

1 2830 AMH ROLA H4829.1

2 **HB 2830 - H AMD 0110 FAILED 2/15/92**

3 By Representatives Roland, Ferguson, Hargrove, Miller Roland and
4 Forner

5

6 Strike everything after the enacting clause and insert the
7 following:

8 "NEW SECTION. Sec. 1. (1) In accordance with RCW 29.13.010, on
9 the first Tuesday after the first Monday in April 1992, the county
10 legislative authority of a county with a population of one million or
11 more shall conduct a special election and submit to the voters of that
12 county a ballot proposition that allows the voters to choose
13 irrevocably whether:

14 (a) A metropolitan municipal corporation formed under chapter 35.58
15 RCW should be governed according to sections 4 through 6 and 8 of this
16 act and RCW 35.58.140; or

17 (b) The county legislative authority should assume the functions of
18 a metropolitan municipal corporation formed under chapter 35.58 RCW
19 according to sections 2 and 3 of this act.

20 (2)(a) The auditor of a county subject to subsection (1) of this
21 section shall conduct the election on the ballot proposition according
22 to the provisions of Title 29 RCW. The county canvassing board shall
23 canvass the results of the election and file a certified copy of the
24 canvass with the secretary of state's office.

25 (b) To be qualified to vote on the ballot proposition, a voter must
26 be qualified under the laws of the state and have resided in the county
27 for at least thirty days prior to the date of the election.

28 (3) The ballot proposition submitted under subsection (1) of this
29 section must be in the following form:

1 "GOVERNANCE OF THE FUNCTIONS OF THE
2 METROPOLITAN MUNICIPAL CORPORATION

3 OPTION 1: Shall the metropolitan municipal corporation, which
4 is responsible for providing (list the functions that the
5 metropolitan municipal corporation is authorized to perform)
6 services be restructured to have a federated structure of
7 twenty-five members comprising representatives from towns and
8 cities within the county, and from the county, and three
9 representatives elected by the voters of the county.

10 YES ()

11 OR

12 OPTION 2: Shall the metropolitan municipal corporation, which
13 is responsible for providing (list the functions that the
14 metropolitan municipal corporation is authorized to perform)
15 services be dissolved and the responsibility of providing the
16 metropolitan municipal corporation's services be assumed by the
17 county.

18 YES ()"

19 (4)(a) If OPTION 1 garners a majority of the votes of all qualified
20 persons voting in the special election, the metropolitan municipal
21 corporation must be restructured according to sections 4 through 6 and
22 8 of this act and RCW 35.58.140.

23 (b) If OPTION 2 garners a majority of the votes of all qualified
24 persons voting in the special election, the county must assume the

1 functions of the metropolitan municipal corporation and the corporation
2 is dissolved according to sections 2 and 3 of this act."

3 "NEW SECTION. **Sec. 2.** As an alternative to the procedure set
4 forth in RCW 36.56.040, the county legislative authority in any county
5 with a population of one million or more, after notice and public
6 hearing as required by RCW 36.56.020 and 36.56.030, may by ordinance or
7 resolution assume the rights, powers, functions, and obligations of the
8 metropolitan municipal corporations. Upon enactment of the ordinance
9 or resolution, the county is vested with every right, power, function,
10 and obligation currently granted to or possessed by the metropolitan
11 municipal corporation, the metropolitan council established under RCW
12 35.58.120 through 35.58.160 is abolished, the provisions of RCW
13 35.58.120 through 35.58.160 are inapplicable to the county, and the
14 county legislative authority is vested with all rights, powers, duties,
15 and obligations otherwise vested by law in the metropolitan council.
16 For a county with a home rule charter, the rights, powers, duties, and
17 obligations of a metropolitan municipal corporation assumed under this
18 section vest in accordance with the executive and legislative
19 responsibilities defined in the charter."

20 "NEW SECTION. **Sec. 3.** A county that has assumed the functions
21 of a metropolitan municipal corporation under section 2 of this act
22 shall comply with all provisions of this chapter other than those set
23 forth in RCW 36.56.040, and in addition shall:

24 (1) Establish two or more intergovernmental committees to review
25 and recommend to the county legislative authority the county-wide
26 comprehensive policy plan and those elements of other plans which under
27 state law are effective in both unincorporated and incorporated areas.
28 The committee shall include members representing units of local and

1 regional government, including, but not limited to, special purpose
2 districts, cities, and the county;

3 (2) Establish a transition committee to advise the county
4 legislative authority on issues relating to the transition to county
5 performance of metropolitan municipal functions. The transition
6 committee shall include members representing cities, special purpose
7 districts, and citizens with interest and expertise in metropolitan
8 municipal functions and public administration;

9 (3) Ensure that revenues and expenditures authorized by state law
10 solely for metropolitan municipal corporation purposes are preserved
11 and accounted for separate from other county funds and expended solely
12 for purposes authorized by chapter 35.58 RCW or as otherwise provided
13 by state or federal law;

14 (4) Preserve for a period of two years from the effective date of
15 the assumption of metropolitan municipal functions by the county the
16 existing internal administrative structure of the metropolitan
17 municipal corporation; and

18 (5) Conduct a process for consultation with citizens of
19 unincorporated areas of the county to analyze issues of governance for
20 such areas and report to the legislature and the governor regarding any
21 necessary proposed legislation to implement the conclusions of the
22 process within one year from the effective date of the assumption of
23 metropolitan municipal functions by the county."

24 "NEW SECTION. Sec. 4. A metropolitan municipal corporation
25 within, or with boundaries coterminous with, a county with a population
26 of one million or more is governed by a metropolitan council consisting
27 of the following members:

28 (1) One member who is the elected county executive of the central
29 county, or, if there is no elected county executive, one member

1 appointed by, and from, the board of commissioners or council of the
2 central county.

3 (2) Six members appointed by the county commissioners or county
4 councilmembers of the central county, which members may include any or
5 all of the county commissioners or councilmembers.

6 (3) One member who is the elected mayor of the central city, or, if
7 there is no elected mayor, one member appointed by, and from, the mayor
8 and city council of the central city.

9 (4) Six members appointed by the council of the central city, which
10 members may include any or all of the city councilmembers.

11 (5)(a) Six members appointed by and from the mayors and
12 councilmembers of the component cities, other than the central city,
13 that have populations of fifteen thousand or more. The appointment
14 process must give due consideration to the number of citizens residing
15 within each city to facilitate, as much as practicable, proportionate
16 representation.

17 (b) Subject to (c) of this subsection, the members shall be
18 selected in the following manner:

19 (i) The mayors and councilmembers of all selecting component cities
20 shall meet prior to July 1 of each even-numbered year at a date, time,
21 and place to be fixed by resolution of the metropolitan council.

22 (ii) The chairperson of the metropolitan council shall preside.

23 (iii) After nominations are made, successive ballots shall be taken
24 until six candidates each receive a majority of all votes cast.

25 (c) In the event the selecting component cities are members of a
26 duly established association of cities within the metropolitan area
27 whose charter or rules delegate to the association the appointment of
28 members to the metropolitan council, then the appointment of the six
29 members shall be conducted as provided by the association's charter or

1 rules and the results certified to the chairperson of the metropolitan
2 council.

3 (6) One member representing all component cities that have a
4 population of less than fifteen thousand each, who is selected by and
5 from the mayors of these cities in the following manner:

6 (a) The mayors of the cities shall meet prior to July 1 of each
7 even-numbered year at a time and place to be fixed by the metropolitan
8 council.

9 (b) The chairperson of the metropolitan council shall preside.

10 (c) After nominations are made, successive ballots shall be taken
11 until one candidate receives a majority of all votes cast.

12 (7) Three members who are nominated and elected at large from the
13 metropolitan area to four-year staggered terms as provided in section
14 5 of this act. The election shall be held in conformance with the
15 provisions of Title 29 RCW.

16 (8) For any metropolitan municipal corporation that is authorized
17 to perform the function of metropolitan water pollution abatement, one
18 additional member who is a commissioner of a sewer district or a water
19 district that operates a sewer system and is a component part of the
20 metropolitan municipal corporation, who shall participate only in those
21 council actions that relate to the performance of the function of
22 metropolitan water pollution abatement. The commissioners of all the
23 sewer districts and water districts that are component parts of the
24 metropolitan municipal corporation shall meet on the second Tuesday of
25 June of each even-numbered year at seven o'clock p.m. at the office of
26 the board of county commissioners or county council of the central
27 county. After electing a chairperson, the commissioners shall make
28 nominations to select a member to serve on the metropolitan council and
29 successive ballots taken for each nomination until one candidate
30 receives a majority of votes cast.

1 (9) One member shall be chairperson of the metropolitan council who
2 is selected by the other members of the council. The chairperson may
3 not hold public office of or be an employee of any component city or
4 component county of the metropolitan municipal corporation. The
5 chairperson shall hold office until the second Tuesday in July of each
6 even-numbered year and may, if reelected, serve more than one term."

7 "NEW SECTION. Sec. 5. (1) The three directly elected members
8 shall have staggered terms where the two members who receive the
9 greatest numbers of votes shall be elected to four-year terms and the
10 other two members shall be elected to two-year terms of office. The
11 length of these terms run from the first day of January in the year
12 following the election. The initial directly elected members shall
13 take office immediately after they are qualified as defined in RCW
14 29.01.135. Each subsequent directly elected member shall be elected to
15 a four-year term of office that continues until a successor is elected,
16 qualified, and assumes office in accordance with RCW 29.04.170.

17 (2) The initial directly elected members shall be elected at the
18 next general election after the effective date of this act. Eight
19 candidates shall be nominated at the regular primary election and the
20 three directly elected members shall be elected at the general
21 election."

22 "NEW SECTION. Sec. 6. A vacancy in the office of a member of
23 the metropolitan council shall be filled in the same manner as provided
24 for the original appointed member except as provided by this section.
25 The meetings to fill a vacancy of the member selected under section 4
26 (5) and (6) of this act or of commissioners to fill a vacancy of the
27 member selected under section 4(8) of this act shall be held at a time
28 and place as designated by the chairperson of the metropolitan council

1 after ten days' written notice mailed to the mayors and councilmembers
2 of each of the cities participating under section 4(5) of this act, to
3 the mayors of each of the cities participating under section 4(6) of
4 this act, or to the commissioners of the districts participating under
5 section 4(8) of this act, whichever is applicable. In the event of a
6 vacancy of one of the members elected under section 4(7) of this act,
7 the remaining members elected under that provision shall appoint a
8 person to fill the vacancy for the unexpired term."

9 "Sec. 7. RCW 35.58.140 and 1971 ex.s. c 303 s 6 are each amended
10 to read as follows:

11 Each member of a metropolitan council except those (~~selected under~~
12 ~~the provisions of RCW 35.58.120(1)(a), (5), (7), and (8))~~ elected
13 under section 4(7) of this act, shall hold office at the pleasure of
14 the body (~~which selected him~~) that appointed the member. Each
15 member, (~~who~~) except those elected under section 4(7) of this act,
16 shall hold office ex officio(~~7~~) and may not hold office after (~~he~~)
17 the member ceases to hold the position of elected county executive,
18 mayor, commissioner, or councilman. The (~~chairman~~) chairperson shall
19 hold office until the second Tuesday in July of each even-numbered year
20 and may, if reelected, serve more than one term. Each member appointed
21 to office shall hold office until (~~his~~) a successor has been
22 (~~selected~~) appointed as provided in this chapter."

23 "NEW SECTION. Sec. 8. The provisions of RCW 35.58.120 and
24 35.58.150 are inapplicable to a metropolitan municipal corporation
25 restructured under sections 4 through 6 of this act and RCW 35.58.140."

26 "NEW SECTION. Sec. 9. (1) Sections 2 and 3 of this act are
27 each added to chapter 36.56 RCW.

1 (2) Sections 4 through 6 and 8 of this act are each added to
2 chapter 35.58 RCW."

3 "NEW SECTION. **Sec. 10.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and shall take
6 effect immediately."

7 **HB 2830** - H AMD
8 By Representatives Roland and Ferguson

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10 On page 1, line 1 of the title, after "corporations;" strike the
11 remainder of the title and insert "amending RCW 35.58.140; adding new
12 sections to chapter 36.56 RCW; adding new sections to chapter 35.58
13 RCW; creating a new section; and declaring an emergency."