

HOUSE OF REPRESENTATIVES

Olympia Washington

BilAnalysis

Bill No. HB 1435

Clarifying/harmonizing provisions/cities/towns
Brief title

Public Arg: 2/12/97

Reps. D. Schmidt/Scott/Honeyford
Sponsor

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BACKGROUND:

Collection agencies Cities, towns, other units of local government and state agencies are authorized to contract with collection agencies to collect debts owed to the government.

Indebtedness limitation The constitution limits the amount of indebtedness any unit of local government may incur without voter approval up to an amount not exceeding .5 percent of the value of taxable property within its boundaries.

Statutes provide counties, cities and towns with an identical non-vote approved indebtedness limitation as under the constitution. Statutes somewhat reduce the non-vote approved indebtedness limitation for metropolitan park districts and authorize these districts to incur such indebtedness up to an amount not exceeding 1.25 percent of the value of taxable property in the district. Statutes significantly reduce the non-vote approved indebtedness limitation for library districts and authorize these districts to incur such indebtedness up to an amount not exceeding .1 percent of the value of taxable property in the district.

However, a general statute authorizes counties, cities, towns, metropolitan park districts and library districts to incur indebtedness in the form of executory conditional sales contracts that together with the non-vote approved indebtedness does not exceed an amount equal to .75 percent of the value of taxable property in the unit of government.

Insurance benefits Express statutory language provides that the provision of medical insurance benefits to the elected officials of school districts, fire protection districts, port districts, public utility districts, water-sewer districts, public hospital districts and irrigation districts does not constitute compensation.

Removal of employees The mayor of a town appoints all officers and employees who hold office at the pleasure of the mayor.

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Disincorporation Procedures exist for a code city of any population and a non-code city or town with a population of less than 4,000 population to disincorporate.

Civil infraction The statute making violations of concealed pistol license laws a civil infraction references the civil infraction law for violations of natural resource laws.

Number of members on a city council A variety of different types of cities and towns may be created, including first class cities, second class cities, towns, and code cities, each with different details relating to the governing body. A second class city without regard to its population has a seven-member council as its governing body. Considerable variety is allowed for the council of a code city. A city or town reclassified as a code city may choose to operate its governing body under the prior laws applicable under its prior classification or may opt to operate under code city statutes which provide for a five-member council if the code city has a population of less than 2,500 or a seven-member council if the code city has a population of 2,500 or more.

Eligibility to hold office General law requires any person who files for an elected office to be eligible to hold that office. General law provides that a vacancy occurs in any elective office if the official no longer is a registered voter of the unit of government or council district from which he or she was elected or appointed.

Hatch-act provisions for employees of a city with a commission form of government. An employee or appointed officer of a city operating with a commission form of government must be discharged or either (a) Exerting influence in any manner on other employees or officers to favor any candidate for the city commission or (b) contributing in any way to any person for election purposes.

Requirement for a second class city to grant a franchise A second class city may not grant a franchise to use a street or any other public place unless the council approves the ordinance granting the franchise by at least a two-thirds vote of the elected council members. A second class city must publish proposed ordinance granting franchise (other than a franchise for a railroad tracks connecting private property to a main line of a railroad) before the ordinance is adopted and no amendment may be made to the published ordinance with conditions less favorable to the city than included in the published ordinance.

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SUMMARY:

Collection agencies A collection agency that contracts with a government to collect debts owed to the government collects fees, penalties, costs, and assessments associated with the debt, as well as its own collection costs along with the underlying debt owed by the debtor.

Indebtedness limitations A county, city, town, metropolitan park district, library district may incur indebtedness in the form of executive conditional sales contracts that, along with other types of non-vote approved indebtedness, does not result in a total indebtedness of 1.5 percent of the value of taxable property in the unit of government.

Insurance benefits Medical insurance benefits paid to city or town elected officials are expressly declared not to constitute compensation.

Removal of employees The authority of a town mayor to remove town employees is subject to applicable civil service laws or rules that may apply.

Disincorporation limitations are removed so that a non-code city or town with any population may disincorporate.

Civil infractions A statutory reference is corrected concerning the civil infraction laws applicable to certain restrictions on carrying concealed pistols.

Number of members on a city council The existing authority of a city to retain the number of members on its council as it existed prior to reclassification as a code city is, in part, repeated to state that a city with a population of less than 2,500 that had a council consisting of seven members may retain its seven-member council when the city reclassifies as a code city.

Eligibility to hold office Express provisions are inserted into second class city laws that are similar but not as restrictive as existing general election law relating to the eligibility to hold elective office. Under these express provisions, a person is not eligible to hold an elective office in a second class city unless he or she is a resident and elector of the city.

Hatch-act provisions for employees of a city with a commission form of government. A statute is repealed that requires the discharge of an employee or appointed officer of a city operating with a commission form of government who either (a) exerts influence in any manner on other employees or officers to favor any candidate for the city commission or (b) contributes anything in any way to any person for elective purposes.

Requirement for a second class city to grant a franchise Unique requirements for a second class city to issue franchises are repealed.