

SENATE BILL REPORT

HB 1391

As Reported By Senate Committee On:
Government Operations & Elections, February 25, 2008

Title: An act relating to filling vacancies in the office of mayor.

Brief Description: Clarifying that councilmembers are eligible to be appointed to the office of mayor.

Sponsors: Representatives Eddy, Ross, Curtis, Jarrett, Morrell and B. Sullivan.

Brief History: Passed House: 1/28/08, 93-0.

Committee Activity: Government Operations & Elections: 2/25/08 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Benton, McDermott, Pridemore and Swecker.

Staff: Cindy Calderon (786-7784)

Background: Cities and towns are classified according to their estimated population at the time of organization, incorporation, or reorganization. In Washington, four classes of municipal government exist: first-class cities; second-class cities; towns; and Optional Municipal Code, also known as code cities. First-class cities have a population of 10,000 and have a charter. Second-class cities have a population over 1,500 and no charter; and towns have a population less than 1,500. Optional Municipal Code cities consist of unincorporated areas with a population of at least 1,500 that choose to incorporate as a code city; and any city or town that reorganizes as a code city.

Washington statute contains procedures for filling elected or appointed officials' vacancies. The procedures vary depending on whether the position is in a nonpartisan or elective partisan office, the classification of the city or town, and the form of government utilized by the jurisdiction.

Vacancies in the office of mayor in a second-class city must be filled by an elected member of the city council. The procedures governing the appointment to a vacant position specify that each person who is appointed by a council may only serve until the next possible election. Following the election, the person receiving the greatest number of votes is elected to immediately take office and serve the remainder of the unexpired term.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: In second-class cities, towns, and Optional Municipal Code cities an incumbent council member is eligible to fill a vacancy in the office of mayor.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This committee heard this bill last year and supported it. It made it to the order of consideration when it died. There is no opposition to this bill so we urge your support.

Persons Testifying: PRO: Representative Eddy, prime sponsor; Victoria Lincoln, Association of Washington Cities.