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SENATE BILL 5007

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State of Washington

54th Legislature

1995 Regular Session

By Senators Roach, Johnson, Long, Schow, Quigley, Drew, McAuliffe, C. Anderson, Rasmussen and Finkbeiner

Read first time 01/09/95. Referred to Committee on Transportation.

1 AN ACT Relating to approval of toll facilities; adding a new  
2 section to chapter 47.46 RCW; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.46 RCW  
5 to read as follows:

6 The commission shall not approve any agreement under this chapter  
7 that involves a toll road or toll highway unless such toll facility is  
8 first approved by the voters of the legislative district or districts  
9 containing the toll facility as provided in this section. If a toll  
10 facility is proposed, an election may be called only upon the  
11 submission of a petition calling for an election to vote upon the  
12 approval of a toll facility equal in number to twenty percent of the  
13 votes cast at the last state general election within the legislative  
14 district or districts containing the toll facility. It shall be filed  
15 with the auditor of the county in which all, or the greatest portion,  
16 of the toll facility is located, and a copy of the petition shall be  
17 filed with the legislative body of the county or counties in which the  
18 toll facility is located. If the toll facility is located in more than  
19 a single county, the auditor of the county with whom the petition is

1 filed shall act as the lead auditor and transmit a copy of the petition  
2 to the auditor of each other county within which a portion of the toll  
3 facility is located. The auditor or auditors shall examine the  
4 petition, and the auditor or lead auditor shall certify the sufficiency  
5 of the petition to the legislative authority of the county or counties.

6 If the signatures on the petition are certified as containing  
7 sufficient valid signatures, the lead auditor shall set a special  
8 election date for submission of such proposal to the voters of the  
9 legislative district or districts. The special election date that is  
10 so indicated shall be the next date for a special election provided  
11 under RCW 29.13.020 that is sixty or more days after the date the  
12 petition is certified. The county legislative authority of the county  
13 in which the petition was filed shall call the special election at the  
14 special election date so indicated by the auditor. The costs of  
15 conducting the election called for in the petition shall be a charge  
16 against the department of transportation, which may recover costs from  
17 the private entity undertaking the project.

18 Notice of the election shall particularly state the object of the  
19 election as prayed in the petition, and require the voters to cast  
20 ballots which shall contain the words "For Toll Facility on Highway  
21 . . ." or "Against Toll Facility on Highway . . ." or words equivalent  
22 thereto. The notice shall be published at least once a week for two  
23 weeks prior to the date of election in a newspaper or newspapers of  
24 general circulation within the limits of the legislative district or  
25 districts. Such notice shall be in addition to the notice required by  
26 general election law.

27 The commission may approve the toll facility if it is approved by  
28 a majority of the voters voting in the legislative district or  
29 districts containing the toll facility.

30 This section applies to any agreement under this chapter in  
31 existence on the effective date of this act.

32 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
33 preservation of the public peace, health, or safety, or support of the  
34 state government and its existing public institutions, and shall take  
35 effect immediately.

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