, Okanogan, Island, Jefferson, Mason, San Juan, Skamania and Wahkiakum.

The members of the Legislature from the districts outside the cities of Seattle and Tacoma felt that the rest of the state was bearing enough of the burden of the taxes evaded by these cities without any further additions to their tax exempt property.

That the argument that the placing of this annual license fee will increase rates is unsound is shown by the fact that the privately owned companies in Seattle and Tacoma are now paying a much higher tax than this measure imposes on municipal plants and are selling electric power and energy at the same rate as the municipal plants which are now tax exempt.

The passage of this act by the people will therefore accomplish three things,—it will enable the cities owning and operating municipal plants to extend their service outside their city limits without burdensome conditions, it will check the practice of exempting property from taxation and the revenue it produces will apply to the relief of the burden of taxation throughout the entire state.

WM. BISHOP, State Senator,
24th District.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 22, 1923.

J. GRANT HINKLE, *Secretary of State.*

Referendum Measure No. 16

CHAPTER 22
HOUSE BILL NO. 38

BALLOT TITLE

"AN ACT to prohibit the manufacture, sale or exchange of any substitute for butter containing milk which contains any vegetable fat or any condensed or evaporated milk containing any vegetable fat; also prohibiting the manufacture, sale or exchange of any butter substitute containing milk unless the milk therein be pure milk from which no butter fat has been removed, or any condensed or evaporated milk, or substitute therefore containing milk, unless the milk used therein be pure and unadulterated; and providing penalties."

AN ACT relating to milk products, to prevent fraud therein and the adulteration thereof, regulating the manufacture and sale thereof, and providing penalties for violations thereof.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. It shall be unlawful for any person or corporation to manufacture for sale, sell, or exchange, or expose or offer for sale or exchange, any condensed or evaporated milk, or any substance containing any milk or milk products and designed or intended to be used, or capable of being used for or as a substitute for condensed or evaporated milk, unless the milk used in the manufacture thereof is pure, clean, fresh, healthful, unadulterated and wholesome milk: *Provided*, That nothing herein contained shall be construed as prohibiting the manufacture or sale of condensed or evaporated milk manufactured from pure, clean, fresh, healthful, unadulterated and wholesome skimmed milk; and it shall be unlawful for any person or corporation to manufacture for sale, sell, or exchange, or expose or offer for sale or exchange any condensed or evaporated milk containing any vegetable fat.

SEC. 2. It shall be unlawful for any person or corporation to manufac-

ture for sale, sell, or exchange, or expose or offer for sale or exchange, any substance containing any milk or milk product and designed or intended to be used, or capable of being used, for or as a substitute for butter, unless the milk contained therein, or used in the manufacture thereof, is pure, clean, fresh, healthful, unadulterated and wholesome milk from which none of the cream or butter fat has been removed, or to manufacture for sale, sell, or exchange, or expose or offer for sale or exchange, any substance containing any milk or milk products, and designed or intended to be used, for or as a substitute for butter, which contains any vegetable fat.

SEC. 3. Every person or corporation violating any provisions of this act shall be guilty of a misdemeanor, and for a second and each subsequent violation thereof shall be guilty of a gross misdemeanor.

Passed the House, January 30, 1923.
—Mark E. Reed, Speaker of the House.

Passed the Senate, February 7, 1923.—Wm. J. Coyle, President of the Senate.

Permitted to become a law without the signature of the Governor, and filed in the office of the Secretary of State Feb. 21, 1923 at 2:41 p. m.—J. Grant Hinkle, Secretary of State.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 22, 1923.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST REFERENDUM MEASURE NO. 16

The Cost of Living Will Be Increased by Law Unless You Defeat This Bill

VOTE NO

This measure prohibits the sale of pure, healthful and palatable foods, namely: NUCOA, GEM NUT and other nut margarines.

Its purpose is to increase the price of butter. Its advocates claim that by eliminating the competition of other products higher butter prices can be maintained.

It is not a measure to prevent fraud, to regulate or control. It is a measure to prohibit you from buying in the open market a necessary food commodity.

This measure prohibits the manufacture or sale in the State of Washington of nut margarines because they contain in addition to milk and milk products, vegetable fats. It says: You may buy a product made of milk and animal fats, but you can not buy a product made of milk and vegetable fats.

Nut margarine, the vegetable fat product, is being used by thousands of families in this state. While classed by some as a butter substitute, and by others as oleomargarine, it is sold everywhere under a distinctive trade name, such as NUCOA and GEM NUT, and has proven a safe, healthful, absolutely pure and economical spread for bread. The vegetable fats used in its manufacture are the highly refined, nutritious coconut and peanut oils.

THIS MEASURE INCREASES THE COST OF LIVING—VOTE NO

The real purpose of this measure is to eliminate competition for the creamery man, thereby increasing the demand for, and consequently the price of, his products.

The housewife who now pays 25 to 30 cents per pound for NUCOA, GEM NUT or some other wholesome nut margarine, will be compelled to pay twice, or more than twice, that amount for butter, or else go without. The housewife who now buys butter will be compelled to pay more for butter.

NOT A HEALTH PROBLEM—READ WHAT GOVERNMENT EXPERTS SAY

There is no health problem involved. Vegetable fats have come into common use in almost every household. You may sit at your table and use a vegetable fat as your salad dressing, or it may properly be used as a shortening in your baking, or for any number of cooking purposes. Margarine is a wholesome food.

(a) IT IS EASILY DIGESTIBLE. Bulletins 310, 505 and 613 of the United States Department of Agriculture give the digestibility of some of the common edible fats as follows:

	Per Cent
Margarine	97.55
Butter	97.
Cocoanut oil	97.9
Peanut oil	98.3
Cotton seed oil	97.8

(b) MARGARINE IS HIGH IN ENERGY VALUE OR CALORIES. For the fats above, according to Bulletin 469 of the United States Department of Agriculture, they are as follows:

	Calories
1 lb. Margarine	3,500
1 lb. Butter	3,490
1 lb. Cocoanut oil	4,080
1 lb. Peanut oil	4,080
1 lb. Cottonseed oil	4,080

(c) MARGARINE IS NUTRI- TIOUS. Here we come into the discussion of vitamins. It is conceded that nut margarine contains vitamins. The creamery man, however, argues that nut margarine does not contain the so-called Vitamine A, and that butter does contain this Vitamine A. On the other hand, it has been proved that, at certain seasons of the year, stall fed cows produce milk which contains very little Vitamine A, and that the butter made from such milk is similarly deficient in Vitamine A. Furthermore, sugar, polished rice, white flour, about sixty

major foods in all, contain no Vitamine A. They are nevertheless recognized as important and useful parts of the daily diet.

There are about sixty other food stuffs in which Vitamine A is present in substantial quantity. Green and leafy vegetables have it in abundance. The ration of the average individual is a balanced one; butter constitutes but a small part of it, and it is the acme of economy and good judgment to permit the housewife to buy margarine if she wants it, at from 25 cents to 30 cents per pound less than butter, and spend the difference for milk, the basic food, and vegetables, all of which, from the vitamine standpoint, have more vitamins than butter, either inherently or because consumed by the average person in larger quantities than butter. The housewife and her family thus get a greater variety of food value, and money is saved.

INVADES YOUR PERSONAL LIBERTY AND CREATES A MONOPOLY

Every man and woman has a fundamental right to purchase in the open market a wholesome article of food. The people should not be deprived of this right.

Laws have been passed to relieve the high cost of living; to prevent monopoly; to guarantee the benefits which free and open competition insures to the people; to prevent special privileges to favored classes. But here we have a measure which will increase the cost of living and prevent the manufacture and sale of a pure, wholesome and nutritious food product.

This measure is not fair. It is special legislation. Would this state pass a law forbidding the sale of tea, in the interests of those of its population who may be in the coffee business? Would it stand for a law forbidding the sale of fish in order to help the cattlemen and sheep men? Or a law suppressing the manufacture and sale of the numerous nut butters, jams, jellies and marmalades because thereby people might use more butter?

MARGARINE PROPERLY LABELLED AND COMPLIES WITH PURE FOOD LAWS

Margarine is not sold under false pretenses. The laws require it to be properly labelled, and to be pure and clean. It complies with the strict requirements of state and Federal pure food laws and regulations. No other food product is more adequately safeguarded. It must be sold for exactly what it is.

UNFAIRLY CALLED "HEBE BILL" TO CLOUD ISSUE

This measure is ostensibly a bill to prevent the manufacture of filled milk, commonly known as "HEBE." "HEBE" was not generally sold in the State of Washington. It has not been manufactured since January 1, 1923. National laws prohibit its transportation in interstate commerce. The only purpose of including the manufacture and sale of "HEBE" in this bill is to confuse the public as to the real purport of the proposed law. Its true object is to prohibit the manufacture and sale of nut margarines.

REFERENDUM MEASURE NO. 16 SHOULD BE DEFEATED BECAUSE

1. It prevents the sale and manufacture of a healthy and nutritious food product now used in thousands of homes.
2. It takes away your inherent right to buy in the open market a wholesome and economical food commodity.
3. It will increase the cost of living in every home whether a user of butter substitute or of butter.
4. It denies the benefit of free and open competition—it is the latest effort through legislation to create a food trust and monopoly.

VOTE NO ON REFERENDUM MEASURE NO. 16

J. A. LAUGHLIN,
FRANK E. KANNAIR,
JOHN A. MCGREGOR,
House Bill No. 38 Referendum
Committee.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State June 12, 1923.

J. GRANT HINKLE, *Secretary of State.*

An Amendment to the State Constitution

To Be Submitted to the Qualified Electors of the State for Their Approval or Rejection at the

GENERAL ELECTION

TO BE HELD ON

TUESDAY, NOVEMBER 4, 1924

CONCISE STATEMENT

"AN AMENDMENT of section 5, article XI of the State Constitution relating to county officers, by providing that the legislature may classify counties by population and provide for the election of officers in certain classes of counties who shall perform the duties of two or more county officers."

AN ACT providing for the amendment of section 5 of article XI of the Constitution of the State of Washington relating to county officers.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1924, there shall be submitted to the qualified electors of this state for their adoption and approval or rejection an amendment to article XI of the Constitution of the State of Washington so that section 5 of said article XI when amended shall read as follows:

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may re-

quire, and shall prescribe their duties, and fix their terms of office: *Provided*, That the Legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession.

Passed the House January 31, 1923.
—Mark E. Reed, Speaker.

Passed the Senate February 22, 1923.—Wm. J. Coyle, President.

Filed without the signature of the Governor.—J. Grant Hinkle, Secretary of State.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 14, 1923, at 9:30 a. m.

J. GRANT HINKLE, *Secretary of State.*

An Amendment to the State Constitution

To Be Submitted to the Qualified Electors of the State for Their Approval
or Rejection at the

GENERAL ELECTION

TO BE HELD ON

TUESDAY, NOVEMBER 4, 1924

CONCISE STATEMENT

"AN AMENDMENT of section 1 of article XV of the State Constitution relating to harbor lines and areas, by providing that harbor lines may be relocated or reestablished and that none of the area lying between any harbor line and the line of ordinary high water and within not more than two thousand (2,000) feet of any harbor line shall be sold or the right to the control thereof relinquished by the state."

AN ACT providing for the amendment of section 1 of article XV of the Constitution of the State of Washington relating to harbors and harbor areas.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1924, there shall be submitted to the qualified electors of the state, for their approval or rejection, an amendment to Section 1 of Article XV of the constitution of the State of Washington, so that the same shall read when so amended as follows:

Section 1. The legislature shall provide for the appointment of a commission whose duty it shall be to lo-

cate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city, or within one mile thereof on either side. Any harbor line so located or established may thereafter be changed, relocated or reestablished by the commission pursuant to such provision as may be made therefor by the legislature. The state shall never give, sell or lease to any private person, corporation, or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high water, and within not less than fifty feet nor or more than two thousand feet of such harbor line (as the commission shall determine) be

Amendment to the State Constitution

sold or granted by the state, nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

SEC. 2. The Secretary of State shall cause the amendment in Section 1 of this act to be published for three months next preceding said election in a weekly newspaper in every county

where a newspaper is published throughout the state.

Passed the Senate February 16, 1923.—Wm. J. Coyle, President.

Passed the House March 5, 1923.—Mark E. Reed, Speaker.

Filed without the signature of the Governor.—J. Grant Hinkle, Secretary of State.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 14, 1923, at 3:58 p. m.

J. GRANT HINKLE, *Secretary of State.*

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