



Legislation Details (With Text)

File #: 2009-0445 **Version:** 1

Type: Ordinance **Status:** Lapsed

File created: 7/20/2009 **In control:** Budget and Fiscal Management Committee

On agenda: **Final action:** 2/1/2010

Enactment date: **Enactment #:**

Title: AN ORDINANCE directing the submission to the qualified voters of King County a Safe and Strong Communities proposition authorizing an additional sales and use tax of one-tenth of one percent pursuant to RCW 82.14.450 for criminal justice purposes including police protection, fire protection, public health such as pandemic flu preparation, human services and general city purposes and appointing committees to write the voters' pamphlet statements for the November 3, 2009, general election.

Sponsors: Larry Gossett

Indexes: Criminal Justice, Elections, Human Services, Police Dept, Public Health, Taxes, Voters' Pamphlet

Code sections:

Attachments: 1. 2009-0445 A PSST Ballot Measure.xls, 2. 2009-0445 SSC ST By City.xls, 3. 2009-0445 Transmittal Letter Final 7-17-09 with KT's edits.doc, 4. Staff Report 07-21-09

Date	Ver.	Action By	Action	Result
7/21/2009	1	Budget and Fiscal Management Committee	Deferred	
7/20/2009	1	Metropolitan King County Council	Introduced and Referred	

Clerk 07/17/2009

AN ORDINANCE directing the submission to the qualified voters of King County a Safe and Strong Communities proposition authorizing an additional sales and use tax of one-tenth of one percent pursuant to RCW 82.14.450 for criminal justice purposes including police protection, fire protection, public health such as pandemic flu preparation, human services and general city purposes and appointing committees to write the voters' pamphlet statements for the November 3, 2009, general election.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Public safety, public health and human services are some of the most fundamental purposes of

government.

B. A strong system of criminal justice, public health and human services is necessary to maintain safe and livable communities.

C. Criminal justice, public health and human services are interrelated and public investments in public health and human services lessen the public costs for criminal justice and other programs.

D. Under the Washington state Constitution, counties provide many regional and local criminal justice functions, including police protection services such as patrols and responding to emergencies and specialized law enforcement services such as helicopter air support, bomb squads and marine patrols.

E. King County government also has a responsibility to provide regional public health services to the one million eight hundred thousand residents as well as the hundreds of thousand of workers and tourists who enter the county each day.

F. Over the past century, public health functions have led to remarkable gains in health that have significantly increased longevity and improved quality of life, public health services benefit the entire population of King County every day and address multiple determinants of health, including biological, behavioral, environmental, social and economic conditions, and therefore complement the criminal justice and human services systems.

G. In 2007, King County provided critical health care services to one hundred forty-three thousand twenty-five people through its public health centers, of whom one hundred seven thousand ninety-six were below the poverty line and forty-four thousand six hundred fifty-seven had no insurance.

H. King County and its public health centers are part of a larger safety net that provides health care to residents without insurance, and the entire safety net is facing financial crisis due to declining revenues and an increasing number of uninsured, with over one hundred forty thousand uninsured residents in King County in 2008.

I. The need for and scope of public health services provided is increasing as new mandates are

instituted, new communicable disease and environmental health threats emerge, health disparities within the population of King County intensify, the number of medically underserved increases, more people become uninsured or have inadequate health insurance, and the burden of preventable chronic disease grows.

J. The current H1N1 influenza pandemic spreading around the world highlights our vulnerability to extreme public health threats and the critical need for a robust public health response to: identify and track the disease; quickly mobilize antiviral medications and vaccines to King County residents; enhance our community-wide medical care capacity; and educate and inform the public about personal preparedness and protecting oneself from infection.

K. Vulnerable individuals and families of all ages across King County are facing incredible challenges everyday in finding safe and affordable housing and meeting other basic needs. On any given night in King County, about eight thousand three hundred people, including families with children, are living without a permanent place to call home. The state unemployment rate is now 9.4 percent. Even for those who are working, sixty-four percent of jobs in King County do not pay a wage sufficient to support a family of four with one wage earner. Since the 2000 census, the percent of children living in poverty increased from ten percent to fourteen percent.

L. King County plays a strong role in the coordination of the regional human services system, building coalitions and partnerships to leverage and maximize resources in an effort to stabilize the regional safety net.

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

N. Working with many partners, King County funds and helps to administer vital regional human services such as domestic violence and sexual assault victim's services, job training, senior services, youth and family services, and homeless prevention and housing assistance.

O. King County's financial support of human services are an investment in the health and safety of the

community and its residents, playing a critical role in helping some of our most vulnerable and at-risk citizens to receive the help they need in times of crisis toward achieving and maintaining long-term stability and self-sufficiency.

P. The current funding for criminal justice, public health and human services is limited and insufficient to provide King County residents with the level of services that are needed to build and maintain safe and strong communities.

Q. The current economic downturn has exacerbated the county's revenue challenges, and contributed to a projected shortfall of at least fifty-million-dollar shortfall for 2010 and a projected shortfall of sixty million dollars for 2011.

R. King County has very aggressively worked to reduce expenditures by consolidating departments and functions, reducing labor costs, and eliminating positions and programs.

S. For many years, King County has also worked to obtain additional revenue tools from the State Legislature to offset the structural funding problem facing King and all other Washington counties. In the 2009 legislative session, King County was successful in obtaining a number of the changes sought over the years such as additional flexibility for using certain revenues for a limited period of time. However, these changes were not sufficient to solve the county's projected revenue shortfalls. The state Legislature did, however, modify the sales and use tax authority in 2009 to help counties address budget challenges. This proposal seeks to make use of that legislative change.

T. The county's projected 2010 and 2011 deficits threaten important criminal justice, public health and human service functions and will require that cuts be made to basic services unless additional revenue is approved by the voters. In order to limit these cuts and maintain safe and strong communities, it is important for the voters to consider a sales and use tax proposition to support criminal justice, public health and human services.

SECTION 2. Authorization of additional sales and use tax.

A. In order to provide funding for the purposes identified in section 4 of this ordinance, the council hereby directs the submission of a proposition to the voters of the county substantially as set forth in section 5 of this ordinance to authorize the county to fix and impose pursuant to RCW 82.14.450 an additional sales and use tax of one-tenth of one percent.

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

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

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

3. Shall not apply to any exempt transactions identified in RCW 82.14.450.

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

SECTION 3. Distribution of taxes collected.

A. If approved by the voters, sixty percent of any sale and use tax authorized by section 2 of this ordinance and collected by the state Department of Revenue shall be paid to the county.

B. If approved by the voters, forty percent of any sales and use tax authorized by section 2 of this ordinance and collected by the state Department of Revenue shall be distributed to cities within King County on a per capita basis.

SECTION 4. Use of tax proceeds.

A. If approved by the voters, one third of the county proceeds from the sales and use tax authorized under section 2 of this ordinance shall be used solely for criminal justice purposes as defined in RCW 82.14.450(4) including police protection, one-third shall be used solely for public health including pandemic flu preparation and public health clinics, and one-third shall be used solely for regional human services.

B. If approved by the voters, at least one third of the city proceeds from the sales and use tax authorized

under section 2 of this ordinance shall be used solely for criminal justice purposes as defined in RCW 82.14.450(4) or fire protection services or both, one third of the city proceeds shall be used solely for human services as defined by the city, and the remaining city proceeds may be used for any general city purpose.

C. If approved by the voters, proceeds from the tax authorized under section 2 of this ordinance may supplant existing funds to the extent allowed now and hereafter by state law.

D. For the purposes of this section, "proceeds from the tax" means the principal amount of funds raised by the additional sales and use tax authorized by this ordinance and any interest earnings on the principal amount of funds.

SECTION 5. Call for election. Pursuant to RCW 29A.04.321, it is hereby found that the proposition, substantially as hereinafter set forth, be submitted to the qualified electors of the county at a county special election to be held in conjunction with the general election on November 3, 2009. King County elections is hereby requested to assume jurisdiction of and to call and conduct such election to be held within the county on said date and to submit to the qualified voters of the county at such election said proposition.

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

The Metropolitan King County Council adopted Ordinance _____ concerning funding for criminal justice, fire protection, and other government purposes. This proposition would authorize King County to fix and impose an additional sales and use tax of one-tenth of one percent to be split between the county (60%) and the cities (40%). County proceeds would fund criminal justice, including police protection, public health programs such as pandemic flu preparation and health clinics, and human services. City proceeds would fund criminal justice or fire protection, human services, and other city purposes, as provided in Ordinance

. Should this proposition be:

Approved? ___

Rejected? __

SECTION 6. Voters' pamphlet. RCW 29A.32.280 provides that for each measure from a jurisdiction that is included in a local voters' pamphlet, the legislative authority of that jurisdiction shall formally appoint one committee to write a statement for voter approval of the measure and one committee to write a statement against the measure.

SECTION 7. Appointment of voters' pamphlet committees. Pursuant to RCW 29A.32.280, the following individuals are appointed to serve on the voters' pamphlet committees, each committee to write a statement for or against the proposed criminal justice sales and use tax ballot measure:

FOR	AGAINST
1.	1.
2.	2.
3.	3.

SECTION 8. Ratification. Certification of the proposition by the clerk of the council to the director of elections in accordance with law before the election on November 3, 2009, and any other acts consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 9. Authority supplemental. The authority granted in this ordinance is supplemental to all other powers of the county, and nothing in this ordinance shall be construed as limiting or restricting any powers or authority conferred upon the county by law.

SECTION 10. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.