



INITIATIVE MEASURE 745

PROPOSED TO THE PEOPLE

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of Initiative Measure 745 begins on page 38.

Statement For

SINCE 1986, WASHINGTON'S BUILT ONLY 47 NEW MILES OF ROADS WHILE POPULATION CONTINUED TO INCREASE

We have the 3rd worst traffic congestion in the country because road capacity has not kept pace with population growth.

I-745'S FUNDING FORMULA (90% FOR ROADS, 10% FOR ALTERNATIVES) MATCHES HOW PEOPLE ACTUALLY GET AROUND

Cars and trucks account for 94.6% of all transportation trips – alternatives, like buses, account for just 5.4%. The Office of Financial Management estimates we currently spend 70% of our transportation taxes on roads and 30% for alternatives. They spend 70% of your money on something you use 95% of the time! The vast majority of us need the freedom and flexibility only a vehicle can provide – I-745 simply requires lawmakers to allocate our taxes based on reality.

But this doesn't mean we abandon people who need transportation assistance. Under I-745, alternative modes of transportation will continue to receive substantial funding totaling \$1 billion every two years. I-745 is exclusively a transportation initiative – it doesn't affect funding for schools, police, or other non-transportation programs. I-745 won't raise your taxes – sufficient tax revenues exist, including Washington's \$1 billion tax surplus, to reach the 90-10 ratio required under I-745.

A RESPECTED STUDY SHOWS ADDING JUST 4% TO OUR ROADS WOULD DECREASE TRAFFIC CONGESTION 25%

By widening arterials, installing efficient on-and-off ramps, and increasing road capacity at our major bottlenecks, we can solve our traffic problems and improve Washington's

Official Ballot Title:

Shall 90% of transportation funds, including transit taxes, be spent for roads; transportation agency performance audits required; and road construction and maintenance be sales tax-exempt?

The law as it presently exists:

Under existing law, transportation is the responsibility of both state and local governments. The state department of transportation constructs and operates a system of state

air quality. It's not that we can't fix these problems, we simply haven't tried.

I-745 WILL FINALLY ADDRESS WASHINGTON'S EVER-RISING TRANSPORTATION ADMINISTRATIVE COSTS (4TH HIGHEST IN THE NATION)

Transportation agencies' performance is currently not measured. I-745 enables our State Auditor to see if our transportation dollars are being spent effectively. This will ensure accountability and efficiency. More than 270,000 citizens signed I-745. Please join them and vote "Yes" and let's get Washington moving again.

For more information, call 425.493.8707 or visit www.i-745.org.

Rebuttal of Statement Against

With continued increases in population, expanding our road capacity is the only cost-effective way to solve our traffic congestion problems. I-745 doesn't abandon alternatives, like buses (they'll continue to get \$1 billion every two years). I-745 simply requires spending to match usage, meaning most transportation spending will go toward critical infrastructure that benefits everyone (road construction, maintenance, lane extensions, bridges, car-carrying ferries, arterials, on-and-off ramps). I-745 ensures better roads and long-overdue performance audits. Vote "Yes."

Voters Pamphlet Statement Prepared by:

TIM EYMAN, appreciates 270,000 citizens who signed I-745 petitions (thanks!); MONTE BENHAM, "best part of I-745 are the performance audits"; JACK FAGAN, concerned lawmakers will raise taxes if I-745 loses; ANN BENDER, "520 bridge should've been widened in 1980!", Bellevue; BOB HENKEL, "congestion is bad – we need more roads," Tacoma; ANDRE' GARIN, wants cleaner environment by ending traffic gridlock, Vancouver.

highways. In addition, the department operates the state ferry system and provides support for rail transportation and some small airports in the state. Counties and cities construct and maintain their own systems of roads and streets. Counties and cities also have authority to operate ferry and public transit systems. Special purpose districts have been created to operate public transit and rail systems on a local or regional basis. Each of these governments operates with funds derived from taxes or from user fees (such as ferry and bus fares) in various proportions.

The state auditor presently conducts periodic audits of all state and local agencies to ensure their compliance with the constitution and laws of the state, with local ordinances, and with applicable accounting practices (RCW 43.09). These audits are not "performance audits" as that term is generally understood. The Joint Legislative Audit and Review Committee, a legislative committee, has legal authority to conduct performance audits of state agencies or of local governments receiving state funds (RCW 44.28).

Materials, labor, and services used in the construction or maintenance of state-owned roads, streets, highways, places, easements, rights of way, mass public transportation termi-

nals and parking facilities, bridges, tunnels, and trestles are presently subjected to the retail sales tax (RCW 82.08) and use tax (RCW 82.12). In addition, materials (but not labor and services) used in the construction or maintenance of other publicly owned roads, streets, highways, places, easements, rights of way, mass public transportation terminals and parking facilities, bridges, tunnels, and trestles are presently subjected to retail sales tax and use tax. Contractors pay sales tax on materials and labor used in construction projects on facilities owned and operated by the federal government.

The effect of the proposed measure, if it becomes law:

This measure would declare that new road and lane construction and road maintenance would be the state's top priority for transportation system improvements. The measure would direct the legislature, in consultation with local governments, to adopt implementing legislation which would require a minimum of 90% of transportation funds to be spent on construction of new roads, new lanes on existing roads,

(continued on page 23)

Statement Against

WASHINGTON STATE HAS A TRAFFIC PROBLEM – I-745 WILL NOT SOLVE IT. I-745 WILL MAKE IT WORSE.

I-745's 90% for roads is a "one-size-fits all" solution to our state transportation problems that will not work. Real traffic solutions require providing people with choices that include both good roads and good public transportation, including buses, ferries, and rail.

Roads are important, but taking the money away from public transportation to fund them will only make traffic worse.

WE NEED CHOICES. PUBLIC TRANSPORTATION IS AN IMPORTANT PART OF THE SOLUTION FOR MANY AREAS.

I-745 dictates that 90% of all transportation funds go to one solution – roads. It also puts politicians and bureaucrats in Olympia in the driver's seat – giving them control of our local transportation funding. I-745 limits our options. If roads are the only transportation priority, other choices like transit will be severely cut. With less public transportation more people will be forced to drive, putting even more cars on the road. Seniors, disabled people, and those unable to drive will lose their ability to get around.

LOCAL CONTROL IS NEEDED TO SOLVE TRANSPORTATION PROBLEMS – I-745 TAKES AWAY LOCAL CONTROL.

Recently voters in Grays Harbor, Clallam and Island Counties have voted to support public transit as a choice in their community. I-745 would send that money – along with other locally approved funds from around the state – to the State Legislature, to be spent on roads. The will of the voters in those communities would be ignored.

WHO REALLY BENEFITS FROM PASSAGE OF I-745? ASPHALT PAVING COMPANIES – NOT US.

"Washington Citizens for Congestion Relief" was founded by the Asphalt Paving Association of Washington. With help from oil companies, they paid over half a million dollars to buy signatures to get I-745 on the ballot.

They will make millions and we will still be stuck in traffic.

For more information, call 206.343.4491 or visit www.No745.org.

Rebuttal of Statement For

Asphalt pavers bought the signatures to put I-745 on the ballot. Their campaign and their studies make claims that are misleading and inaccurate.

Washington's transportation problems need a solution that includes both road improvements and transportation choices for local communities. I-745's requirement that all transportation funding be split 90%-10% does not allow us to maintain real transportation choices.

That's why seniors, business, churches, labor, the disabled, and conservation groups, recommend voting No on 745.

Voters Pamphlet Statement Prepared by:

ELIZABETH PIERINI, President, League of Women Voters of Washington; STEPHANIE SOLIEN, Board Chair, Washington Conservation Voters; WILL PARRY, President, Puget Sound Council of Senior Citizens; LOUISE MILLER, Republican, King County Council; RICK BENDER, President, Washington State Labor Council; ROGER BERGH, President, Washington State Good Roads & Transportation Association.



INITIATIVE MEASURE 729 (continued from page 15)

The effect of the proposed measure, if it becomes law (continued):

by the governing board. Only a school district could sponsor the conversion of a conventional public school to a charter public school.

Each charter public school would be administered by a board of directors with authority to hire employees, contract for goods and services, acquire property, and accept gifts and donations from governmental and private entities (except sectarian or religious organizations). Charter schools would not have the power of taxation or of eminent domain. Charter schools would be prohibited from charging tuition or issuing tax-backed bonds. Fees could be charged for optional noncredit extracurricular events.

Neither the charter public school sponsor nor the school district in which a charter public school is located would be liable for any of the acts or omissions of the charter public school.

A charter public school could issue secured and unsecured debt to manage cash flow, improve operations, or finance the acquisition of property and equipment. The credit of the state, of the sponsoring institution, the school district, and other political subdivisions and agencies could not be pledged for the payment of such debt.

A charter public school could operate one or more grades, kindergarten through twelve, as provided in a renewable five-year contract granted by the sponsoring district or institution. Charter public schools would be exempt from state statutes and rules applicable to public schools, except that they would be required to: comply with state and federal health, safety, and civil rights laws; participate in nationally normed standardized achievement tests; employ certificated instructional staff, with certain exceptions like apply to other public schools; comply with employee record check requirements; be subject to school district financial and audit requirements; comply with annual performance report requirements; report at least annually on progress toward meeting performance goals specified in their charters; and comply with the open public meetings act.

A charter public school would be required to enroll all students who submit a timely application, with priority for those residing in the school district where the school is located if capacity is insufficient. A charter public school could not limit admission based on race, religion, ethnicity, national origin, gender, income level, intellectual ability, disabling condition, proficiency in the English language, or athletic ability. A charter public school could limit admission to students within a given age group or grade level.

Charter applications would be made to a qualified sponsor and could be approved, renewed, modified, or revoked according to standards set forth in the measure. If the sponsor is a school district, the district would be required to provide prompt and timely funding for charter public schools on a per student basis in the amounts the schools would have received if the students were enrolled in conventional public schools in the district. Local levy moneys approved by the voters before the effective date of a charter would not be allocated to a charter public school unless the sponsoring school district determined it had authority from voters to allocate maintenance and operation excess tax levy money to the charter public school. After the effective date of a charter, charter public schools would be included in levy planning, budgets, and funding distribution in the same manner as other schools in the district.

If the sponsor is not a school district, students in a charter public school would be students of the district in which the school is located for general fund apportionment purposes, and funding for these students would be provided to the public charter school through the superintendent of public instruction. A charter public schools account would be created to receive appropriations and provide financial grants to approved charter public schools for start-up costs.

For the four years beginning on January 1, 2001, the maximum number of charters that could be granted under this measure would be 20 per year. These numbers would not include conventional public schools converting to charter schools. Until January 1, 2003, no charter school could be sponsored in a school district with a student enrollment of less than 1,000 students.

Chapter 41.56 and chapter 41.59 RCW concerning collective bargaining rights would apply to charter public schools, except that the employees of a charter public school could not be in the same bargaining units with employees of school districts or educational service districts. Charter public school employees would be eligible for membership in the same retirement systems as corresponding public school district employees, if consistent with federal law.



INITIATIVE MEASURE 745 (continued from page 19)

The effect of the proposed measure, if it becomes law (continued):

improvements to the traffic carrying capacity of roads, or maintenance of roads. The term "transportation funds" would include state and local government funds spent for transportation purposes, including the transportation fund, the highway fund, public transit and ferry operating accounts and reserves, public transit and ferry capital accounts and reserves, local government transportation accounts, public transportation authorities, transportation benefit districts, and the amounts placed in the high occupancy vehicle account (RCW 81.100.070). It does not include federal funds specifically provided for non-roadway purposes, transportation vehicle funds used by school districts, funds used by airports or port districts, or the fares paid by customers of transit and ferry systems. The term "roads" would include all publicly owned roads, streets, and highways.

The measure would also require a performance audit on each transportation agency, account, and program, including the state department of transportation, the state ferry system, and all public transit agencies. The first audit report for each agency would be submitted by December 31, 2001, and subsequent performance audits would be conducted as determined necessary by the state auditor. Transportation funds would be used to pay for the performance audits.

The measure would exempt, from sales and use taxes, materials and labor used in the construction or maintenance of publicly owned roads, streets, and highways.

The measure would also require the updating of comprehensive plans developed under Chapter 36.70A RCW (the growth management act) and the six-year transportation plans required by RCW 44.40.070, to reflect the provisions and priorities of this measure.



COMPLETE TEXT OF Initiative Measure 732 (cont.)

the district's salary schedules, collective bargaining agreements, and other compensation policies. No later than the end of the fiscal year, each college district shall certify to the college board that it has spent funds provided for cost-of-living increases on salaries and salary-related benefits.

(c) The college board shall include any funded cost-of-living increase in the salary base used to determine cost-of-living increases for academic employees in subsequent years.

(d) Beginning with the 2001-2002 fiscal year, the state shall fully fund the cost-of-living increase set forth in this section.

(2) For the purposes of this section, "cost-of-living index" means, for any fiscal year, the previous calendar year's annual average consumer price index, using the official current base, compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the cost-of-living index in this section.

NEW SECTION. Sec. 4. A new section is added to chapter 28B.50 RCW to read as follows:

(1) Classified employees of technical colleges shall be provided an annual salary cost-of-living increase in accordance with this section. For purposes of this section, "technical college" has the same meaning as defined in RCW 28B.50.030. This section applies to only those classified employees under the jurisdiction of chapter 41.56 RCW.

(a) Beginning with the 2001-2002 fiscal year, and for each subsequent fiscal year, each technical college board of trustees shall receive a cost-of-living allocation sufficient to increase classified employee salaries, including mandatory salary-related benefits, by the rate of the yearly increase in the cost-of-living index.

(b) A technical college board of trustees shall distribute its cost-of-living allocation for salaries and salary-related benefits in accordance with the technical college's salary schedules, collective bargaining agreements, and other compensation policies. No later than the end of the fiscal year, each technical college shall certify to the college board that it has spent funds provided for cost-of-living increases on salaries and salary-related benefits.

(c) The college board shall include any funded cost-of-living increase in the salary base used to determine cost-of-living increases for technical college classified employees in subsequent years.

(d) Beginning with the 2001-2002 fiscal year, the state shall fully fund the cost-of-living increase set forth in this section.

(2) For the purposes of this section, "cost-of-living index" means, for any fiscal year, the previous calendar year's annual average consumer price index, using the official current

base, compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the cost-of-living index in this section.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



COMPLETE TEXT OF Initiative Measure 745

AN ACT Relating to improving traffic; adding a new section to chapter 47.01 RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 43.09 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 44.40 RCW; and creating a new section.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

IMPROVING TRAFFIC BY MAKING ROAD CONSTRUCTION AND ROAD MAINTENANCE THE TOP PRIORITY OF THE STATE TRANSPORTATION SYSTEM

NEW SECTION. Sec. 1. A new section is added to chapter 47.01 RCW to read as follows:

New road and lane construction and road maintenance shall be the state's top priority for transportation system improvements.

IMPROVING TRAFFIC BY REQUIRING 90% OF TRANSPORTATION FUNDS BE SPENT ON ROAD CONSTRUCTION AND ROAD MAINTENANCE

NEW SECTION. Sec. 2. A new section is added to chapter 46.68 RCW to read as follows:

(1) The legislature, in consultation with local governments, shall adopt implementing legislation which requires a minimum of 90% of transportation funds to be spent on construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(2) For the purposes of this section, "transportation funds" are government funds spent for transportation purposes, including, but not necessarily limited to, the transportation fund, the highway fund, public transit and ferry operating accounts and reserves, public transit and ferry capital accounts and reserves, local government transportation accounts, public



COMPLETE TEXT OF Initiative Measure 745 (cont.)

transportation authorities, transportation benefit districts, and the account established in RCW 81.100.070.

(3) For the purposes of this section, "transportation funds" do not include federal funds which the federal government requires to be spent on purposes other than construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(4) For the purposes of this section, "transportation funds" do not include transportation vehicle funds used for school districts or funds used by airports or port districts, or public ferry and public transit fares.

(5) For the purposes of this section, "roads" includes all publicly owned roads, streets, and highways.

(6) For the purposes of this section, a regional transportation authority created pursuant to chapter 81.112 RCW shall make expenditures of transportation funds for projects, programs, and services within the area boundaries of that regional transit authority.

(7) The office of financial management shall provide a report detailing transportation expenditures beginning August 1, 2001, and every year thereafter, to ensure compliance with this section.

IMPROVING TRAFFIC BY REQUIRING PERFORMANCE AUDITS OF TRANSPORTATION AGENCIES

NEW SECTION. Sec. 3. A new section is added to chapter 43.09 RCW to read as follows:

The state auditor shall conduct a performance audit on each transportation agency, account, and program, including, but not necessarily limited to, the department of transportation, the state ferry system, and all public transit agencies in the state. Transportation funds shall be used for the cost of each audit. The first audit report for each transportation agency, account, and program shall be submitted to the legislature and made available to the public on or before December 31, 2001. Subsequent performance audits shall be conducted when determined necessary by the state auditor.

IMPROVING TRAFFIC BY EXEMPTING ROAD CONSTRUCTION MATERIALS AND LABOR FROM SALES AND USE TAXES

NEW SECTION. Sec. 4. A new section is added to chapter 82.08 RCW to read as follows:

The taxes levied by RCW 82.08.020 shall not apply to materials and labor used in the construction or maintenance of publicly owned roads, streets, and highways.

NEW SECTION. Sec. 5. A new section is added to chapter 82.12 RCW to read as follows:

The taxes levied by RCW 82.12.020 shall not apply to ma-

terials and labor used in the construction or maintenance of publicly owned roads, streets, and highways.

IMPROVING TRAFFIC BY UPDATING TRANSPORTATION PLANS

NEW SECTION. Sec. 6. A new section is added to chapter 36.70A RCW to read as follows:

The traffic element of comprehensive plans developed under RCW 36.70A.070(6)(a) and development regulations shall be updated to reflect the provisions and priorities of this act.

NEW SECTION. Sec. 7. A new section is added to chapter 44.40 RCW to read as follows:

Comprehensive plans developed under RCW 44.40.070 shall be updated to incorporate the funding priorities established by this act.

CONSTRUCTION CLAUSE

NEW SECTION. Sec. 8. The provisions of this act are to be liberally construed to effectuate the policies and purposes of this act.

SEVERABILITY CLAUSE

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



COMPLETE TEXT OF Senate Joint Resolution 8214

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 XXIX, section 1 of the Constitution of the state of Washington to read as follows:

Article XXIX, section 1. Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund ((or)), industrial insurance trust fund, or fund held in trust for the benefit of persons with developmental disabilities may be invested as authorized by law.

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.