

HOUSE BILL REPORT

SB 5287

As Passed House

April 8, 1997

Title: An act relating to townships.

Brief Description: Repealing Title 45 RCW concerning townships.

Sponsors: Senators Horn, McCaslin, Wood, Prince and Hale.

Brief History:

Committee Activity:

Government Administration: 3/25/97 [DP].

Floor Activity:

Passed House: 4/8/97, 97-0.

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: Do pass. Signed by 11 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunshee; Reams; Smith; L. Thomas; Wensman and Wolfe.

Staff: Steve Lundin (786-7127).

Background: Article XI, Section 4, of the state constitution, requires the Legislature to enact general laws providing for the township organization of counties that are authorized by county voters at a general election. A county that adopts a township organization is not subject to the general constitutional requirement for a uniform system of county government that the Legislature is required to provide throughout the state.

Article XI, Section 11, of the state constitution, recognizes a township as a general purpose unit of local government created throughout a county that, like a county, city, or town, may make and enforce within its limits all such local police, sanitary, and other regulations as are not in conflict with general laws.

Legislation was enacted in 1895 providing for the township organization of counties. If authorized, the county legislative authority divides the unincorporated area of the county into townships.

This legislation reversed the home rule grant of authority provided in the constitution for townships and provided that a township may only exercise those powers enumerated in state law. A township is authorized to provide dog pounds, require fencing to restrain the movement of domestic animals, control the at-large movement of domestic animals, build and maintain roads, provide highway lighting, provide cemeteries, provide river improvements, grant business licenses for certain limited occupations such as hawkers and peddlers, exercise general health powers, prevent and suppress nuisances, and adopt regulations conducive to the peace, good order, and welfare of the township. At one time townships were authorized to impose property taxes to finance their activities, but this authority was removed and given to fire protection districts.

Voters of a township elect a three-member board of supervisors as the governing body of the township and also elect a clerk, treasurer, assessor, justice of the peace, and constable.

Spokane and Whatcom counties were the only counties that ever adopted township organizations but both counties abandoned its township organization decades ago.

Summary of Bill: All the statutes relating to townships in Title 45 RCW are repealed.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: No townships exist. This will eliminate 18 pages of unneeded law.

Testimony Against: None.

Testified: Senator Horn, prime sponsor.