

SENATE BILL REPORT

HB 1707

As Reported By Senate Committee On:
Government Operations, February 20, 1996

Title: An act relating to classification of cities and towns.

Brief Description: Correcting references to classification of cities and towns.

Sponsors: Representatives Hargrove, Sheahan and Pelesky.

Brief History:

Committee Activity: Government Operations: 3/29/95, 3/30/95 [DP]; 2/14/96, 2/20/96 [DPA].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

Staff: Rod McAulay (786-7754)

Background: Legislation was enacted in 1994 changing third class cities into second class cities, repealing many prior second class city statutes, and recodifying third class city statutes into the chapter of law containing second class city statutes.

The original provisions of the state Constitution allowed a city with a population of 20,000 or more to adopt a city charter. Amendment 40 to the state Constitution in 1964 reduced the minimum population for a city to adopt a charter from 20,000 to 10,000. There is still one statute which refers to a city with a population of 20,000 or more being authorized to adopt a charter.

Prior to the enactment of legislation in 1994, the terms of offices of city commissioners were not staggered and three commissioners were elected once every four years in an odd-numbered year to four-year terms of office. However, legislation was enacted in 1994 staggering the terms of office for city commissioners and providing for election once every two years when either one or two commissioners are elected to four-year terms of office.

In 1967, legislation was enacted authorizing code cities and allowing a code city with a population of 10,000 or more to adopt a charter and become a charter code city. A code city statute amends metropolitan park district statutes by inference and allows a metropolitan park district to be created in a charter code city. Legislation was enacted in 1985 allowing a metropolitan park district to be created in any city with a population of 5,000, but the separate charter code city statute relating to metropolitan park districts was not repealed.

There is no provision for a newly incorporated city to acquire or govern a park and recreation district which is entirely within the boundaries of the new city.

A newly incorporated city which adopts a council manager form of government must appoint a mayor from among the council members to serve a two-year term during the interim start-up period.

A second class city with a population between 2,000 and 2,500, which has a seven-member council and chooses to become a code city with a mayor-council form of government, may be required to reduce its council to five members. (This would currently affect the cities of Dayton, Chewelah, Leavenworth and Okanagon.)

Summary of Amended Bill: A variety of statutes are amended to correct city classifications.

Various statutes are amended correcting references to third class cities. A reference is stricken in second class city statutes to remove an inference that cities with a commission form of government do not hold municipal elections every odd-numbered year. An unused code city statute authorizing a metropolitan park district to be created in a charter code city is repealed.

A newly incorporated city shall acquire all of the assets and liabilities of any park and recreation district which is entirely within the boundaries of the new city.

A newly incorporated city which adopts a council manager form of government may determine the length of the term of the mayor during the interim start-up period.

A second class city with a population of 2,000 to 2,500, which has a seven-member council and which chooses to become a code city with a mayor-council form of governance, may retain the seven-member council.

Amended Bill Compared to Original Bill: The amended bill adds provisions authorizing newly incorporated cities to acquire park and recreation districts located entirely within their boundaries and to determine the term of the mayor during the interim start-up period when they have chosen a council-manager form of government. The amended bill also permits second class cities with populations between 2,000 and 2,500 which choose to become code cities with a mayor-council form of government to retain a seven-member council.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.