

WA Supreme Court rules latest Eyman anti-tax measure unconstitutional

Travis Pittman, KING 8:54 AM, PDT May 26, 2016



(Photo: KING)

SEATTLE – The Washington state Supreme Court upheld a lower court ruling Thursday that Tim Eyman's latest anti-tax measure is unconstitutional.

The measure, approved by voters in November, would have cut the sales tax by one percentage point unless the Legislature allows a public vote on an amendment that would require a two-thirds supermajority for future tax increases.

Opponents, including two Democratic lawmakers and the League of Women Voters of Washington, sued, saying constitutional amendments can't be proposed by initiative and the measure violates the rule that initiatives be limited to a single subject.

The high court agreed. [Read the ruling \(http://www.courts.wa.gov/opinions/pdf/927081.pdf\)](http://www.courts.wa.gov/opinions/pdf/927081.pdf)

"We hold that the opponents to 1-1366 have taxpayer standing and this case is justiciable. We also hold that 1-1366 contains two operative, unrelated provisions and does not constitute valid contingent legislation. Thus, we hold that 1-1366 violates the single-subject rule and that it is void in its entirety. Because it is unnecessary to reach opponents' additional arguments, we decline to do so. We affirm the judgment of the trial court," the court wrote in its conclusion.

Lawyers for Eyman and for the state, which defended the voter-approved measure, responded that I-1366 was legal.

Eyman said in January that if lawmakers don't put the amendment up to voters this fall, he'll try again. He said voters have supported moves to require a two-thirds majority six times in the last 22 years.

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