

2 **SSB 6464** - S AMD TO S AMD (S-4326.2/02) AMD 590
3 By Senator Jacobsen

4 WITHDRAWN 02/18/02
5 On page 15, after line 3 of the amendment, insert the following:

6 "NEW SECTION. **Sec. 15.** (1)(a) At the time any tax authorized by
7 section 7, 8, 9, or 10 of this act is submitted for approval to the
8 qualified electors of the authority area, the governing body of the
9 authority shall adopt a resolution generally describing the public
10 transportation facilities to be financed with the tax revenues,
11 including possible alternatives, together with an estimate of the
12 maximum cost of constructing or acquiring those facilities. If the
13 authority has not yet been established, the resolution shall be adopted
14 by the governing body of any public corporation, development authority,
15 regional planning agency, or other governmental entity that has the
16 responsibility for preparing a plan describing the public
17 transportation facilities to be financed by the authority upon its
18 creation.

19 (b) If the qualified electors do not approve the continuation of
20 those taxes, the authority may resubmit a revised plan including the
21 tax proposal for elector approval. If substantial construction or
22 substantial acquisition of property has not begun, then a yes vote
23 approves the resubmitted plan if the cost is within one hundred twenty-
24 five percent of the original estimate and a no vote sets in place the
25 dissolution, which shall honor all bonding commitments until the debt
26 is retired.

27 (2)(a) In addition, before the commencement of substantial
28 construction or substantial acquisition of facilities, the governing
29 body of the authority shall by resolution confirm or modify the
30 description of the proposed public transportation facilities plan and
31 the estimated cost of it. If, as described in that confirmation or
32 modification resolution, the public transportation facilities to be
33 constructed or acquired deviate substantially from the adopted plan or
34 the alternatives described in the resolution adopted before the
35 submission of taxes to the electors for approval, or if the modified
36 estimated construction cost is more than one hundred twenty-five
37 percent of the earlier adopted estimated maximum construction cost in

1 constant dollars as determined by the superior court, any qualified
2 elector within the authority area may initiate a referendum wherein a
3 yes vote approves the continuation of the taxes previously approved.

4 (b) If substantial construction or substantial acquisition of
5 facilities has occurred then a yes vote approves the resubmitted plan
6 and a no vote requires the authority to produce a plan that can be
7 accomplished based upon expenditures of no more than one hundred
8 twenty-five percent of the cost of the original budget plan.

9 (3) Any referendum petition to dissolve the city transportation
10 authority shall be filed with the city council within thirty days of
11 the publication of the resolution and must contain provisions for
12 dissolution of the authority, including plans to fulfill the bond
13 obligations. "Constant dollars" means dollars valued according to
14 their purchasing power in the year the qualified electors of the
15 authority approved the imposition of taxes to provide for the
16 construction and acquisition of facilities, adjusted for inflationary
17 price changes so that real purchasing power can be compared.

18 (4) The superior court must review the validity of the referendum
19 petition. The court shall accord first priority to examining the
20 proposed modifications, may receive briefing and hear arguments, and
21 shall, within thirty days of the date the complaint was filed, render
22 its decision. The decision of the superior court is final. If the
23 superior court determines that the estimated cost is more than one
24 hundred twenty-five percent of the original adopted plan or that a
25 deviation from the adopted plan is substantial, the city council shall
26 confer with the petitioner concerning form and style of the petition,
27 issue an identification number for the petition, and write a ballot
28 title for the measure. The ballot title shall be posed as a question
29 and an affirmative vote on the measure shall result in retention of the
30 authority. The petitioner shall be notified of the identification
31 number and ballot title within the ten-day period.

32 (5) After the notification in subsection (4) of this section, the
33 petitioner has ninety days in which to secure on petition forms the
34 signatures of not less than fifteen percent of the registered voters in
35 the authority area and to file the signed petitions with the filing
36 officer. Each petition form shall contain the ballot title and the
37 full text of the measure to be referred. The filing officer shall
38 verify the sufficiency of the signatures on the petitions. If
39 sufficient valid signatures are properly submitted, the filing officer

1 shall submit the referendum to the authority area voters at a general
2 or special election held in accordance with RCW 29.13.010 and as
3 determined by the city council, which election shall not take place
4 later than one hundred twenty days after the signed petition has been
5 filed with the filing officer."

6 Renumber the remaining sections consecutively and correct any
7 internal references accordingly.

8 On page 15, line 36 of the amendment, after "13" insert "and 15"

EFFECT: A section is added allowing voters within the authority area to vote on an altered plan and dissolution of the authority by referendum if the city monorail transportation authority substantially deviates from its plan.

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