

HOUSE BILL REPORT

SSB 5038

As Passed House - Amended
March 3, 1994

Title: An act relating to local government service agreements.

Brief Description: Creating a procedure for local government service agreements.

Sponsors: Senate Committee on Government Operations
(originally sponsored by Senators Haugen and Winsley).

Brief History:

Reported by House Committee on:
Local Government, February 24, 1994, DPA.
Passed House - Amended, March 3, 1994, 84-14.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass as amended. Signed by 10 members: Representatives H. Myers, Chair; Springer, Vice Chair; Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; Dunshee; R. Fisher; Moak; Rayburn; Van Luven and Zellinsky.

Minority Report: Do not pass. Signed by 1 member: Representative Horn.

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. This commission had 21 members and three ex-officio, nonvoting, members. A major recommendation of the commission was the establishment of a process for local governments to enter into binding local government service agreements for the provision of local governmental services and the development of local policies that could include the transfer of services and revenues between existing local governments.

The fees that cities are charged for filing criminal or traffic infractions in county district courts are determined by an agreement under the interlocal cooperation.

Summary of Bill: The county legislative authority of every county with a population of 150,000 or more must convene a meeting by March 1, 1995, to develop a process for the establishment of service agreements. Other counties may utilize these provisions. On or before January 1, 1997, a service agreement must be adopted in each county under this chapter or a progress report must be submitted to the appropriate committees of the Legislature.

It is noted that, in general, cities are the units of local government most appropriate to provide urban governmental services, and counties are the unit of local government most appropriate to provide regional governmental services.

Nothing contained in this chapter alters the duties, requirements and authorities of cities and counties contained in the Growth Management Act.

A service agreement must describe: (1) the governmental service or services addressed by the agreement; (2) the geographic area covered by the agreement; (3) which local government(s) are to provide each of the governmental services addressed by the agreement; and (4) the term of the agreement.

A service agreement addressing children and family services shall enhance coordination and be consistent with the comprehensive plan on children and family services adopted under 2SHB 2319 or 2SSB 6174.

The agreement becomes effective when approved by: (1) the county legislative authority; (2) the governing body or bodies of at least a simple majority of the total number of cities covered by the agreement, which cities include at least 75 percent of the total population of all cities within the agreement; and (3) a simple majority of special purpose districts covered by the agreement. The participants may agree to use another formula.

A service agreement may include, but is not limited to: (1) dispute resolution arrangement; (2) joint land-use planning and development regulations; (3) common development standards between the county and cities; (4) coordination of capital improvement plans of the county, cities and special purpose districts; (5) effect of service agreement on growth management plans; (6) intergovernmental revenue transfers based on service obligations; and (7) designation of additional area-wide governmental services to be provided by the county.

The process to establish service agreements should assure that all directly affected local governments and Indian

tribes at their option are allowed to be heard on issues relevant to them.

Binding arbitration is used to establish the fees a city is charged for filing criminal or traffic infractions in the county district court if no agreement is reached between the city and county on the amount of these fees.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed. The changes concerning binding arbitration to establish fees charged cities for using county district courts takes effect on January 1, 1995.

Testimony For: Fulfills recommendations of the Local Governance Study Commission. This will allow locals to economize and make their own decisions. Cost savings will arise.

Testimony Against: None.

Witnesses: Senator Mary Margaret Haugen, prime sponsor; Bob Drewel, Snohomish County Executive; Gary Lowe, Washington State Association of Counties; Jamie Morin, Washington State Water/Wastewater Association; and Stan Finkelstein, Association of Washington Cities.