

SENATE BILL REPORT

SHB 1275

AS OF FEBRUARY 12, 1992

Brief Description: Adjusting provisions relating to local government.

SPONSORS: House Committee on Local Government (originally sponsored by Representatives Haugen, Ferguson and Cooper)

HOUSE COMMITTEE ON LOCAL GOVERNMENT

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Rod McAulay (786-7754)

Hearing Dates: March 26, 1991; February 19, 1992

BACKGROUND:

A number of provisions contained within statutes pertaining to units of local government are obsolete or conflict with other laws.

Compensation and Removal of Employees

The mayor of a code city, with a mayor-council form, may remove any employee at his or her pleasure subject to any civil service laws. There is no similar provision governing the removal of employees of a third class city or town. There is no specific authority for the council of a third class city or town to establish the compensation and duties of employees.

Open Public and Special Meetings

The Open Public Meetings Act requires every governing body of a state or local government to establish a time for holding regular meetings. A special meeting may be called if written notice is provided to each member of the governing body, each local newspaper, and each television or radio station that has on file a request to be notified of special meetings. The notice must be provided at least 24 hours before the meeting and must state the business to be transacted. The notice requirements may be dispensed with if there is an emergency involving injury or damage to persons or property.

The laws governing third class cities and towns only require notice of a special meeting to be delivered to councilmembers three hours before the meeting.

Appointment of Pro Tem Council Members

If a city council member of a third class city or town is absent from three consecutive regular meetings of the council

without permission of the council, the office may be declared vacant by the council. There is no authority for the council to appoint a councilmember pro tem to serve during the period of an extended excused absence or disability of a councilmember. The councilmembers of a code city are authorized to make pro tem appointments to the council in the event of an extended excused absence or disability of a councilmember.

Authority of Town to Control and Dispose of Property

A town is authorized to purchase, lease, receive, hold and enjoy real and personal property and control and dispose of the property for the common benefit of the town. Towns do not have the specific authorization that third class cities possess to dispose of property by lease, sublease, or conveyance.

City and Town Ordinances

Each code city is required to provide three copies of each ordinance of general application to the Association of Washington Cities without charge. It has been suggested that a single source of information should be established regarding ordinances of cities and towns within the state.

Veterans' Preferences on Examinations

The civil service statutes for city police officers and city firefighters conflict with the provisions in the general public employment statutes for the granting of veterans' credits in exams. City police officers and firefighters are allowed a 10 percent credit on entrance examinations.

Public Disclosure Exemptions

The public disclosure laws generally require each state and local government agency to make information available for public inspection and copying. There is no specific statutory exemption for information contained in files maintained for patients or clients who have been provided emergency medical services by a publicly operated emergency medical service provider.

Local Government Election Provisions

A number of local election laws use the term "elector" instead of "registered voter."

SUMMARY:

The council of a third class city or town is required to establish the duties and compensation of all employees of the city or town. All employees of a third class city or town serve at the pleasure of the mayor.

The laws pertaining to the calling of special meetings by third class cities and towns are amended to conform with the special meetings provisions in the Open Public Meetings Act.

The councilmembers of a third class city or town may by majority vote appoint a councilmember pro tem to serve during an extended excused absence or disability of a councilmember.

A town is specifically authorized to dispose of property by lease, sublease, or conveyance.

The clerk of every city and town is directed, though not required, to provide a copy of each of its regulatory ordinances, as well as other kinds of ordinances that may be requested from time to time, to the Municipal Research Council or its designee promptly after adoption. Code cities are no longer required to send copies of their ordinances to the Association of Washington Cities.

The civil service laws for city police officers and firefighters are modified to allow veterans credit on exams in accordance with the public employment statutes.

Information contained in files maintained for patients or clients who have been provided emergency medical services by a publicly operated emergency medical service provider are exempt from public disclosure and copying.

Appropriation: none

Revenue: none

Fiscal Note: none requested