

Proposed Constitutional Amendment

* OFFICIAL BALLOT TITLE

SENATE JOINT RESOLUTION NO. 1

CITY CHARTERS

Shall Article XI, section 10, of the State Constitution, which provides for the incorporation, organization and classification of cities, and allows certain cities to frame charters for their own government consistent with general state laws, be amended in the following respects:

- (1) Changing from 20,000 to 10,000 the minimum population of cities which may frame such charters;
- (2) Changing newspaper publication requirements for proposed charters;
- (3) Providing that notices of elections be given as required by law?

* Ballot Title Issued by John J. O'Connell, Attorney General.

Vote cast by members of 1963 Legislature (Extraordinary Session) on final passage:

SENATE: 49 Members — Yeas, 43; Nays, 0; Absent or not voting, 6.

HOUSE: 99 Members — Yeas, 93; Nays, 0; Absent or not voting, 6.

STATEMENT FOR

Cities are in a position to obtain more efficient, effective, and responsible local government by the adoption of charters of their own choosing. At the present time only cities having a population of 20,000 or more have this privilege. SJR No. 1 would extend this authority to cities of 10,000 or more population. Of the 267 cities and towns in the state, only 14 may now adopt a home rule charter, but under SJR 1 the number of cities that may adopt their own charter would be doubled. Thus many more cities would be able to design their own form of government and administrative framework to satisfy local needs.

In addition, SJR No. 1 would modernize the requirements of the state constitution for the publication of municipal charters and amendments thereto, and save thousands of dollars in publication costs. The present publication requirement for city charters and amendments thereto is completely antiquated. It is both costly and unrealistic. In the overwhelming number of cases, compliance is impossible.

At the present time any city that desires to adopt a charter or to amend it must publish the charter and amendments thereto in two daily newspapers for thirty consecutive days.

1. This is an impossible requirement for cities which have only one daily newspaper or only a weekly news-

paper. There are just three cities in the state which have two daily newspapers and these cities have already adopted city charters.

2. Publication of a lengthy charter or amendments thereto on every publishing day for 30 consecutive days is excessive and costly, adding substantially to the expense of the adoption thereof.

3. SJR No. 1 will permit publication in the daily newspaper of largest general circulation published in the community, or if no daily newspaper is published in the city, then in the newspaper having the largest general circulation in the city at least once each week for four weeks preceding the day of voting on adoption of a charter or an amendment to an existing charter.

Publication of the charter once a week for four consecutive weeks is ample publication notice to voters within the city of the charter or of proposed amendments thereto. Most cities usually provide for pamphlet distribution of the proposed charter or amendments thereto to all interested parties. Cities that desire to gain greater local autonomy in running their own affairs by the adoption of a local charter or by amending it should not be inhibited by the impossible publication requirements existing in the present law. SJR No. 1 will correct these defects.

COMMITTEE APPOINTED TO COMPOSE STATEMENT FOR SENATE JOINT RESOLUTION NO. 1

MIKE McCORMACK, State Senator
2010 Everest, Richland 99352

GERHARDT C. GRAEP, Mayor of Redmond
President, Association of Washington Cities
7841 Leary Way, Redmond 98052

SLADE GORTON, State Representative
1549 N.E. 102nd St., Seattle 98125

ADVISORY COMMITTEE

AVERY GARRETT
State Representative

PAUL CONRAD, Sec.-Mgr.
Allied Daily Newspapers of Washington

DON L. TALLEY
State Senator

C. A. CROSSER, Secretary
Municipal League of Seattle and King County

HAROLD R. HOLM, Mayor
City of Walla Walla

EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

The Law As It Now Exists:

The State Constitution now permits any city with **20,000** or more inhabitants to frame a charter for its own government. A charter outlines the government and powers of a city. The charter must be consistent with and subject to the constitution and laws of the state.

The Constitution now provides that the proposed charter be published in two daily newspapers published in the city **continuously for at least thirty days** prior to the date it is submitted to the voters.

The Constitution now provides that notice of election on a proposed charter shall be given for at least ten days before the day of election, in all election districts of the city.

Effect of Senate Joint Resolution No. 1 If Approved Into Law:

The proposed amendment would permit any city with **10,000** inhabitants to frame a charter for its own government, the same as a city with **20,000** inhabitants may now do.

The proposed amendment would provide that the proposed charter be published in the daily newspaper of largest general circulation published in the area to be incorporated (or if no daily newspaper is published there, in the newspaper having the largest general circulation in the area) at least **once a week for four weeks** next preceding the election on the charter.

The proposed amendment would require notice of election to be given in the manner provided by the legislature.

NOTE: Complete text of Senate Joint Resolution No. 1 appears on Page 28.

STATEMENT AGAINST

This proposed constitutional amendment was passed by the Extraordinary Session, 1963 Legislature **without a single dissenting vote**. Further, the proposal has been endorsed by the Allied Daily Newspapers of Washington.

Since no State Senator or State Representative opposes this measure, plus the fact that persons most concerned (the publishers of daily newspapers) are supporting the proposal—no statement against Senate Joint Resolution No. 1 appears in this space reserved for such purpose.

VICTOR A. MEYERS, *Secretary of State.*

Complete Text of Proposed Constitutional Amendment

Senate Joint Resolution No. 1

BE IT RESOLVED, *By the Senate and the House of Representatives of the State of Washington in legislative session assembled:*

THAT, At the next general election to be held in this state there shall be submitted to the qualified electors of the state, for their approval and ratification, or rejection, an amendment to Article XI, section 10 of the Constitution of the state of Washington to read as follows:

Article XI, section 10. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to, and controlled by general laws. Any city containing a population of ten (~~twenty~~) thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in (~~two daily newspapers~~

~~published in said city, for at least thirty days prior to~~) the daily newspaper of largest general circulation published in the area to be incorporated as a first class city under the charter or, if no daily newspaper is published therein, then in the newspaper having the largest general circulation within such area at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given (~~for at least ten days before the day of election, in all election districts of said city~~) as required by law. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

Passed the Senate April 5, 1963.
JOHN A. CHERBERG,
President of the Senate.

Passed the House April 5, 1963.
WILLIAM S. DAY,
Speaker of the House.

EXPLANATORY COMMENT S.J.R. NO. 1:

All words in double parentheses and lined through are in our State Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the State Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, *Secretary of State.*