

HOUSE BILL REPORT

HB 2007

As Passed House:

March 8, 2005

Title: An act relating to requirements for certified bylaws to be attached to certain petitions in cities and towns.

Brief Description: Changing requirements for petitions in cities and towns.

Sponsors: By Representatives Moeller, Dunn, Fromhold, Wallace and Clibborn.

Brief History:

Committee Activity:

Local Government: 2/21/05, 2/24/05 [DP].

Floor Activity:

Passed House: 3/8/05, 97-0.

Brief Summary of Bill

- Revises the general procedural rules governing the petition processes used in cities and towns by allowing a duly authorized corporate officer to sign a petition on behalf of the corporation without requiring that he/she attach to the petition a certified excerpt from the corporate bylaws.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 6 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan and Takko.

Staff: Thamas Osborn (786-7129).

Background:

State law contains specified procedural and substantive rules governing the use of the various voter/property owner petitions initiated in accordance with the governance procedures required of cities and towns. The rules governing this petition process include those pertaining to:

- petition formats;
- textual requirements;
- persons allowed to sign petitions;
- determination of signature validity; and

- validity of signatures by authorized officers of property-owning corporations.

A corporate officer who is authorized to execute deeds or encumbrances on behalf of a corporation may be allowed to sign a petition on behalf of that corporation, but only if the officer attaches to the petition a certified excerpt from the bylaws showing that he/she has such authority.

Summary of Bill:

A duly authorized corporate officer may sign a petition on behalf of a corporation without requiring that he/she attach to the petition a certified excerpt from the bylaws of such corporation evidencing his/her authority to sign.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is essentially a technical bill that eliminates an unnecessary procedural rule pertaining to the general statutory requirements for the public petition processes that must be used by cities and towns; i.e., the requirement that corporate officers signing petitions must attach a copy of the bylaws to the petition. This requirement serves no useful function and unduly complicates the petition process.

Testimony Against: None.

Persons Testifying: Representative Moeller, prime sponsor; Dave Williams, Association of Washington Cities; and Sharon Wylie, Clark County.

Persons Signed In To Testify But Not Testifying: None.