Local Government Committee

HB 2438

Brief Description: Revising provision for elections for changing a municipal plan of government.

Sponsors: Representatives Buck, Kessler, Schoesler, Haigh, Eickmeyer, Hatfield and Blake.

Brief Summary of Bill

- Allows a proposal for a change in the form of government of a noncharter code city to be voted upon at the next general election, and eliminates the requirement that the election take place either at a special election or within one hundred and eighty days following the passage of the resolution or petition calling for such change of government plan.

Hearing Date: 1/26/04

Staff: Thamas Osborn (786-7129).

Background:

Cities and towns are classified when they incorporate or are reorganized. Four classes of municipal government exist under Washington law: (1) first class cities; (2) second class cities; (3) towns; and (4) optional municipal code cities. Any city with a population of at least 10,000 may frame a charter for its own government according to constitutional and statutory requirements. City and town classifications are specified in statute as follows:

- first class cities are organized according to laws applicable to cities with populations of at least 10,000 that have adopted a home rule charter;
- second class cities are cities with populations of at least 1,500 that have not adopted home rule charters;
- towns have populations fewer than 1,500 and are not incorporated; and
- optional municipal code cities may be noncharter or charter cities that have adopted the optional municipal code according to Title 35A RCW.

Optional municipal code cities (code cities) consist of two optional classes of cities, charter and noncharter. Only those code cities with populations of over 10,000 may adopt a charter, whereas any incorporated city or town may become a noncharter code city. All code cities, whether charter or noncharter, may operate with one of three different plans of government: council-manager, mayor-council, or commission. The council-manager plan consists of an elected city council serving as the legislative body and an appointed city manager responsible for city administration. The mayor-council plan includes an elected mayor serving as the city's chief

administrative officer and an elected council acting as the legislative body. Under the commission plan, elected commissioners serve as the legislative authority and as city department directors.

To change the plan of government under which a noncharter code city operates requires the approval of a majority of the voters residing in the city. The requisite voter approval may be obtained via a special election or at the next general election, provided the election is held within 180 days of the passage of either the requisite legislative resolution, or the filing of the requisite voter petition, calling for the change of government plan.

Summary of Bill:

Allows a proposal for a change in the form of government of a noncharter code city to be voted upon at the next general election. Eliminates the requirement that the election take place either at a special election or within one hundred and eighty days following the passage of the resolution or petition calling for such change of government plan.

Appropriation: None.

Fiscal Note: Requested on January 22, 2004.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.