

Ordinance No. 121439

Council Bill No. 114845

AN ORDINANCE relating to the defense of claims against volunteers as provided in SMC 4.64.100.

CF No. _____

Date Introduced:	MAR 22 2004	
Date 1st Referred:	To: (committee)	Public Safety, Civil Rights & Arts
Date Re - Referred:	MAR 22 2004	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
Date Presented to Mayor:	Date Approved:	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

me

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: _____

Committee Action

pass 3-0 NC, DD, TR 4/6/04

4-12-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Co

Law Dept. Review

OMP Review

City Clerk Review



me

The City of Seattle - Legislative Department ~~RASMUSSEN~~

Council Bill/Ordinance sponsored by: ~~Nicolaus~~ LICATA
Councilmember

Committee Action:

pass 3-0 NC, DD, TR 4/6/04 (LH)

4-12-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

*Fiscal Note (clear text)
is not
attached
full text
is in cables
current bill
no revision marks
no attachments*

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

claims

Public Safety, Civil Rights & Arts

T.O.
F.T.

DSC 4/1/04

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ASMUSSEN

CATA

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Indexed

PEB:peb
03/10/04
ORDINANCE re employee defense 4-64
(Ver. 1b)

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AN ORDINANCE relating to the defense of claims against volunteers as provided in SMC 4.64.100.

WHEREAS, the City of Seattle recognizes that committed relationships, whether between members of the same or opposite gender, foster strong families, strong communities and economic stability; and,

WHEREAS, many people working in and living in the City of Seattle have demonstrated the committed nature of the relationships they are in by entering into marriage with a person of the same gender in another jurisdiction; and

WHEREAS, the City of Seattle has long been a leader in efforts to expand civil rights, including the civil rights of its employees and volunteers; and

WHEREAS, nothing in federal or state constitutional or statutory law prohibits the City of Seattle from providing a defense for claims against its volunteers who are married to a person of the same gender on the same basis in which it provides such a defense to its volunteers who are married to a person of the opposite gender;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. It is consistent with the language and intent of Seattle Municipal Code Section 4.64.100 (Defense of claims against volunteers) for the City to provide the defense described in such section to volunteers who are married to a person of the same gender on the same basis that the City provides the defense to volunteers who are married to a person of the opposite gender.

Section 2. The City Attorney shall provide for the defense of claims against volunteers as provided in Seattle Municipal Code Section 4.64.100 in the manner described in Section 1.



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Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of April, 2004, and signed by me in open session in authentication of its passage this 12th day of April, 2004.

Jan Drago
President _____ of the City Council

Approved by me this 20 day of April, 2004.
Gregory J. Nickels
Gregory J. Nickels, Mayor

Filed by me this 20th day of April, 2004.
[Signature]
City Clerk

(Seal)

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ACTING
CITY
CLERK

GaryKeese/ecs
Employee defense 4-64 FISC
March 12, 2004
Version #:1

Form revised February 12, 2004

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Law	Gary Keese/386-0075	Ellen Schroer/733-9841

Legislation Title:

AN ORDINANCE relating to the defense of claims against volunteers as provided in SMC 4.64.100.

• **Summary of the Legislation:**

This legislation provides that the City of Seattle will provide the same defense of volunteers to married persons of the same gender on the same basis that the City provides defense to married persons of the opposite gender.

• **Background:** (Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):

In accordance with the Executive Order 02-04, City Recognition of Valid Marriage Licenses, issued March 8, 2004 which directs City Departments to recognize the validity of same-sex marriages. The order allows all City employees who have been married to receive the benefits a straight married couple would get, including the defense of claims against volunteers.

• Please check one of the following:

This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

This legislation has financial implications. (Please complete all relevant sections that follow.)



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Gregory J. Nickels
Mayor of Seattle

March 12, 2004

The Honorable Jan Drago
City Hall, 2nd Floor
600 4th Ave
Seattle, WA 98104

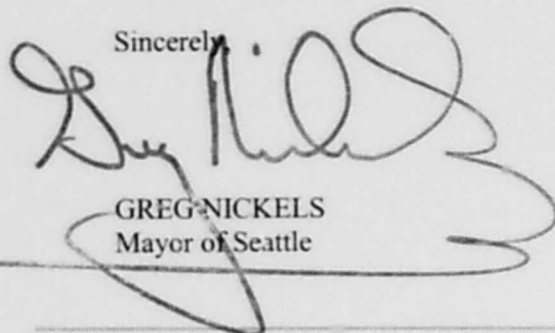
Dear Council President Drago:

Our nation was founded on the principle that life, liberty and the pursuit of happiness are unalienable rights guaranteed for all. I am pleased to transmit to the Seattle City Council three Council Bills that confirm Seattle's commitment to provide equal benefits to our married employees and volunteers and equal privileges to our business licensees. Passage of this legislation, along with the Executive Order signed on Monday, marks a step forward in fulfilling our nation's promise. Additional legislation protecting all City residents who are married, regardless of sexual orientation, will be sent to Council separately.

- The first Council Bill confirms that all married City of Seattle employees shall receive equal sick leave, family leave, medical leave and funeral leave benefits, regardless of whether their marriage partner is of the same or opposite gender.
- The second Council Bill confirms that the City will make decisions regarding the assignment or transfer of business licenses and amusement device licenses to a spouse without regard to whether the marital community is comprised of marriage partners of the same or opposite gender.
- The third Council Bill confirms that the City will defend claims against its volunteers and their marital communities on the same terms whether the marital community is comprised of marriage partners of the same or opposite gender.

As I stated on Monday when signing the Executive Order, I firmly believe that treating same sex marriages the same as heterosexual marriages is a matter of fairness. We take an oath to use our public offices to protect the constitutional rights of all Seattle's residents. This marks a great opportunity for the City of Seattle to take a stand in support of civil rights and building strong families in our City.

Sincerely,



GREG NICKELS
Mayor of Seattle

Seattle City Hall, 7th Floor, 600 Fourth Avenue, P.O. Box 94749, Seattle, WA 98124-4749
Tel (206) 684-4000 • TDD (206) 615-0476 • Fax (206) 684-5360 • www.seattle.gov/mayor



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STATE OF WASHINGTON - KING COUNTY

--SS.

171491
CITY OF SEATTLE, CLERKS OFFICE

No. ORDINANCE IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121439 ORD IN FULL

was published on

4/29/2004



Michael D. ...

Subscribed and sworn to before me on

4/29/2004

Jennifer Patzer

Notary public for the State of Washington,
residing in Seattle

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State of Washington, King County

City of Seattle

ORDINANCE 121439

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Jan Drago

President of the City Council

Approved by me this 20th day of April, 2004.

Gregory J. Nickels, Mayor

Filed by me this 20th day of April, 2004.

(Seal) Judith Pippin, City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, April 29, 2004.

4/29(171491)

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