

Governor Bob Ferguson
Office of the Governor
PO Box 40002
Olympia, WA 98504

April 18, 2025

RE: Veto request for Substitute Senate Bill 5040

Governor Ferguson,

The Association of Washington Cities (AWC) respectfully requests a veto of Substitute Senate Bil 5040. This bill is likely to have a detrimental effect on local police departments in small cities and towns, and could result in downsizing or closing of some small city and town police departments, further burdening county sheriff's departments and other law enforcement agencies to make up the gap.

Current law under the Public Employees' Collective Bargaining Act (PECBA) only permits city law enforcement at cities with a population over 2,500 to have access to binding interest arbitration. While the population threshold itself has been adjusted over time, the PECBA has included a minimum threshold for interest arbitration-eligible law enforcement since 1973 as a way to help small jurisdictions contain costs of maintaining their own law enforcement agency. The current 2,500 population threshold has been in place since 1997.

SSB 5040 removes this critical population-based threshold in the definition of "uniformed personnel" under the PECBA, making interest arbitration available to law enforcement in cities of all sizes. While we understand the bill proponents' desire to support local law enforcement, SSB 5040 will likely result in the opposite effect – pricing local communities out of providing their own law enforcement and forcing them to downsize or eliminate local police departments that are now too expensive to operate.

Currently, only 37 of Washington's 281 cities and towns are both under 2,500 population and have their own city or town police department. Those police departments typically have a police chief and average around 3 officers to serve the safety needs of their small city or town. On average, cities with 2,500 population or less have an annual general fund budget of less than \$1 million.

AWC reached out to experienced public sector labor relations professionals and learned that because of the legal and financial risks involved with interest arbitration-eligible collective bargaining agreements (CBAs), experienced attorney or non-attorney contract negotiators are recommended, which can add \$25,000 to \$50,000 just to the cost of the CBA negotiation. On top of that, if a bargaining subject reaches an impasse and goes through binding interest arbitration, it can cost cities an additional \$75,000 to \$150,000.

For small cities and towns with police departments, finding that much additional money in a budget of less than \$1 million would be nearly impossible. Many of the 37 small cities and towns with police departments may soon come to the conclusion that they can no longer afford their own police and will either downsize the department or eliminate it entirely and contract with their county sheriff or a neighboring city, as many other small cities and

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towns have done. These more regionalized law enforcement arrangements will likely not be able to provide the same level of service to these communities that their own city or town department once did.

AWC supports your office's strong stance in supporting resources for local law enforcement. However, we think that SSB 5040 will undermine those efforts and may result in reducing local law enforcement resources for some small cities and towns because of the added costs. We respectfully ask that you veto SSB 5040.

Regards,

Candice Bock

Director of Government Relations

Association of Washington Cities