

HOUSE BILL REPORT

HJR 4202

*As Passed House
March 19, 1991*

Brief Description: Allowing the review and modification of local government.

Sponsor(s): Representatives Ferguson, Haugen, Horn, Roland, Cole, Wood, Zellinsky, D. Sommers, Winsley, Nealey, Nelson and Fraser.

Brief History:

Reported by House Committee on:
Local Government, March 4, 1991, DP;
Passed House, March 19, 1991, 96-0.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *Do pass.* Signed by 15 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Staff: Steve Lundin (786-7127).

Background: The Local Governance Study Commission was established in 1985 to study local government in the state and make recommendations to the Legislature for changes in laws that were felt to be necessary. This commission had 21 members, and three ex-officio, nonvoting, members. The 21 members included four Senators, four Representatives, four city-elected officials, four county-elected officials, and five persons representing special districts. The ex-officio, nonvoting, members were the director of the Department of Community Affairs, who chaired the meetings, and the executive directors of the Associations of Washington Cities and the Washington State Association of Counties.

Constitutional provisions provide procedures by which: (1) a charter can be approved by the voters of a city of a certain minimum population to alter the governing body and officials of the city government, i.e., a first-class city charter; (2) a charter can be approved by the voters of any county to alter the governing body and officials of the

county government, i.e., a regular county charter; and (3) a charter can be adopted to alter powers and governing bodies of any government or governments within the county, i.e., a combined "city-county" charter.

Statutes provide procedures by which cities, towns, and approximately 65 different types of special districts can be created. Thirty-nine counties exist in the state. Two hundred sixty-eight cities and towns exist in the state, and hundreds of different special districts exist in the state.

Statutes provide procedures on how most of these local governments can annex territory, how some of these local governments can have territory withdrawn or de-annexed, and how some of the same type of local governments can merge or consolidate. Virtually all these local governments have boundaries that overlap with all or part of the boundaries of other types of local governments.

The Interlocal Agreement Act authorizes local governments to enter into relationships as follows: (1) two or more local governments that each have the authority to provide the same service or facility can enter into a contract by which one government provides the service or facility for the other local government or governments; and (2) two or more local governments that each have the authority to provide the same service or facility can enter into agreements to jointly provide the service or facility.

Summary of Bill: The Legislature is required to establish two separate processes by which citizens and their local government officials can consider alternatives to more adequately structure or shape local governments to meet their local needs as follows:

(1) A process must be established by which local government officials can enter into and implement local government service agreements for the provision of services and development of local policies and authorities, that could include the transfer of services and revenues between existing local governments. This process could be used on a county-wide, less than county-wide, or greater than county-wide basis.

(2) A process must be established by which a temporary group of citizens could be elected to review local governments within a county and possibly present proposals for altering local governments to the voters for their approval or rejection. An advisory group of local government elected officials would assist each of these temporary groups of local citizens in their deliberations. A proposal that is submitted to voters for their approval or

rejection could relate to the formation, retention, boundaries, and powers of local governments. Provision must be made for the development and approval of proposals affecting an area greater than a single county and less than a single county.

Fiscal Note: Not requested.

Effective Date: Immediately upon certification of the election results at a state general election when this constitutional amendment is approved by state voters.

Testimony For: This provides for processes by which local governments can be changed to fit local circumstances, rather than having the Legislature enact laws that attempt to relate to the uniqueness of local circumstances. Most of the local government structures and authorities have not changed for decades or even a century.

Testimony Against: None.

Witnesses: (All testified in favor.) Chuck Clarke, Director, Department of Community Development; Gary Lowe, Washington State Association of Counties; Stan Finkelstein, Association of Washington Cities; and Joe Daniels, Washington State Association of Water and Wastewater Districts.