

# HOUSE BILL REPORT

## HB 2456

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**As Passed House:**  
February 5, 2010

**Title:** An act relating to population thresholds that determine the number of local councilmembers and receipt of local funds.

**Brief Description:** Concerning population thresholds that determine the number of local councilmembers and receipt of local funds.

**Sponsors:** Representatives Schmick, Springer, Short and Fagan.

**Brief History:**

**Committee Activity:**

Local Government & Housing: 1/13/10, 1/18/10 [DP].

**Floor Activity:**

Passed House: 2/5/10, 97-0.

**Brief Summary of Bill**

- Authorizes a code city or town with a mayor-council form of government to include the population of any state correctional facility within its jurisdiction in calculating the population thresholds pertinent to determining the number of city council members it may have.
- Authorizes a city or town to include the population of any state correctional facility within its jurisdiction in calculating the population thresholds relevant to eligibility for funding from the Small City Pavement and Sidewalk Account.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

**Majority Report:** Do pass. Signed by 11 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fagan, Miloscia, Short, Springer, Upthegrove, White and Williams.

**Staff:** Thamas Osborn (786-7129).

**Background:**

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*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.*

### Population Thresholds and City Council Membership.

A code city that adopts the mayor-council plan of government is subject to statutes regulating the number of city council members it may have in accordance with specified population thresholds. Subject to specified exceptions, the general rule is that the greater a city's population the more council members it must have. For the purpose of determining such population thresholds, the population of a code city is determined by reference to either the most recent state or federal census, or the population statistics compiled by the Office of Financial Management. State law is silent as to whether the inmates of a state correctional facility located within a code city or town may be counted as part of the population threshold determination.

### Small City Pavement and Sidewalk Account.

Cities and towns with a population of less than 5,000 are eligible to receive funding from the Small City Pavement and Sidewalk Account (Account). Funding is made available through the Account for the maintenance, repair, and resurfacing of city streets. State law is silent as to whether the inmates of a state correctional facility located within a city may be counted in determining whether the city meets population requirements for the receipt of funding under the Account.

### **Summary of Bill:**

A code city or town with a mayor-council form of government *may* include the population of any state correctional facility within its jurisdiction in calculating the population thresholds pertinent to determining the requisite number of city council members.

In determining its eligibility to obtain funding from the Account, a city or town *may* include the population of any state correctional facility within its jurisdiction in calculating the population thresholds relevant to such eligibility.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) This bill would give certain small cities the option of including the population of a locally-sited state correctional facility in calculating the population of the city for the purpose of determining the number of city council members a city must have under statute. In addition, this population calculation would apply to the requisite population thresholds related to a cities' receipt of funding from the Account. The bill only affects two cities in the state, but it provides an important option for these cities. If the bill is not passed, these cities would be ineligible for important sources of municipal funding.

(Opposed) None.

**Persons Testifying:** Representative Schmick, prime sponsor; Steve Taylor, City of Connell; and Candice Boch, Association of Washington Cities.

**Persons Signed In To Testify But Not Testifying:** None.