

HOUSE BILL REPORT

SHB 1019

As Passed House
February 3, 1993

Title: An act relating to meetings by cities and towns.

Brief Description: Changing provisions relating to the conduct of meetings in cities and towns.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Dunshee, H. Myers and Springer.)

Brief History:

Reported by House Committee on:
Local Government, January 22, 1993, DPS;
Passed House, February 3, 1993, 94-2.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives H. Myers, Chair; Bray, Vice Chair; Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; Dunshee; R. Fisher; Horn; Rayburn; Romero; Springer; and Zellinsky.

Minority Report: Without recommendation. Signed by 1 member: Representative Van Luven.

Staff: Bill Lynch (786-7092).

Background: The Municipal Research Council has identified a number of local government statutes that either conflict with other statutes, are inconsistent with powers granted to other local governments under other statutes, or have some confusion surrounding their interpretation.

The Open Public Meetings Act, chapter 42.30 RCW, requires the governing body of a public agency to give its members at least 24 hours notice of a special meeting. The Open Public Meetings Act applies to cities and towns. The specific statutes pertaining to third class cities and towns, however, only require three hours notice of a special meeting be provided to councilmembers.

The councilmembers of a code city are authorized to appoint pro tem councilmembers in the event of an extended excused absence or disability of a councilmember. Third class cities and towns are not authorized to appoint pro tem councilmembers.

All council meetings of a third class city or town must be held within the city or town corporate limits. This restriction makes joint hearings with other jurisdictions difficult. Statutes specify what day the oath of office must be given to councilmembers of third class cities and towns. It is felt that the statutes are unnecessarily restrictive.

Each code city is required to send three copies of each ordinance it adopts to the Association of Washington Cities. This requirement is considered to be unnecessary by many cities.

Summary of Bill: Notice requirements for special meetings by third class cities and towns are made consistent with the provisions of the Open Public Meetings Act. Councilmembers in third class cities and towns may appoint a pro tem councilmember in the event of an extended excused absence or disability of a councilmember. Code cities are no longer required to send copies of their ordinances to the Association of Washington Cities.

The requirement that all meetings of third class cities and towns must be held within the city or town limits is removed, but any business of the city or town must be conducted within the city or town limits. Restrictive language on what date the oath of office must be taken is deleted.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This will facilitate meetings being held with other jurisdictions for joint planning purposes. It will also help clarify the application of existing law.

Testimony Against: None.

Witnesses: Stan Finkelstein, Association of Washington Cities (pro).