

Bond Case Briefs

Municipal Finance Law Since 1971

REFERENDA - WASHINGTON

American Hotel & Lodging Association v. City of Seattle

Court of Appeals of Washington, Division 1 - December 24, 2018 - 432 P.3d 434

Hotel associations brought action against city, asserting that city ballot initiative, which concerned health, safety, and labor standards for hotel employees, violated single-subject rule.

On cross-motions for summary judgment, the Superior Court upheld validity of initiative. Associations appealed.

The Court of Appeals held that:

- State constitutional provision barring a bill from embracing more than one subject did not apply; Ballot title was general, not restrictive; but
- No rational unity existed between provisions of initiative, and thus initiative violated statutory single-subject rule and city charter's single-subject rule.

State constitutional provision barring a bill from embracing more than one subject did not apply to city ballot initiative concerning health, safety, and labor standards for hotel employees; provision applied only to state legislation.

Ballot title of city initiative concerning health, safety, and labor standards for hotel employees was general, not restrictive, for purposes of statutory single-subject rule and city charter's single-subject rule, although title's language about protecting employees against assault, sexual harassment, and injury by retaining lists of accused guests carved out for regulation a specific risk that hotel workers confronted; balance of the title broadened its scope to cover more general working conditions, such as improving access to healthcare, limiting workloads, and providing limited job security.

No rational unity existed between provisions of city ballot initiative concerning health, safety, and labor standards for hotel employees, and thus initiative violated statutory single-subject rule and city charter's single-subject rule; initiative identified at least four distinct and separate purposes, which were protecting certain hotel employees from violent assault and sexual harassment, protecting hotel employees from on-the-job injuries arising out of heavy lifting, repetitive tasks, and chemical exposure, improving hotel workers' access to affordable medical care, and providing job security to low-income hotel workers when there was change in hotel ownership.