

# HOUSE BILL REPORT

## HB 1707

---

---

### As Amended by the Senate:

**Title:** An act relating to classification of cities and towns.

**Brief Description:** Correcting references to classification of cities and towns.

**Sponsors:** Representatives Hargrove, Sheahan and Pelesky.

### Brief History:

#### Committee Activity:

Government Operations: 2/17/95, 2/22/95 [DP].

#### Floor Activity:

Passed House: 3/9/95, 95-0;

Passed House: 1/12/96, 92-0.

Senate Amended.

---

### HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** Do pass. Signed by 15 members: Representatives Reams, Chairman; Goldsmith, Vice Chairman; L. Thomas, Vice Chairman; Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Chopp; R. Fisher; Hargrove; Honeyford; Hymes; Mulliken; D. Schmidt; H. Sommers; Van Luven and Wolfe.

**Staff:** Steve Lundin (786-7127).

**Background:** Prior to the enactment of legislation in 1994, cities and towns were classified into first class cities, second class cities, third class cities, towns, unclassified cities, and code cities. At that time, no second class cities existed. Legislation was enacted in 1994 changing third class cities into second class cities, repealing many prior second class city statutes, and recodifying third class city statutes into the chapter of law containing second class city statutes.

The original provisions of the state constitution allowed a city with a population of 20,000 or more to adopt a city charter. However, Amendment 40 to the state constitution was approved by state voters in 1964 reducing the minimum population for a city to adopt a charter from 20,000 to 10,000. Statutes classify cities that have adopted a charter under the constitution as first class cities, but one statute still refers to a city with a population of 20,000 or more being authorized to adopt such a charter.

Prior to the enactment of legislation in 1994, the terms of offices of city commissioners were not staggered and three commissioners were elected once every four years in an odd-numbered year to four-year terms of office. However, legislation was enacted in 1994 staggering the terms of office for city commissioners and providing for election once every two years when either one or two commissioners are elected to four-year terms of office.

Legislation was enacted in 1907 authorizing metropolitan park districts to be created in first class cities. In 1967, legislation was enacted authorizing code cities and allowing a code city with a population of 10,000 or more to adopt a charter and become a charter code city. A code city statute essentially amends metropolitan park district statutes by inference and allows a metropolitan park district to be created in a charter code city. Legislation was enacted in 1985 allowing a metropolitan park district to be created in any city with a population of 5,000, but the separate charter code city statute relating to metropolitan park districts was not repealed to take note of this change.

**Summary of Bill:** A variety of statutes are amended to correct city classifications.

Various statutes are amended changing references to third class cities to second class cities. A reference is stricken in second class city statutes to remove an inference that cities with a commission form of government do not hold municipal elections every odd-numbered year. An unused code city statute is repealed authorizing a metropolitan park district to be created in a charter code city.

**EFFECT OF SENATE AMENDMENT(S):** The following additional changes are made concerning city and town classifications:

- : Two additional statutes relating to the population of a city that may adopt a charter are repealed. The provisions of these statutes are included in other statutes. A statute relating to cities that may adopt charters is recodified into the chapter relating to charter cities.
- : The population of a town at the time of its incorporation or reclassification is changed from "1,500 or less" to "less than 1,500."
- : The council of a newly incorporated city with a council-manager form of government determines the length of time that a council member serves as the acting mayor.
- : A city or town that incorporated after August 1, 1995, may adopt a resolution to assume all the assets and liabilities of a park and recreation district that is located wholly within the boundaries of the city or town. Any special assessments attributable to the park and recreation district shall continue to exist and be

collected. Property within the boundaries of the park and recreation district shall remain subject to indebtedness of the park and recreation district and to any related property taxes.

- : A city with a population of over 2,000 but less than 2,500 at the time of its reclassification as a code city may choose to maintain a seven-member council.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.