

HOUSE BILL REPORT

HB 2367

As Passed House:

February 6, 1996

Title: An act relating to initiative and referendum powers in counties with populations in excess of three hundred fifty thousand.

Brief Description: Providing the powers of initiative and referendum to certain more populous counties.

Sponsors: Representatives Crouse, D. Sommers, Sterk, Brown, Fuhrman, Sheahan, McMorris, Mastin, D. Schmidt, Schoesler, Silver, Dellwo, Hargrove, Smith and Benton.

Brief History:

Committee Activity:

Government Operations: 1/26/96, 1/31/96 [DP].

Floor Activity:

Passed House: 2/6/96, 96-0

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass. Signed by 14 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Goldsmith, Vice Chairman; Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Conway; R. Fisher; Hargrove; Honeyford; Hymes; Mulliken; Scheurman; D. Schmidt and Wolfe.

Staff: Steve Lundin (786-7127).

Background: The state constitution directly grants state voters general initiative and referendum powers on state matters, but does not grant local voters general powers of initiative and referendum on local matters.

City voters may obtain general initiative and referendum power on city matters under the three following procedures:

- o The state constitution allows the voters of any city with a population of 10,000 or more to approve a city charter, and statutes expressly allow city charters to include provisions granting city voters general initiative and referendum powers on city matters.

- o Statutes grant the voters of any non-code city operating with a commission plan of government general powers of initiative and referendum on city matters.
- o Statutes authorize procedures by which voters of any city or town may reorganize as a code city and acquire general powers of initiative and referendum on city matters.

The state constitution allows voters of any county to approve a county home rule charter. Although no constitutional or statutory provisions exist expressly authorizing a county charter to include provisions granting county voters initiative and referendum powers on county matters, each one of the five existing county charters include such provisions. The five counties operating under home rule charters are King, Pierce, Snohomish, Whatcom, and Clallam Counties.

The five counties with the largest populations in the state are King County, with a population of 1,613,600, Pierce County, with a population of 660,200, Snohomish County, with a population of 525,600, Spokane County, with a population of 401,200, and Clark county with a population of 291,000.

Summary of Bill: The voters of any county with a population of 350,000 or more, that does not operate under a county home rule charter, are granted initiative and referendum powers on county matters. The procedures for county voters to exercise these initiative and referendum powers are very similar to existing initiative and referendum provisions for voters of code cities.

A county ordinance becomes effective 30 days after it is adopted by the county legislative authority, during which a referendum petition on the ordinance may be filed by county voters. However, an ordinance is not subject to referendum if the ordinance (1) is an initiative; (2) is an emergency ordinance; (3) provides for a road improvement district (RID) or local improvement district (LID); (4) appropriates money; (5) provides for or approves a collective bargaining agreement; (6) provides for the compensation or working conditions of employees; or (7) authorizes or repeals taxes.

An initiative petition must be signed by county voters equal in number to at least 20 percent of the number of the number of voters voting at the last preceding state general election and may be circulated for only 180 days. A referendum petition must be signed by county voters equal in number to at least 15 percent of the number of county voters voting at the last state general election and must be filed with the county auditor no later than 5:00 P.M., 30 days after the adoption of the ordinance that is subject to the referendum. If a timely filed referendum petition is certified by the county auditor as having sufficient valid signatures, the ordinance is held in abeyance and submitted to county voters for their approval or rejection.

A referendum or initiative proposition is submitted to county voters for their approval or rejection at the next special election date occurring 45 or more days after the county auditor certifies the sufficiency of the petition.

Provisions are made describing the appearance of initiative and referendum petitions.

If a majority of the votes cast favor the proposed ordinance, it shall become effective when the results of the election are certified, unless the ordinance provides for a different effective date.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This applies only to Spokane County. A recent charter effort failed in Spokane County.

Testimony Against: None.

Testified: Representative Crouse, prime sponsor.