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HOUSE JOINT RESOLUTION 4219

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State of Washington                      56th Legislature                      2000 Regular Session

By Representatives Fisher, Radcliff, O'Brien and Ogden

Read first time 02/02/2000. Referred to Committee on Transportation.

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

3            THAT, At the next general election to be held in this state the  
4 secretary of state shall submit to the qualified voters of the state  
5 for their approval and ratification, or rejection, an amendment to  
6 Article VII, section ... of the Constitution of the state of Washington  
7 to read as follows:

8            Article VII, section . . . . Notwithstanding any provision of this  
9 Constitution, the legislature may by general law authorize the  
10 legislative authority of any county, city, or town to create boundaries  
11 within its jurisdiction, containing only real property which will  
12 increase in true and fair value by reason of specified transportation  
13 improvements within those boundaries, and may provide that all or a  
14 portion of the ad valorem taxes levied within those boundaries against  
15 increases in the true and fair value of the real property as a result  
16 of the transportation improvements may be used to pay for the specified  
17 transportation improvements or to pay public obligations incurred to  
18 fund the specified transportation improvements. Public obligations  
19 incurred for these transportation improvements and payable solely from  
20 revenues from these transportation improvements and any ad valorem

1 taxes levied against the increases in real property value shall not  
2 constitute general indebtedness.

3 For the purposes of this section, "ad valorem taxes" means:

4 (1) Ad valorem taxes subject to the aggregate limitation on tax  
5 levies by the state and all taxing districts in section 2 of this  
6 Article; and

7 (2) Ad valorem taxes levied by port districts and public utility  
8 districts, except for ad valorem taxes levied specifically for the  
9 purpose of making required payments of principal and interest on  
10 general indebtedness.

11 Nothing in this section authorizes the provision of transportation  
12 improvements which counties, cities, and towns may not otherwise  
13 provide.

14 Nothing in this section authorizes a county, city, or town to  
15 exercise powers of eminent domain contrary to the provisions of Article  
16 I, section 16 of this Constitution.

17 Nothing in this section authorizes a county, city, or town to  
18 pledge all or part of its full faith and credit or any other tax  
19 revenues without complying with the laws relating to the incurring of  
20 general indebtedness, including Article VIII, section 1 and section 6  
21 of this Constitution, or to aggregate tax levies in excess of the  
22 limitation on levies in section 2 of this Article. However, no bonds  
23 that constitute general indebtedness and which use the funding  
24 mechanism contained in this section shall be issued to fund all or a  
25 portion of the specified transportation improvements unless a public  
26 hearing on the issue of the bonds is held prior to the time boundaries  
27 are created pursuant to this section. The notice for a public hearing  
28 shall include: (1) A statement that the county, city, or town must  
29 pledge its full faith and credit toward the payment of any general  
30 indebtedness which uses the funding mechanism contained in the section;  
31 (2) a statement that in the absence of sufficient revenues under this  
32 funding mechanism, the debt service must be made from then existing  
33 taxes or other revenues, which may result in an increase in taxes or  
34 reduction in existing programs; and (3) an estimate of the dollar  
35 amount of debt service on the bonds per year, and an estimate of the  
36 total principal and interest payments required for the full term of the  
37 bonds. The use of the funding mechanism contained in this section to  
38 pay principal and interest on general indebtedness, which is not  
39 required to be approved by the voters pursuant to Article VIII, section

1 6 of this Constitution, is subject to potential referendum approval by  
2 simple majority vote of the voters of the county, city, or town.

3 After the initial adoption of a law by the legislature authorizing  
4 the use of ad valorem taxes levied against increases in the true and  
5 fair value of real property to finance specified transportation  
6 improvements, no amendment to the act which expands the nature of the  
7 areas within which ad valorem taxes levied against increases in the  
8 true and fair value of real property may be used to finance specified  
9 transportation improvements, or adds to the purposes and types of  
10 transportation improvements that may be financed with these revenues,  
11 or reduces the requirements which must be met if public obligations are  
12 incurred to fund the specified transportation improvements, shall be  
13 valid unless the amendment is enacted by a favorable vote of three-  
14 fifths of the members elected to each house of the legislature and is  
15 subject to referendum petition.

16 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
17 notice of the foregoing constitutional amendment to be published at  
18 least four times during the four weeks next preceding the election in  
19 every legal newspaper in the state.

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