

**CITY OF BURIEN  
AGENDA BILL**

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| <b>Agenda Subject:</b> Discussion on Reconciliation of Ordinance No. 348 and RCW 26.60's Qualifying Criteria for Domestic Partnerships.   |  | <b>Meeting Date:</b> March 22, 2010  |
| <b>Department:</b><br>City Manager  | <b>Attachments:</b><br><br>1. Comparison of Qualifying Criteria for Domestic Partnerships<br>2. Proposed Ordinance No. 537 | <b>Fund Source:</b> N/A<br><b>Activity Cost:</b> N/A<br><b>Amount Budgeted:</b> N/A<br><b>Unencumbered Budget Authority:</b> N/A |
| <b>Contact:</b><br>Angie Chaufy,<br>Human Resources Manager   |  |  |
| <b>Telephone:</b><br>(206) 248-5504   |  |  |
| <b>Adopted Work Plan Priority:</b> Yes    No <input checked="" type="checkbox"/>  | <b>Work Plan Item Description:</b>   |  |
| <b>PURPOSE/REQUIRED ACTION:</b><br><br>The purpose of this agenda item is to discuss and provide direction for the reconciliation of the differences between RCW 26.60 and the City's qualifying criteria for domestic partnerships.  |  |  |
| <b>BACKGROUND (Include prior Council action &amp; discussion):</b><br><br>On 12/17/01, Council passed Ordinance No. 348 which, in part, established the qualifying criteria for domestic partnerships for City employees. In the November 3, 2009 election via Referendum 71, the Washington State voters approved ESSSB 5688, the 2009 Registered Domestic Partnership Expansion Bill or the "Everything but Marriage Act". This bill broadened the benefits available to state registered domestic partners, as defined by RCW 26.60. The City is permitted to adopt its own qualifying criteria for domestic partnerships as long as the requirements are not more restrictive than the criteria established by RCW 26.60. The attached chart (Attachment 1) provides a comparison of RCW 26.60 and the City's current qualifying criteria.<br><br>Staff has prepared Proposed Ordinance No. 537, adopting RCW 26.60's qualifying criteria for a registered domestic partnership as the City's qualifying criteria for a domestic partnership, as the starting point for the discussion. |  |  |
| <b>OPTIONS (Including fiscal impacts):</b><br><br>1. Place Proposed Ordinance No. 537 as presented on the April 5, 2010 Consent Agenda for approval.<br>2. Modify Proposed Ordinance No. 537 and place on a future agenda for approval.   |  |  |
| <b>Administrative Recommendation:</b> Hold discussion and consider placing on the April 5, 2010 Consent Agenda for approval.  |  |  |
| <b>Committee Recommendation:</b> N/A  |  |  |
| <b>Advisory Board Recommendation:</b> N/A   |  |  |
| <b>Suggested Motion:</b> None required.   |  |  |
| Submitted by: Angie Chaufy<br><b>Administration</b> _____ <b>City Manager</b> _____   |  |  |
| <b>Today's Date:</b> March 15, 2010   | <b>File Code:</b> \\File01\records\CC\Agenda Bill<br>2010\032210cm-2 Domestic Partner Criteria.docx                        |  |

**Comparison of Qualifying Criteria for Domestic Partnerships**

| <b>Registered Domestic Partnerships – RCW 26.60</b>                             | <b>Ordinance No. 348</b>   | <b>Ord. 348 compared to Registered Domestic Partnerships</b> |
|---|--|--|
| Submit declaration to Washington Secretary of State and pay \$50.               |  | Less restrictive   |
| Same sex couple OR Opposite sex couple when at least one is over the age of 62. |  | Less restrictive   |
|   | Domestic Partners for at least six months.   | <b>More restrictive</b>                                      |
| Share common residence.   | Share the same <b>regular and permanent</b> residence.   | <b>More restrictive</b>                                      |
|   | Have a close, personal relationship.   | <b>More restrictive</b>                                      |
|   | Are jointly responsible for “basic living expenses”.<br><br>Basic living expenses” means the cost of basic food, shelter, and any other expenses of a Domestic Partner which are paid at least in part by a program or benefit for which the partner qualified because of the Domestic Partnership. The individuals need not contribute equally or jointly to the cost of these expenses as long as they agree that both are responsible for the cost. | <b>More restrictive</b>                                      |
| Neither is married or in a registered domestic partnership with anyone else.    | Are not married to anyone.   | Less restrictive   |
| Both at least 18 years old.   | Are each eighteen (18) years of age or older.  | Same   |
| No closer than second cousins.  | Are not related by blood closer than would bar marriage in the State of Washington.  | Same   |
| Both capable of consent.  | Were mentally competent to consent to contract when domestic partnership began.  | Same   |
|   | Are each other’s sole domestic partner.  | <b>More restrictive</b>                                      |
|   | Are responsible for each other’s common welfare.   | <b>More restrictive</b>                                      |