



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 20, 2010

Ordinance 16888

Proposed No. 2010-0367.1

Sponsors Patterson, Gossett and Ferguson

1 AN ORDINANCE directing the submission to the qualified
2 voters of King County at a special election on November 2,
3 2010, a proposition authorizing an additional sales and use
4 tax of two-tenths of one percent pursuant to RCW
5 82.14.450 for criminal justice, fire protection and other
6 general governmental purposes, with proceeds split
7 between the county (sixty percent) and cities (forty
8 percent), subject to a requirement to appropriate certain
9 unincorporated area property tax revenues for criminal
10 justice purposes; limiting the use of county tax proceeds to
11 criminal justice purposes; limiting collection to a maximum
12 of three years; and appointing committees to write the
13 voters' pamphlet statements for the special election on
14 November 2, 2010.

15 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

16 **SECTION 1. Findings:**

17 A. Public safety is one of the most fundamental purposes of government.

18 B. A strong system of criminal justice is necessary to maintain safe and livable
19 communities.

20 C. Under Washington state law, counties provide many regional and local
21 criminal justice functions, including police protection services and responding to
22 emergencies.

23 D. In order to have the greatest possible impact in helping those most in need and
24 the highest return on its investments, King County focuses on prevention and intervention
25 efforts, job readiness and employment services, ending homelessness and providing
26 services that reduce criminal justice involvement and costs.

27 E. The current funding for criminal justice is limited and insufficient to provide
28 King County residents with the level of services that are needed to build and maintain
29 safe and strong communities.

30 G. The county's projected 2011 and 2012 budget deficits threaten important
31 criminal justice, and other essential government functions. The projected deficits will
32 require that cuts be made to these essential services unless additional revenue is approved
33 by the voters. In order to limit these cuts and maintain safe and strong communities, it is
34 important for the voters to consider a sales and use tax proposition to support criminal
35 justice.

36 H. The county's current expense fund faces continuing challenges in future years.
37 To balance the 2010 budget, the county was forced to cut fifty-six million dollars. For
38 2011, the deficit is projected to approach sixty million dollars with another eighty million
39 dollars in cuts necessary for 2012.

40 I. King County must continue to find efficiencies and capitalize on productivity
41 gains through the use of technology, better program management, and performance

42 measurement in order to contain costs and bring growth in revenues and expenditures
43 into equilibrium.

44 **SECTION 2. Definitions.** The definitions in this section apply throughout this
45 ordinance unless the context clearly requires otherwise.

46 A. "Criminal justice purposes" means activities that substantially assist the
47 criminal justice system, including but not limited to services such as police protection,
48 the incarceration of offenders, court services, and the prosecution and defense services of
49 defendants on behalf of King County residents, domestic violence services, sexual assault
50 services and legal assistance.

51 B. "Proceeds from the sales and use tax" means the principal amount of funds
52 raised by the additional sales and use tax authorized by this ordinance and any interest
53 earnings on the principal amount of funds.

54 **SECTION 3. Authorization of additional sales and use tax.**

55 A. In order to provide funding for the purposes identified in section 6 of this
56 ordinance, the council hereby directs the submission of a proposition to the voters of the
57 county substantially as set forth in section 8 of this ordinance to authorize the county to
58 fix and impose pursuant to RCW 82.14.450 an additional sales and use tax of two-tenths
59 of one percent.

60 B. If approved by the voters, the additional sales and use tax:

61 1. Shall be in addition to other existing sales and use taxes currently imposed by
62 the county;

63 2. Shall be imposed on all taxable events as authorized under chapters 82.08 and
64 82.12 RCW and collected as of a date as determined by the council by ordinance;

65 3. Shall not apply to any exempt transactions identified in RCW 82.14.450(4),
66 and

67 4. Shall be subject to the conditions set forth in section 4 of this ordinance.

68 C. If, as a result of the adoption of this proposition by the voters of the county,
69 the county imposes an additional sales and use tax upon sales of lodging in excess of the
70 limits contained in RCW 82.14.410, those sales shall be exempt from the imposition of
71 that additional sales and use tax.

72 SECTION 4. Conditions on imposition and continuation of taxes.

73 A. The authority to fix and impose the sales and use tax for the purposes in
74 section 6 of this ordinance shall be subject to the following conditions: annually,
75 pursuant to RCW 36.33.220, the King County budget ordinance must appropriate at least
76 nine million five hundred thousand dollars from the county road fund for police
77 protection in the unincorporated area of King County. The amount appropriated annually
78 shall be in addition to any amount of the county roads fund revenues that may lawfully be
79 spent for traffic enforcement purposes without utilizing the authority in RCW 36.33.220;

80 B. Notwithstanding any other provision of this ordinance, in any year in which
81 the conditions identified in subsection A. of this section are not satisfied, the additional
82 sales and use tax authorized by this ordinance and fixed and imposed by the county shall
83 expire on the last day of the first quarter in the following year.

84 SECTION 5. Distribution of taxes collected.

85 A. If approved by the voters, sixty percent of any sale and use tax proceeds
86 authorized by section 3 of this ordinance and collected by the state Department of
87 Revenue shall be paid to the county.

88 B. If approved by the voters, forty percent of any sales and use tax proceeds
89 authorized by section 3 of this ordinance and collected by the state Department of
90 Revenue shall be distributed to cities within King County on a per capita basis.

91 **SECTION 6. Use of tax proceeds.** If approved by the voters, at least one-third
92 of all proceeds from the sales and use tax authorized by section 3 of this ordinance shall
93 be used for criminal justice purposes or fire protection purposes, or both. County
94 proceeds shall be used solely for criminal justice purposes and as authorized by RCW
95 82.14.450. City proceeds may be used for criminal justice purposes, fire protection
96 purposes or other general city purposes, as authorized by RCW 82.14.450.

97 **SECTION 7. Expiration.** The additional sales and use tax authorized under
98 section 3 of this ordinance, if imposed and levied, shall expire on the date in section 4.B.
99 of this ordinance if the conditions in section 4.A. of this ordinance are not satisfied, or on
100 April 1, 2014, whichever is earlier.

101 **SECTION 8. Call for election.** Pursuant to RCW 29A.04.321, it is hereby found
102 that the proposition, substantially as hereinafter set forth, be submitted to the qualified
103 electors of the county at a county special election to be held in conjunction with the
104 general election on November 2, 2010. King County elections is hereby requested to
105 assume jurisdiction of and to call and conduct such election to be held within the county
106 on said date and to submit to the qualified voters of the county at such election said
107 proposition.

108 The clerk of the council is hereby authorized and directed to certify said
109 proposition to the director of elections in substantially the following form:

110 The Metropolitan King County Council adopted Ordinance _____
111 concerning funding for criminal justice, fire protection, and other
112 government purposes. This proposition would authorize King County to
113 fix and impose an additional sales and use tax of 0.2%, split between the
114 county (60%) and cities (40%). At least one-third of all proceeds shall be
115 used for criminal justice or fire protection purposes. County proceeds
116 shall be used solely for criminal justice purposes, such as police
117 protection. The additional sales and use tax shall expire after 3 years or
118 earlier, if certain unincorporated area property tax revenues are not used
119 for criminal justice purposes. Should this proposition be:

120 Approved? _____

121 Rejected? _____

122 **SECTION 9. Voters' pamphlet.** RCW 29A.32.280 provides that for each
123 measure from a jurisdiction that is included in a local voters' pamphlet, the legislative
124 authority of that jurisdiction shall formally appoint one committee to write a statement
125 for voter approval of the measure and one committee to write a statement against the
126 measure.

127 **SECTION 10. Appointment of voters' pamphlet committees.** Pursuant to
128 RCW 29A.32.280, the following individuals are appointed to serve on the voters'
129 pamphlet committees, each committee to write a statement for or against the proposed
130 criminal justice sales and use tax ballot measure:

131 FOR AGAINST

132 1. _____ 1. _____

133 2. _____ 2. _____

134 3. _____ 3. _____

135 SECTION 11. Ratification. Certification of the proposition by the clerk of the
136 council to the director of elections in accordance with law before the election on
137 November 2, 2010, and any other acts consistent with the authority and before the
138 effective date of this ordinance are hereby ratified and confirmed.

139 SECTION 12. Authority supplemental. The authority granted in this ordinance
140 is supplemental to all other powers of the county, and nothing in this ordinance shall be
141 construed as limiting or restricting any powers or authority conferred upon the county by
142 law.

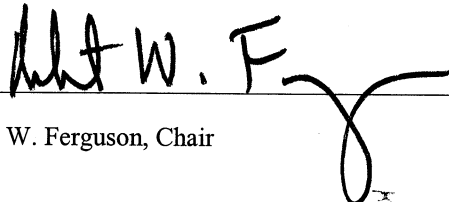
143 SECTION 13. Regional accountability. Six months before the termination of
144 collections of the additional sales and use tax of two-tenths of one percent, but not later
145 than July 1, 2013, the county auditor shall, in a report, prepare an inventory of how cities
146 have expended proceeds of the additional sales and use tax imposed under this ordinance,
147 for city criminal justice purposes, for fire protection purposes and other general city
148 purposes . The report shall detail, to the extent possible, city expenditures of the
149 additional sales tax which benefit both city and regional objectives, including, but not
150 limited to, infrastructure investments to promote growth management act goals,
151 investments that spur annexations to cities, city payments for regional contract services
152 and city contributions to local and regional human services. The auditor shall file one
153 paper copy and an electronic copy with the clerk of the council, who shall retain the
154 paper copy and forward an electronic copy to each councilmember.

155 **SECTION 14. Severability.** If any provision of this ordinance or its application
156 to any person or circumstance is held invalid, the remainder of the ordinance or the
157 application of the provision to other persons or circumstances is not affected.
158

Ordinance 16888 was introduced on 6/28/2010 and passed by the Metropolitan King
County Council on 7/19/2010, by the following vote:

Yes: 5 - Ms. Drago, Mr. Phillips, Mr. Gossett, Ms. Patterson and Mr.
Ferguson
No: 4 - Mr. von Reichbauer, Ms. Hague, Ms. Lambert and Mr. Dunn
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Robert W. Ferguson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, 2010.

Dow Constantine, County Executive

Attachments: None

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CLERK
KING COUNTY COUNCIL