Brief Description: Revising incorporation procedures for cities and towns.

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

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 5044 be substituted therefor, and the substitute bill do pass.
Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Oke, Owen, and Winsley.

Staff: Katie Healy (786-7784)

Hearing Dates: January 22, 1993; January 29, 1993

HOUSE COMMITTEE ON LOCAL GOVERNMENT

BACKGROUND:

An area adjacent to the limits of an incorporated city or town may incorporate if the area contains at least 300 people. However, if an area lies within five air miles of the boundary of a city having a population of 15,000 or more and the area has less than 3,000 inhabitants, it may not incorporate.

Petitions for incorporation must be signed by qualified voters, and no person is entitled to vote unless he or she is a qualified elector of the county in which the city or town will be incorporated. The election of initial officials of a newly incorporated city or town is addressed, as well as the powers granted the initial officials until the next general municipal election when their successors are elected and qualified. Current law is not specific as to the staggering of council positions after the initial election to the newly incorporated city or town.

Compensation for the mayor and the councilmembers of a city is fixed by ordinance, but an incumbent may not fix his or her own raise. The mayor's salary may be increased by vote of the council if the mayor does not cast a tie-breaking vote. Compensation for elective officers of a newly incorporated code city is fixed by statute until the members are able to pass a salary ordinance. Salaries may be revised on occasion by ordinance, but any change is not effective until the expiration of the incumbent's term.

SUMMARY:

Any area abutting the limits of an incorporated city or town may incorporate if the area contains not less than 3,000 inhabitants. A proposed incorporation may not include territory located beyond an urban growth area.

The term "qualified voters" is changed to "registered voters". Provision is made for the election of councilmembers voted in at the first municipal general election occurring one year or more after the official date of the incorporation of the new city or town. Councilmembers' terms are staggered at this election. A simple majority of the councilmembers receiving the most votes are elected to four-year terms, while the remainder of councilmembers elected serve two-year terms. Their successors are elected to four-year terms of office.

Councilmembers of a newly incorporated city or town receive compensation based on the population of the city or town. The restriction that an incumbent may not vote on an increase in salary and receive it during the incumbent's term is deleted. The mayor, as well as councilmembers, receives reimbursement for expenses, or for a per diem allowance if provided by ordinance.

Various clarifying changes are incorporated.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR: None

TESTIMONY AGAINST:

Objection was made to increasing the number of inhabitants in an area before it may incorporate. There is a perception of smaller cities being "inefficient." Since 1957, a significant number of areas have incorporated with populations under 3,000.

TESTIFIED: Stan Finkelstein, Association of Washington Cities (con)

HOUSE AMENDMENT(S):

The minimum population for a new city or town is dropped from 3,000 to 1,000. Compensation for the commissioners of a newly incorporated noncode city is provided. After a petition is filed for the incorporation of a city or town, and pending its final disposition, no action for annexation or incorporation may be taken on any of the proposed area. This puts incorporation petitions on the same footing as annexation petitions.