



# HJR 21

House Joint Resolution

Proposed Constitutional Amendment

## Allowing Combined County-City Governments

Shall the state constitution be amended to permit the people in any county by majority vote to create a combined "city-county" government through the adoption of a home rule charter under which other municipal corporations having such powers and duties as are prescribed in the charter could also be retained or established, if desired, and to set separate constitutional debt limitations for the "city-county" as thus created and for any new or retained municipal corporations?

Vote cast by members of the 1972 Legislature on final passage:  
HOUSE: (99 members) Yeas, 94; Nays, 3; Absent or not voting, 2.  
SENATE: (49 members) Yeas, 41; Nays, 0; Absent or not voting, 8.

NOTE: New special toll-free telephone service offered to voters requesting in-depth information on state measures. See page 5 for details.

## Statement for

### More Responsive and Efficient Local Government

By eliminating duplicate city and county administrations, HJR 21 permits the cost saving advantages and efficiency of a combined city-county (such as Denver). Moreover, HJR 21 also permits the retention of smaller and more responsive units of government such as certain cities or special districts within the larger city-county unit if the electorate wishes to retain them.

### HJR 21 Is Enabling Only

To create a combined city-county there must be two elections: first, for freeholders to frame a charter and second, for adoption of the charter.

### Extend the 1948 Constitutional Provision

This provision which first authorized combined city-county government has not yet been used, partly because of the 300,000 population requirement. HJR 21 will permit all counties, including some of the smaller ones with serious financial problems, to initiate combined city-county government as an economy measure.

### Limitation on Municipal Debts Payable From Property Taxes

HJR 21 would authorize a city-county to have the debt limits presently permitted in the Constitution for the overlapping municipal corporations existing now, such as the county, cities, fire and other special districts. The maximum could not exceed the present Constitutional maximum on property within any city today.

### More Effective Local Government

Voters within a portion of a combined city-county would be permitted to adopt bond issues for local improvements such as local parks without requiring the entire county to vote and pay for such local items and without having to put together a major county-wide effort to pass many local projects in one election package.

### Retention of Existing Units of Government

Recognizing that smaller units of government possess many advantages, HJR 21 permits the freeholders to retain in the charter such cities or port, fire, water, sewer and other special purpose districts as seem necessary and desirable. School districts are not affected by HJR 21.

### No New Tax Source

HJR 21 does not authorize an income tax or any other new tax source for a combined city-county.

*Committee appointed to compose statement FOR House Joint Resolution No. 21:*

SCOTT BLAIR, State Representative; BOOTH GARDNER, State Senator; JONATHAN WHETZEL, State Senator.

*Advisory Committee:* JAMES ELLIS, former President, Municipal League of Seattle and King County; JACK GERAGHTY, former Spokane County Commissioner; JOHN SPELLMAN, King County Executive; WES UHLMAN, Mayor of Seattle; MRS. JO YOUNT, President, Puget Sound Leagues of Women Voters.

## The Law as it now exists:

Amendment 23 to the state constitution, approved in 1948, authorized the legislature to provide for the formation of combined city and county municipal corporations, but only in those areas which would result in a combined city-county containing a population of at least 300,000 inhabitants. Such a combined city-county municipal corporation, if formed, would constitute a single municipal corporation for the purposes of measuring its limitation upon indebtedness under Article VIII, § 6 of the constitution. This limitation is one and one-half percent of the taxable value of the property located within the municipality without approval of the voters; a maximum of five percent of such value for general governmental purposes with voter approval; and an additional five percent of such value for utility purposes with voter approval.

Because of the existence of overlapping municipal corporations in most areas of the state (such as counties, cities, fire protection districts, and the like) this present limitation is, in the aggregate, much lower than the combined debt limitations of all municipalities occupying a given area. For this reason, in part, no combined city and county municipal corporation has ever been formed under the present provision.

## Effect of HJR 21 if approved into Law:

This proposal would amend the 1948 constitutional provision with the following principal results: (1) It would allow the formation of a city-county government in any county, regardless of population, upon approval of a "home rule" charter by a majority of the voters of such county voting on the

proposition; and (2) it would authorize the retention or establishment of other municipal corporations within the city-county with such powers and duties as are prescribed in the charter. Any municipal corporation so retained or established would have a constitutional debt limit separate and apart from the debt limitation governing the combined city-county government—in the same manner as separate municipal corporations have separate debt limitations now.

The debt limitation for a combined city-county government without voter approval would be three percent of the taxable value of the property located within its limits; a maximum of ten percent of such value for general governmental purposes with voter approval; and an additional five percent of such value for water, light and sewer purposes with voter approval—or the substantial equivalent of the present combined limitations of a given city and the county in which it is located.

The separate debt limitation for any retained or established municipal corporation would be the same as at present; i.e., one and one-half percent of the taxable value of the property located therein without voter approval; a maximum of five percent of such value for general governmental purposes with voter approval; and an additional five percent for water, light and sewer purposes with voter approval.

*NOTE: Ballot title and the above explanatory comment were written by the Attorney General as required by state law. Complete text of House Joint Resolution No. 21 starts on Page 103.*

## Statement against

### HJR 21 Should be Defeated!

This measure provides authority for the creation of county-wide "super governments" which would do away with city and town government as we now know it. County councils or county commissioners would provide all government control, even over existing basic city and town functions.

Once created such super government agencies could be dissolved or changed only with extreme difficulty.

HJR 21 would permit creation of government entities that could apply taxes unequally within their jurisdiction: high in some areas, lower in others.

A city-county government formed under authority of HJR 21 could classify personal income as property. In this case your "property taxes" could include a tax of up to 2% on your personal income!

The combined city-county governments could control and manage all local government affairs, absorbing the functions of cities, towns, school districts, ports, public utility districts, and other local government bodies.

Tax equality and local government should be preserved. The biggest government is not necessarily the best government! If combined city-counties are created under the authority of HJR 21, government will be further removed from the people. The participation by the citizen in daily governmental affairs could be diminished.

HJR 21 WOULD ALLOW CREATION OF SUPER GOVERNMENT WHICH

COULD ALLOW A TAX ON PERSONAL INCOME!

WOULD ALLOW UNEQUAL TAXATION!

COULD DO AWAY WITH CITY AND TOWN GOVERNMENTS!

COULD ABOLISH SCHOOL DISTRICTS, PORTS, PUBLIC UTILITY DISTRICTS AND OTHER LOCAL BODIES!

### HJR 21 Should be Defeated!

*Committee appointed to compose statement AGAINST House Joint Resolution No. 21:*

DON TALLEY, State Senator; MARGARET HURLEY, State Representative; R. TED BOTTIGER, State Representative.

*Advisory Committee:* STANLEY P. KERSEY, Mayor, City of Auburn; GEORGE J. MANOS, Secretary-Treasurer, Washington State District Council of Printing Pressmen, Seattle; PETER ZUANICH, Past President, Washington Public Ports Association.

the counties by population: PROVIDED, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession.

Article XI, section 8. ~~((The legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may not be salaried officers.))~~ The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

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 May 10, 1971.  
JOHN A. CHERBERG,  
President of the Senate.

Passed the House May 10, 1971.  
THOMAS A. SWAYZE, JR.,  
Speaker of the House.

#### EXPLANATORY COMMENT

All words in double parentheses and lined through are in our State Constitution of 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.

COMPLETE TEXT OF

## House Joint Resolution

# 1

### Proposed Constitutional Amendment

*Ballot Title as issued by the Attorney General:*

#### Tax Exemptions—Periodic Review—Repeal

Shall the state constitution be amended to require periodic legislative review of all exemptions, deductions, exclusions from, or credits against any state or local taxes (except those concerning property held by religious organizations solely for religious or educational purposes) and to repeal automatically the statutory or constitutional provisions granting them unless such provisions are amended or reenacted by the legislature or (where necessary) reapproved by the people before March 1, 1977, and every tenth year thereafter?

BE IT RESOLVED, *By the Senate and 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 voters of the state for their approval and ratification, or rejection, an amendment to Article VII of the Constitution of the state of Washington by adding a new section to read as follows:

NEW SECTION. Article VII, section 12. All statutes and every part or provision of this Constitution which grant to any person, individual, firm, corporation or other business organization, or any public or private body, agency or institution, any exemption, deduction, or exclusion from state or locally imposed taxes or credit for payment of any such taxes against other state tax liability (other than a statute or part thereof granting an exemption from taxes imposed upon property owned or used by a religious organization, corporation, or corporation sole, solely for religious or educational purposes)

shall be reviewed by the legislature commencing before March 1, 1977, and before March 1st of every ten years thereafter. Any such statute or such part thereof which is not amended or reenacted without amendment, and any such constitutional provision which is not reapproved by the people, before March 1, 1977 and before the first day of March ending each ten year period thereafter shall be null and void effective upon such March 1st date. This section shall not apply to the removal or repeal of any tax exemption, deduction, exclusion or credit, if such removal or repeal would be in violation of the laws or Constitution of the United States.

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 House April 21, 1971.  
THOMAS A. SWAYZE, JR.,  
Speaker of the House.

Passed the Senate May 10, 1971.  
JOHN A. CHERBERG,  
President of the Senate.

COMPLETE TEXT OF

## House Joint Resolution

# 21

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*Ballot Title as issued by the Attorney General:*

#### Allowing Combined County-City Governments

Shall the state constitution be amended to permit the people in any county by majority vote to create a combined "city-county" government through the adoption of a home rule charter under which other municipal corporations having such powers and duties as are prescribed in the charter could also be retained or established, if desired, and to set separate constitutional debt limitations for the "city-county" as thus created and for any new or retained municipal corporations?

BE IT RESOLVED, *By the Senate and 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 voters of the state for their approval and ratification, or rejection, an amendment to Article XI of the Constitution of the State of Washington by amending section 16 (Amendment 23) thereof as follows:

Article XI, section 16. ((The legislature shall, by general law, provide for the formation of combined city and county municipal corporations, and for the manner of determining the territorial limits thereof, each of which shall be known as a "city and county," and, when organized, shall contain a population of at least three hundred thousand (300,000) inhabitants.)) Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county." Registered voters equal in number to ten (10) percent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply

to a petition proposed under this section for the election of freeholders to frame a city-county charter, the election of freeholders, and to the framing and adoption of such city-county charter pursuant to such petition. Except as otherwise provided in this section, the provisions of section 4 applicable to a county home rule charter shall apply to a city-county charter. If there are not sufficient legal newspapers published in the county to meet the requirements of publication of a proposed charter under section 4 of this Article, publication in a legal newspaper circulated in the county may be substituted for publication in a legal newspaper published in the county. No such ~~(city and county)~~ "city-county" shall be formed except by a majority vote of the qualified electors ~~((of))~~ voting thereon in the ~~((area proposed to be included therein and also by a majority vote of the qualified electors of the remainder of that county from which such area is to be taken. Any such city and county shall be permitted to frame a charter for its own government, and amend the same, in the manner provided for cities by section 10 of this article: PROVIDED, HOWEVER, That the first charter of such city and county shall be framed and adopted in a manner to be specified in the general law authorizing the formation of such corporations:))~~ county ~~((PROVIDED FURTHER, That every such))~~. The charter shall designate the respective officers of such ~~((city and county))~~ city-county who shall perform the duties imposed by law upon county officers. Every such ~~((city and county))~~ city-county shall have and enjoy all rights, powers and privileges asserted in its charter, ~~((not inconsistent with general laws,))~~ and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities and counties ~~((possessed and enjoyed by cities and counties of all population separately organized)).~~ In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the general laws applying to cities and those applying to counties, a city-county shall be authorized to exercise any powers that are granted to either the cities or the counties.

No legislative enactment which is a prohibition or restriction, appointment or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed)) city-county. ((In case an

~~((No county or county government existing outside the territorial limits of such county and city shall exercise any police, taxation or other powers within the territorial limits of such county and city, but all such powers shall be exercised by the city and county and the officers thereof, subject to such constitutional provisions and general laws as apply to either cities or counties: PROVIDED, That))~~ The provisions of sections 2, 3, ~~((4))~~ 5, 6, ~~((7))~~ and 8 and of the first paragraph of section 4 of this article shall not apply to any such ~~((city and county: PROVIDED FURTHER, That the salary of any elective or appointive officer of a city and county shall not be changed after his election, appointment or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed))~~ city-county. ~~((In case an existing county is divided in the formation of a city and county, such city and county shall be liable for a just proportion of the existing debts or liabilities of the former county, and shall account for and pay the county remaining a just proportion of the value of any real estate or other property owned by the former county and taken over by the county and city, the method of determining such just proportion to be prescribed by general law, but such division shall not affect the rights of creditors. The officers of a city and county, their compensation, qualifications, terms of office and manner of election or appointment shall be as provided for in its charter, subject to general laws and applicable constitutional provision))~~

Municipal corporations may be retained or otherwise provided for within the city-county. The formation, powers and

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duties of such municipal corporations shall be prescribed by the charter.

No city-county shall for any purpose become indebted in any manner to an amount exceeding three percentum of the taxable property in such city-county without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed ten percentum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: PROVIDED, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly city-county, or other municipal purposes: PROVIDED FURTHER, That any city-county, with such assent may be allowed to become indebted to a larger amount, but not exceeding five percentum additional for supplying such city-county with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the city-county.

No municipal corporation which is retained or otherwise provided for within the city-county shall for any purpose become indebted in any manner to an amount exceeding one and one-half percentum of the taxable property in such municipal corporation without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor shall the total indebtedness at any time exceed five percentum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: PROVIDED, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly municipal purposes: PROVIDED FURTHER, That any such municipal corporation, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five percentum additional for supplying such municipal corporation with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipal corporation. All taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within that municipal corporation.

The authority conferred on the city-county government shall not be restricted by the second sentence of Article 7, section 1, or by Article 8, section 6 of this Constitution.

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 May 10, 1971.  
JOHN A. CHERBERG,  
President of the Senate.

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THOMAS A. SWAYZE, JR.,  
Speaker of the House.

#### EXPLANATORY COMMENT

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.

COMPLETE TEXT OF

## House Joint Resolution

# 47

### Proposed Constitutional Amendment

Ballot Title as issued by the Attorney General:

### Changing Excess Levy Election Formula

Shall the formula governing certain excess property tax levies