

SENATE BILL REPORT

SB 5057

As Reported By Senate Committee On:
Government Operations, January 31, 1995

Title: An act relating to creating a county optional code study commission.

Brief Description: Creating an optional county code study commission.

Sponsors: Senators Haugen, Winsley and Fraser.

Brief History:

Committee Activity: Government Operations: 1/24/95, 1/31/95 [DP-WM, DNP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Drew and Winsley.

Minority Report: Do not pass.
Signed by Senators Hale and Heavey.

Staff: Eugene Green (786-7405)

Background: Counties are governed by many statutes that date back before statehood. Only five of the state's 39 counties are operating under a "home rule" charter, written under the provisions of Article XI, Section 4 of the State Constitution. No county has implemented a "home rule" charter under the provisions of Article XI, Section 16 of the State Constitution, which provides for the formation and government of a combined city-county municipal corporation.

The citizens of this state have twice rejected constitutional amendments for the creation of a temporary county home rule commission. This commission would draft five alternative county home rule charters, any of which could be submitted at an election to the voters of any county. With the enactment of the Optional Municipal Code in 1967 (Title 35A), the state's cities have been extended broad powers of self-government, with a choice of modern and efficient governance structures and procedures. More than one-half of Washington's cities have adopted the Optional Municipal Code.

Summary of Bill: A County Optional Code Study Commission is created. The commission consists of 15 voting members appointed by the Governor. Four of the members are legislators and six of the members are elected county officials. Two members serve in an ex officio nonvoting capacity: the executive Director of the Washington State Association of Counties and the executive Director of the Washington Association of County Officials. A citizen knowledgeable about county government, appointed by the Governor, serves as chair of the commission.

Commission members serve without pay, at the pleasure of the Governor. Nonlegislative and legislative members are paid travel expenses incurred in their travel to and from meetings of the commission and while attending all meetings of the commission.

The commission is required to develop recommended policy, statutory, and constitutional changes in order to allow for a more efficient delivery of services. Areas of study should include, but are not limited to: (1) separation of policy and administration; (2) appointed county manager or elected executive; (3) number of councilmembers; (4) at-large or district elections; (5) partisan or nonpartisan elections; timing of elections; (6) modernization of statutes affecting all county elected officials; and (7) right of initiative and referendum.

The commission must submit a report containing the commission's findings, recommendations, and conclusions to the Governor and Legislature by December 1, 1996.

The Department of Community, Trade, and Economic Development must provide the necessary support for the commission. The department may employ such staff as is necessary to carry out the purposes of the commission.

The county optional code study commission account is created in the state treasury. Expenditures from the account may be used only for conducting the commission's study.

The sum of \$150,000 is appropriated for the biennium ending June 30, 1997, from the county sales and use tax equalization account to the county optional code study commission account for purposes of the study.

The County Optional Code Study Commission and its account in the state treasury expire on December 31, 1996.

Appropriation: \$150,000.

Fiscal Note: Not requested.

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

Testimony For: It simplifies the home-rule process. Better charters will be drafted.

Testimony Against: None.

Testified: Gary Lowe, WSAC.