
SUBSTITUTE HOUSE BILL 2816

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Local Government (originally sponsored by Representatives H. Myers and Reams)

Read first time 02/04/94.

1 AN ACT Relating to establishing a process for creating regional
2 services frameworks; adding a new chapter to Title 36 RCW; adding a new
3 section to chapter 46.68 RCW; adding a new section to chapter 66.08
4 RCW; adding new sections to chapter 82.14 RCW; and adding a new section
5 to chapter 82.44 RCW.

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

7 NEW SECTION. **Sec. 1.** The purpose of chapter . . . , Laws of 1994
8 (this act) is to establish a flexible process for creating a regional
9 services framework by which local governments enter into service
10 agreements that will establish which jurisdictions should provide
11 various local government services and facilities within specified
12 geographic areas and how those services and facilities will be
13 financed.

14 NEW SECTION. **Sec. 2.** Unless the context clearly requires
15 otherwise, the definitions in this section apply throughout this
16 chapter.

17 (1) "City" means a city or town, including a city operating under
18 Title 35A RCW.

1 (2) "Governmental service" includes a service provided by local
2 government, and any facilities and equipment related to the provision
3 of such services, including but not limited to utility services, health
4 services, social services, law enforcement services, fire prevention
5 and suppression services, community development activities,
6 environmental protection activities, economic development activities,
7 and transportation services and facilities, but shall not include the
8 generation, conservation, or distribution of electrical energy nor
9 maritime shipping activities.

10 (3) "Regional service" means a governmental service established by
11 agreement among local governments that delineates the government entity
12 or entities responsible for the service provision and allows for that
13 delivery to extend over jurisdictional boundaries.

14 (4) "Local government" means a county, city, or special district.

15 (5) "Service agreement" means an agreement among counties, cities,
16 and special districts established pursuant to this chapter.

17 (6) "Special district" means a municipal or quasi-municipal
18 corporation in the state, other than a county, city, or school
19 district.

20 NEW SECTION. **Sec. 3.** (1) Agreements among local governments
21 concerning one or more governmental service shall be established for a
22 designated geographic area as provided in this section.

23 (2) A service agreement must describe: (a) The governmental
24 service or services addressed by the agreement; (b) the geographic area
25 covered by the agreement; (c) which local government or local
26 governments are to provide each of the governmental services addressed
27 by the agreement within the geographic area covered by the agreement;
28 and (d) the term of the agreement, if any.

29 (3) A service agreement becomes effective when approved by: (a)
30 The county legislative authority of each county that includes territory
31 located within the geographic area covered by the agreement; (b) the
32 governing body or bodies of at least a simple majority of the total
33 number of cities that includes territory located within the geographic
34 area covered by the agreement, which cities include at least seventy-
35 five percent of the total population of all cities that includes
36 territory located within the geographic area covered by the agreement;
37 and (c) for each governmental service addressed by the agreement, the
38 governing body or bodies of at least a simple majority of the special

1 districts that include territory located within the geographic area
2 covered by the agreement and which provide the governmental service
3 within such territory. The participants may agree to use another
4 formula. An agreement pursuant to this section shall be effective upon
5 adoption by the county legislative authority following a public
6 hearing.

7 (4) A service agreement may cover a geographic area that includes
8 territory located in more than a single county.

9 NEW SECTION. **Sec. 4.** A service agreement may include, but is not
10 limited to, any or all of the following matters:

11 (1) A dispute resolution arrangement;

12 (2) How joint land-use planning and development regulations by the
13 county and a city or cities, or by two or more cities, may be
14 established, made binding, and enforced;

15 (3) How common development standards between the county and a city
16 or cities, or between two or more cities, may be established, made
17 binding, and enforced;

18 (4) How capital improvement plans of the county, cities, and
19 special districts shall be coordinated;

20 (5) How plans and policies adopted under chapter 36.70A RCW will be
21 implemented by the service agreement;

22 (6) A transfer of revenues between local governments in
23 relationship to their obligations for providing governmental services;

24 (7) The designation of additional area-wide governmental services
25 to be provided by the county.

26 NEW SECTION. **Sec. 5.** (1) The county legislative authority of
27 every county with a population of one hundred fifty thousand or more
28 shall convene a meeting on or before March 1, 1995, to develop a
29 process for the establishment of service agreements. Invitations to
30 attend this meeting shall be sent to the governing body of each city
31 located in the county, and to the governing body of each special
32 district located in the county that provides one or more of the
33 governmental services as defined in section 2(2) of this act.

34 The legislative authorities of counties of less than one hundred
35 fifty thousand population may utilize this chapter by adopting a
36 resolution stating their intent to do so. In that case or in the case
37 of counties whose populations reach one hundred fifty thousand after

1 March 1, 1995, this meeting shall be convened no later than sixty days
2 after the date the county adopts its resolution of intention or was
3 certified by the office of financial management as having a population
4 of one hundred fifty thousand or more.

5 (2) On or before January 1, 1997, a service agreement must be
6 adopted in each county under this chapter or a progress report must be
7 submitted to the appropriate committees of the legislature.

8 (3) In other counties that choose to utilize this chapter or whose
9 population reaches one hundred fifty thousand, the service agreement
10 must be adopted two years after the initial meeting provided for in
11 subsection (1) of this section is convened or a progress report must be
12 submitted to the appropriate committees of the legislature.

13 NEW SECTION. **Sec. 6.** It is the intent of the legislature to
14 permit the creation of a flexible process to establish service
15 agreements and to recognize that local governments possess broad
16 authority to shape a variety of government service agreements to meet
17 their local needs and circumstances. However, it is noted that in
18 general, cities are the unit of local government most appropriate to
19 provide urban governmental services and counties are the unit of local
20 government most appropriate to provide regional governmental services.

21 The process to establish service agreements should assure that all
22 directly affected local governments, and Indian tribes at their option,
23 are allowed to be heard on issues relevant to them.

24 NEW SECTION. **Sec. 7.** Nothing contained in this chapter alters the
25 duties, requirements, and authorities of cities and counties contained
26 in chapter 36.70A RCW.

27 NEW SECTION. **Sec. 8.** A new section is added to chapter 46.68 RCW
28 to read as follows:

29 Funds that are distributed to counties, cities, or towns pursuant
30 to this chapter may be transferred by the recipient county, city, or
31 town to another unit of local government pursuant to a government
32 service agreement as provided in sections 3 and 4 of this act.

33 NEW SECTION. **Sec. 9.** A new section is added to chapter 66.08 RCW
34 to read as follows:

1 Funds that are distributed to counties, cities, or towns pursuant
2 to this chapter may be transferred by the recipient county, city, or
3 town to another unit of government pursuant to a government service
4 agreement as provided in sections 3 and 4 of this act.

5 NEW SECTION. **Sec. 10.** A new section is added to chapter 82.14 RCW
6 to read as follows:

7 The rate of sales and use tax imposed by a city under RCW 82.14.030
8 (1) and (2) may be altered pursuant to a government service agreement
9 as provided in sections 3 and 4 of this act.

10 NEW SECTION. **Sec. 11.** A new section is added to chapter 82.14 RCW
11 to read as follows:

12 The percentage of a city's sales and use tax receipts that a county
13 receives under RCW 82.14.030 (1) and (2) may be altered pursuant to a
14 government service agreement as provided in sections 3 and 4 of this
15 act.

16 NEW SECTION. **Sec. 12.** A new section is added to chapter 82.14 RCW
17 to read as follows:

18 Funds that are distributed to counties or cities pursuant to RCW
19 82.14.200 or 82.14.210 may be transferred by the recipient county or
20 city to another unit of local government pursuant to a government
21 service agreement as provided in sections 3 and 4 of this act.

22 NEW SECTION. **Sec. 13.** A new section is added to chapter 82.44 RCW
23 to read as follows:

24 Funds that are distributed to cities or towns pursuant to RCW
25 82.44.150 may be transferred by the recipient city or town to another
26 unit of local government pursuant to a government service agreement as
27 provided in sections 3 and 4 of this act.

28 NEW SECTION. **Sec. 14.** Sections 1 through 7 of this act shall
29 constitute a new chapter in Title 36 RCW.

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