



Legislation Text

File #: 2009-0244, **Version:** 1

Clerk 04/02/2009

AN ORDINANCE proposing an amendment to Sections 230.40, 230.50 and 800 of the King County Charter to provide that deadlines for placement on the ballot of referenda, initiatives and proposed charter amendments be established by ordinance instead of by charter; and submitting the same to the voters of the county for their ratification or rejection at the November 2009 general election.

SECTION 1. There shall be submitted to the voters of King County for their approval and ratification or rejection, at the next general election to be held in this county occurring more than forty-five days after the enactment of this ordinance, an amendment to Sections 230.40, 230.50 and 800 of the King County Charter as set forth herein:

230.40 Referendum.

Except as provided herein, an enacted ordinance may be subjected to a referendum by the voters of the county by filing with the county council prior to the effective date of the ordinance petitions bearing signatures of registered voters of the county equal in number to not less than eight percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. In addition, except as provided herein, an enacted ordinance which pursuant to state law is effective only in unincorporated areas of the county may be subjected to a referendum by the voters of the unincorporated areas of the county by filing with the county council prior to the effective date of the ordinance petitions bearing signatures of registered voters residing in unincorporated areas of the county equal in number to not less than eight percent of the votes cast at the last preceding election for county executive, provided however that the number of required

signatures shall be calculated based only upon votes cast within areas which on the date such petitions are required to be filed are unincorporated areas of the county. Each petition shall contain the full text of the ordinance to be referred. After the petitions are filed, ((F))the ordinance to be referred shall be placed on the ballot at the next special, primary or general election occurring ((more than forty five days after the petitions are filed, provided that)) after the minimum interval between filing and election, which shall be established by ordinance, though in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county.

An appropriation ordinance; an ordinance necessary for the immediate preservation of the public peace, health or safety or for the support of county government and its existing public institutions; an ordinance proposing amendments to this charter; an ordinance providing for collective bargaining; an ordinance approving a collective bargaining agreement; an ordinance providing for the compensation or working conditions of county employees; or an ordinance which has been approved by the voters by referendum or initiative shall not be subject to a referendum.

230.50 Initiative.

Ordinances except ordinances providing for the compensation or working conditions of county employees may be proposed by filing with the county council petitions bearing signatures of registered voters of the county equal in number to not less than ten percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. In addition, an ordinance which pursuant to state law is effective only in unincorporated areas of the county, except an ordinance providing for the compensation or working conditions of county employees, may be proposed by filing with the county council petitions bearing signatures of registered voters residing in unincorporated areas of the county equal in number to not less than ten percent of the votes cast at the last preceding election for county executive, provided, however that the number of required signatures shall be calculated based only upon votes cast within areas which on the date such petitions are required to be filed are unincorporated areas of the county. Each petition shall contain the

full text of the proposed ordinance.

The county council shall consider the proposed ordinance. If the proposed ordinance is not enacted within ninety days after the petitions are ~~((presented))~~ filed, it shall be placed on the ballot at the next ~~((regular or))~~ special, primary or general election occurring ~~((more than one hundred thirty five days after the petitions are filed))~~ after the minimum interval between filing and election, which shall be established by ordinance. However, if the proposed ordinance is enacted at any time prior to the election, it shall not be placed on the ballot or be voted on unless it is subjected to referendum.

If the county council rejects the proposed ordinance and adopts a substitute ordinance concerning the same subject matter, the substitute ordinance shall be placed on the same ballot with the proposed ordinance; and the voters shall first be given the choice of accepting either or rejecting both and shall then be given the choice of accepting one and rejecting the other, provided that in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county. If a majority of the voters voting on the first issue is for either, then the ordinance receiving the majority of the votes cast on the second issue shall be deemed approved. If a majority of those voting on the first issue is for rejecting both, then neither ordinance shall be approved regardless of the vote on the second issue.

Section 800 Charter Review and Amendments.

At least every ten years after the adoption of this charter, the county executive shall appoint a citizen commission of not less than fifteen members whose mandate shall be to review the charter and present, or cause to be presented, to the county council a written report recommending those amendments, if any, which should be made to the charter. This citizen commission shall be composed of at least one representative from each of the county council districts.

The county council may propose amendments to this charter by enacting an ordinance to submit a proposed amendment to the voters of the county at the next general election occurring ~~((more than forty five~~

~~days after the enactment of the ordinance))~~ after the minimum interval between enactment and election, which shall be established by ordinance. An ordinance proposing an amendment to the charter shall not be subject to the veto power of the county executive. Publication of a proposed amendment and notice of its submission to the voters of the county shall be made in accordance with the state constitution and general law. If the proposed amendment is approved by a majority of the voters voting on the issue, it shall become effective ten days after the results of the election are certified unless a later date is specified in the amendment.

SECTION 3. The clerk of the council shall certify the proposition to the manager of the elections division, in substantially the following form, with such additions, deletions or modifications as may be required by the prosecuting attorney:

Shall Sections 230.40, 230.50 and 800 of the King County Charter be amended to provide that deadlines for placement on the ballot of referenda,

initiatives and proposed charter amendments be established by ordinance instead of by charter?