

SENATE BILL REPORT

ESB 6025

AS PASSED SENATE, FEBRUARY 8, 1994

Brief Description: Changing provisions relating to cities and towns.

SPONSORS: Senators Winsley and Haugen

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, McCaslin, Oke, Owen and Winsley.

Staff: Eugene Green (786-7405)

Hearing Dates: January 18, 1994; January 20, 1994

HOUSE COMMITTEE ON LOCAL GOVERNMENT

BACKGROUND:

A special election is held to determine whether city or town limits should be reduced when a petition is received requesting the reduction. The petition must be signed by qualified voters of the city or town equal to not less than one-fifth of the votes cast in the last municipal election. Notice of the election is published at least four weeks prior to the election. This notice is in addition to the notice normally required for elections.

Every town (municipal corporation of the fourth class) is authorized to purchase, lease, receive, and hold real and personal property and dispose of it for the common benefit. The wording of this authorization is not exactly the same as for cities of the first, second, or third class. Therefore, questions have arisen as to whether or not the authorization for towns is different from the cities.

The legislative body of any city, town, county, or special taxing district must review and approve all pending claims and warrants at each regular meeting. Except in the smaller cities, council meetings are held every week. It has been suggested this process could be conducted less frequently with no loss of prudent oversight.

Cities receive two distributions from the state MVET for local criminal justice assistance. The first distribution of 1.1937 percent of the MVET is based on crime rates in excess of 125 percent of the statewide average. The second distribution of 1.1937 percent of the MVET is based on six allocations, one of which is a 20 percent allocation based on violent crime rates.

Certain allocations of this second distribution are distributed semi-annually.

SUMMARY:

The petition requesting the reduction of city or town limits must be signed by at least 10 percent of the number of voters voting at the last general election. Alternatively, the city or town legislative body may, by resolution, submit a proposal for reduction to the voters. The submitted proposal is submitted at the next general municipal election if one occurs within 180 days of either the certification of sufficiency of the petition or the passage of the resolution. Otherwise, a special election may be held. Publication is required once each week for two consecutive weeks preceding the election. The requirement for a second type of notice is deleted.

The rights, obligations, and duties with regard to the operation of a public service business or utility in the excluded area transfer to the county or political subdivision with jurisdiction over the area.

Towns are authorized to lease, sublease, or convey real or personal property with the same language as is used for other cities.

The legislative bodies of cities and towns are authorized to conduct the formal review of claims and warrants at a regularly scheduled public meeting within one month of issuance.

Moneys remaining undistributed under the 20 percent allocation based on violent crimes at the end of the calendar year shall be distributed to the Criminal Justice Training Commission to reimburse participating city law enforcement agencies with ten or fewer full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training.

Certain allocations of the second distribution to cities are made quarterly (rather than semi-annually).

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: Section 9 takes effect March 1, 1994.

TESTIMONY FOR:

Essentially a technical bill that clears up some ambiguities and modernizes some procedures.

TESTIMONY AGAINST: None

TESTIFIED: Stan Finkelstein, AWC

HOUSE AMENDMENT(S):

Distributions from the state excise tax on fire insurance premiums may be made to cities with pre-LEOFF pension systems that are annexed by fire protection districts.

A city under 20,000 population may condemn cemetery property before January 1, 1995, to improve a street, if no interment plots containing human remains are affected.

Language is added to the local government whistleblower law prohibiting coercion of employees who wish to report wrongdoing.

With exceptions, cities or towns may not condition their provision of sewer or water services outside their boundaries on a property owner's compliance with their development regulations. This law would not apply to plat or subdivision applications filed before July 1, 1994, or to land covered by the application.