

HOUSE BILL REPORT

SB 5057

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to cities and towns changing plans of government.

Brief Description: Specifying how code cities may change the plan of government.

Sponsors: By Senators Gardner, Hale, Haugen, Horn, Spanel, Patterson, Costa, Kline and McCaslin.

Brief History:

Committee Activity:

Local Government & Housing: 3/19/01, 3/29/01 [DP].

Brief Summary of Bill

- Alters the way noncharter code cities change forms of government by specifying that officers serve the remainder of their terms.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass. Signed by 12 members: Representatives Dunshee, Democratic Co-Chair; Mulliken, Republican Co-Chair; Edwards, Democratic Vice Chair; Mielke, Republican Vice Chair; Berkey, Crouse, DeBolt, Dunn, Edmonds, Hatfield, Jarrett and Kirby.

Staff: Scott MacColl (786-7106).

Background:

Optional noncharter municipal code cities may choose to operate under a mayor-council form, a council-manager form, or to retain an existing form, such as a commission form of government. If any noncharter code city of over 10,000 population receives a petition from the voters to become a charter code city, the city must call for an election on that question.

When a noncharter code city alters its form of government, new city officers are elected at the next general municipal election. Current city officers do not retain their seats, but

must run again to stay in office.

Summary of Bill:

Elected officers in noncharter code cities that alter their form of government are allowed to serve the remainder of their terms. For a change from a mayor-council form of government to a council-manager form of government, the existing mayor serves as a council member for the remainder the term. For a change from a council-manager form of government to a mayor-council form of government, the new mayor is elected as a new officer in the ensuing election.

Noncharter code cities that hold a failed election to become a charter code city are required to wait two years from the date of the failed election for another vote on a charter adoption if the favorable votes received were 40 percent or less of the total vote.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: This bill was brought by the city of Ferndale, in which they voted to change from a council-manager form to a mayor-council, but they will lose all their city elected officials. This bill allows for city council members to remain in office while the new system is set up. There are 280 cities and towns, and of those 176 are code cities. The Association of Washington Cities has had inquiries from other code cities besides Ferndale inquiring about changing this provision.

Small towns have many divisive groups, and the current process is set up to allow change of government initiatives every sixty days if advocates could find enough signatures. If a measure to change government forms is resoundingly defeated, then the question of a change of government shouldn't be allowed to be put on the ballot for two years.

Testimony Against: None.

Testified: Senator Gardner, prime sponsor; and Jim Justin, Association of Washington Cities.