

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discuss proposed Ordinance No. 537 Regarding the Reconciliation of Ordinance No. 348 and RCW 26.60's Qualifying Criteria for Domestic Partnerships.		Meeting Date: May 10, 2010
Department: City Manager	Attachments: 1. Comparison of Qualifying Criteria for Domestic Partnerships 2. Summary of 2010 Health Insurance Premium Costs 3. Proposed Ordinance No. 537.	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Craig Knutson City Attorney		
Telephone: (206) 248-5504		
Adopted Work Plan: Yes No X	Work Plan Item Description:	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is to discuss the reconciliation of the differences between RCW 26.60 and the City's qualifying criteria for domestic partnerships.</p> <p>BACKGROUND (Include prior Council action & discussion): 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 rights and benefits available to state registered domestic partners, as defined by RCW 26.60, to be the same as those available to married couples. The City must adopt the new State domestic partnership requirements but is also permitted to adopt alternative qualifying criteria for domestic partnerships as long as the requirements are not in conflict with Chapter 26.60 RCW.</p> <p>Staff has prepared the proposed Ordinance No. 537 adopting RCW 26.60's qualifying criteria for registered domestic partnerships while retaining the City's current domestic partnership criteria as an alternative option.</p> <p>Attachment 1 provides a detailed comparison of RCW 26.60 and the City's current qualifying criteria. Attachment 2, a summary of the 2010 medical, dental, and vision premium costs, provides Council with information regarding the potential fiscal impacts.</p> <p>OPTIONS (Including fiscal impacts): 1. N/A</p>		
Administrative Recommendation: Discuss Ordinance No. 537 and consider placement on the May 24 th Consent Agenda for approval.		
Committee Recommendation: None.		
Advisory Board Recommendation: None.		
Suggested Motion: None required.		
Submitted by: Craig Knutson, City Attorney		
Administration _____	City Manager _____	
Today's Date: May 4, 2010	File Code: \\File01\records\CC\Agenda Bill 2010\051010ls-3 Domestic Partnership Defn.docx	

Comparison of Qualifying Criteria for Domestic Partnerships

Registered Domestic Partnerships – RCW 26.60	Ordinance No. 348	Ord. 348 compared to Registered Domestic Partnerships
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.	More restrictive
Share common residence.	Share the same regular and permanent residence.	More restrictive
	Have a close, personal relationship.	More restrictive
	Are jointly responsible for “basic living expenses”. 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.	More restrictive
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.	More restrictive
	Are responsible for each other’s common welfare.	More restrictive

2010 Medical, Dental, Vision Premium Costs

Employee + Partner/Spouse

	<u>Monthly</u>	<u>Annual</u>
City	\$1,091.75	\$13,101.00
Employee	<u>\$ 51.64</u>	<u>\$ 619.68</u>
Total	\$1,143.39	\$13,720.68

Employee + Partner/Spouse + 2 Dep

	<u>Monthly</u>	<u>Annual</u>
City	\$1,565.15	\$18,781.80
Employee	<u>\$ 97.58</u>	<u>\$ 1,170.96</u>
Total	\$1,662.73	\$19,952.76