



# HOUSE JOINT RESOLUTION 4209

## PROPOSED CONSTITUTIONAL AMENDMENT

Vote cast by the 1997 Legislature on final passage:

Senate: Yeas, 46; Nays, 1; Excused 2.

House: Yeas, 97; Excused, 1.

## Official Ballot Title:

Shall the Constitution be amended to permit local governments to make loans for the conservation or the more efficient use of stormwater or sewer services?

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of House Joint Resolution 4209 begins on page 44.

### Statement For

Repairs or changes to a sewer hook-up or a stormwater system may be more than a homeowner or business can afford. If these repairs or changes could be made, however, the stormwater and sewer services provided by local governments could be improved and operated more cost-effectively. Resources could be conserved and pollution prevented without causing an increase in utility rates. Local governments may provide assistance to homeowners and businesses for energy or water efficiency, but this constitutional amendment is needed to allow them to provide the same kind of assistance regarding stormwater and sewers.

What kinds of improvements could be assisted? The addition of stormwater detention facilities that can reduce the flood surge faced by a collection or treatment system during a downpour. Improvements in the lines running from residences to a city's sewer collection line to keep groundwater from leaking into the system. Stormwater or sewer pre-treatment facilities that can dramatically improve the efficiency or effective capacity of collection or treatment systems. Water conservation activities conducted in cooperation with other conservation programs or in areas where assistance for such a program is not now available.

These are just some examples of activities that cannot only improve water quality and the environment, but also reduce the need for more sewer system collection and treatment capacity. Please **VOTE FOR HJR 4209** to help individuals and businesses make these improvements.

Voters Pamphlet Statement Prepared by:

GARY CHANDLER, State Representative.

## The law as it now exists:

The State Constitution generally prohibits local governments from making loans of public funds to private persons. In 1979, the voters approved Amendment 70 to the Constitution, permitting loans to private parties for residential energy conservation. This section of the Constitution was amended again in 1988 and in 1989. It currently permits cities, towns, and other local governments who are engaged in the sale or distribution of water or energy to use public funds to assist the owners of structures and equipment to finance the acquisition and installation of materials and equipment, where the purpose is conservation or more efficient use of water or energy.

## The effect of Constitutional Amendment 4209, if approved into law:

If adopted, the measure would add stormwater and sewer services to the list of permissible purposes for which a local government could make loans to owners of structures and equipment.

### PLEASE NOTE

In the text of the following measures all words in double parentheses with a line through them are in State law and will be taken out if the measure is adopted. Underlined words do not appear in State law but will be put in if the measure is adopted.

To obtain a copy of the text of the proposed measures in larger print, call the Secretary of State's toll free hotline 1 800 448 4881.

## Statement Against

State law requires that the argument and rebuttal statement against a constitutional amendment be written by one or more members of the state Legislature who voted against that proposed measure on final passage or, in the event that no such member of the Legislature consents to prepare the statement, by any other responsible individual or individuals to be appointed by the Speaker of the House of Representatives, the President of the State Senate, and the Secretary of State. No legislator who voted against House Joint Resolution 4209 or other individual opposing the measure consented to write an argument against the measure for publication in this pamphlet.



## COMPLETE TEXT OF House Joint Resolution 4209

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

THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VIII, section 10 of the Constitution of the state of Washington to read as follows:

Article VIII, section 10. Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of water ((~~or~~)) energy, or stormwater or sewer services may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of water ((~~or~~)) energy, or stormwater or sewer services to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of water ((~~or~~)) energy, or stormwater or sewer services in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing for energy conservation authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another.

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



**Cover Photo:** Miner panning for gold, somewhere in Alaska, circa 1900. His hat has netting that can be pulled over his face to protect him from mosquitoes. (Negative #UW580.)

**Cover Design:** Brant Fitzgerald

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Cooper and Levy Pioneer Outfitters, First Ave. S. near Yesler Way, 1897, next to Northern Pacific Railway ticket office. The firm was one of many that profited from the Klondike Gold Rush by outfitting the goldseekers in Seattle before they boarded ships for the Yukon. (Negative #4771/1749.)



Tent store in Dawson City, Yukon Territory, Canada, June 21, 1899. (Negative #UW12851.)

The Office of the Secretary of State thanks the Special Collections and Preservation Division at the University of Washington's Allen Library for the photographs and the Klondike Gold Rush National Historic Park for its assistance.