
SENATE BILL 6024

State of Washington

53rd Legislature

1994 Regular Session

By Senators Haugen and Winsley

Read first time 01/10/94. Referred to Committee on Government Operations.

1 AN ACT Relating to creating an optional county code commission;
2 creating new sections; and making an appropriation.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the state created
5 counties as political and administrative subdivisions of itself. The
6 legislature further finds that counties were the first form of
7 government in the new Washington territory. The legislature further
8 finds that counties were needed because they were the local unit
9 through which nearly all of the official business of the new territory
10 was accomplished. Counties were integral to owning and selling land,
11 building roads, keeping track of births and deaths, property transfers,
12 and all forms of law enforcement.

13 The legislature finds that many of the laws governing counties,
14 especially in Title 36 RCW, were first enacted almost a century and
15 one-half ago and reflect ideas of their time. The legislature further
16 finds that Washington state was a rural, agrarian society at the time.
17 The legislature further finds that, contrary to expectation, urban
18 development has occurred not only within cities, but around cities and
19 in clusters remote from any city, and that, in 1994, nearly one-half of

1 the state's population lives in unincorporated, but largely urbanized
2 areas.

3 The legislature finds that only five counties are operating under
4 a "home rule" charter, written by freeholders under the provisions of
5 Article XI, section 4 of the state Constitution. The legislature
6 further finds that no county has implemented a "home rule" charter,
7 drafted by freeholders under the provisions of Article XI, section 16
8 of the state Constitution, to provide for the formation and government
9 of a combined city-county municipal corporation. The legislature
10 further finds that the citizens of this state have twice rejected
11 constitutional amendments for the creation of a temporary county home
12 rule commission. The commission would draft five alternative county
13 home rule charters. Any of the five alternative charters could be
14 submitted at an election to the voters of any county. The legislature
15 further finds that with the enactment of the optional municipal code in
16 1967, Title 35A RCW, the state's cities have been extended broad powers
17 of self-government with a choice of modern and efficient governance
18 structures and procedures. More than one-half of Washington's cities
19 have adopted the optional municipal code.

20 Therefore, the legislature finds that there is a state interest in
21 the efficient and effective governance and administration of the
22 counties of this state and that there is a need to examine such
23 governance and administration. The legislature further finds that
24 there is a need to examine county statutes to determine if an optional
25 set of statutory provisions would better serve the needs of county
26 officials and the citizens of this state.

27 NEW SECTION. **Sec. 2.** (1) There is hereby created a county
28 optional code study commission with the following membership:

29 (a) Fifteen voting members appointed by the governor with at least
30 one-third of the members to consist of members of the legislature and
31 elected county officials.

32 (b) Three members serving in an ex officio nonvoting capacity:

33 (i) The executive director of the Washington state association of
34 counties;

35 (ii) The executive director of the Washington association of county
36 officials; and

37 (iii) The director of community, trade, and economic development,
38 who shall serve as chair of the commission.

1 (2) Commission members shall serve without pay, at the pleasure of
2 the governor. Nonlegislative members shall be paid travel expenses
3 incurred in their travel to and from meetings of the commission and
4 while attending all meetings of the commission in accordance with RCW
5 43.03.050 and 43.03.060. Legislative members shall be paid travel
6 expenses incurred in their travel to and from meetings of the
7 commission and while attending all meetings of the commission in
8 accordance with RCW 44.04.120.

9 (3) The commission shall:

10 (a) Develop recommended policy, statutory, and constitutional
11 changes as determined to allow counties to be better governed and
12 administered, and to allow for a more efficient delivery of services.
13 Areas of inquiry should include, but not be limited to: Separation of
14 policy and administration; appointed county manager or elected
15 executive; number of councilmembers; at-large or district elections;
16 number of elected officials; partisan or nonpartisan elections; timing
17 of elections; modernization of statutes affecting all county elected
18 officials; and the right of initiative and referendum; and

19 (b) Submit to the governor and the legislature a report containing
20 the commission's findings, conclusions, and recommendations by November
21 1, 1995.

22 (4) This section shall expire December 31, 1995.

23 NEW SECTION. **Sec. 3.** The department of community, trade, and
24 economic development shall provide the necessary support to the
25 commission to carry out the purposes of section 2 of this act. The
26 department may employ such staff as is necessary to carry out the
27 purposes of section 2 of this act. The provisions of chapter 41.06 RCW
28 do not apply to such staff.

29 This section shall expire December 31, 1995.

30 NEW SECTION. **Sec. 4.** The county optional code study commission
31 account is created in the state treasury. All receipts from section 5
32 of this act shall be deposited into the account. Moneys in the account
33 may be spent only after appropriation. Only the director of community,
34 trade, and economic development or the director's designee may
35 authorize expenditures from the account. Expenditures from the account
36 may be used only for conducting the study as provided in sections 1
37 through 3 of this act.

1 This section shall expire December 31, 1995. Moneys remaining in
2 this account on December 31, 1995, shall revert to the county sales and
3 use tax equalization account.

4 NEW SECTION. **Sec. 5.** The sum of three hundred thousand dollars,
5 or as much thereof as may be necessary, is appropriated for the
6 biennium ending June 30, 1995, from the county sales and use tax
7 equalization account to the county optional code study commission
8 account for the purposes of conducting the study as provided in
9 sections 1 through 3 of this act. The appropriation may not exceed the
10 amount remaining in the county sales and use tax equalization account
11 on July 1, 1994, after distributions to counties under RCW 82.14.200.

12 Any funds from this appropriation remaining unexpended on June 30,
13 1995, are hereby reappropriated for the biennium ending June 30, 1997,
14 to the county optional code study commission account for the purposes
15 stated in this section.

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