

# SENATE BILL REPORT

## SB 5716

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As of February 18, 2009

**Title:** An act relating to election requirements for the creation of municipal wards.

**Brief Description:** Regarding election requirements for the creation of municipal wards.

**Sponsors:** Senator McCaslin.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/17/09.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Staff:** Aaron Gutierrez (786-7448)

**Background:** Cities may be classified as code cities or noncode cities and towns. Code cities have broad statutory home rule authority in matters of local concern. Code cities and noncode cities and towns have separate statutory requirements for governance and operation.

Subject to statutory requirements, the council of a noncharter code city may divide the city into wards or modify the boundaries of existing wards. Except as otherwise provided, changes in the boundaries of wards may not affect the term of any councilmember, and councilmembers must serve out their terms in the wards of their residences at the time of their elections. The representation of each ward in the city council must be in proportion to the population, as nearly as is practicable.

Only a resident of the ward may be a candidate for or hold office as a councilmember of the ward. Additionally, only voters of the ward may vote at a primary to nominate candidates for a councilmember of the ward. Except as provided otherwise, the voters of the entire city may vote at the general election to elect a councilmember of a ward.

Wards redrawn by a city council must be redrawn as provided in statutory redistricting provisions for counties, municipal corporations, and special purpose districts.

**Summary of Bill:** At any time greater than three months before a municipal general election, the qualified electors of a noncharter code city may divide the city into wards or change the boundaries of existing wards.

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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.*

**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: It is possible in the city of Spokane Valley to elect seven people from the same apartment house to the city council. The bill would help spread out the city's elected representatives.

CON: Of the 281 cities and towns in Washington, 186 are noncharter code cities. Of these, only 12 have wards. Overall, there are 23 cities or towns with wards. The current practice involves the council establishing wards, with the option of putting it on a ballot before the people. "Electors from the city" could mean as few as two people could get the issue on the ballot as often as they'd like.

**Persons Testifying:** PRO: Senator McCaslin, prime sponsor.

CON: Tammy Fellin, Association of Washington Cities.