

WASHINGTON SUPREME COURT

Heinsma v. City of Vancouver

144 Wash. 2d 556 (2001) · Decided August 23, 2001

SUMMARY

The Washington Supreme Court held that the City of Vancouver did not violate article XI, section 11 of the Washington Constitution by extending employee insurance benefits to domestic partners. Because RCW 41.04.180 did not define “dependents,” the city had authority to include domestic partners within that term, and the benefits program was not preempted by state regulation of marriage or familial relationships. The court affirmed summary judgment for the city.

CASE DETAILS

COURT	Washington Supreme Court
WRITING FOR THE COURT	Owens, J.; Alexander, C.J.; Smith, J.; Johnson, J.; Madsen, J.; Ireland, J.; Bridge, J.; Chambers, J.
JURISDICTION	Washington
DECIDED	August 23, 2001
DISPOSITION	affirmed
PROCEDURAL POSTURE	Taxpayer sought declaratory relief challenging the constitutionality and statutory authority of the City's domestic-partner employee-benefits program. Both parties moved for summary judgment; the trial court granted summary judgment to the City. The Washington Supreme Court accepted review by certification from the Court of Appeals.
STANDARD OF REVIEW	The court reviewed the summary-judgment decision and the constitutional and statutory validity of the municipal benefits program de novo.
PRECEDENTIAL VALUE	Published Washington Supreme Court opinion; precedential.
PARTIES	Roni Heinsma v. City of Vancouver

TOPICS

- municipal law
- home rule
- preemption
- statutory interpretation
- constitutional law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether article XI, section 11 of the Washington Constitution preempted or prohibited Vancouver from defining dependents under RCW 41.04.180 to include domestic partners for purposes of municipal employee benefits.
2. Whether the City's inclusion of domestic partners in its employee-benefits program directly and irreconcilably conflicted with RCW 41.04.180 or other statewide laws regulating familial relationships.
3. Whether the City's recognition of domestic partnerships impermissibly created the equivalent of marriage or interfered with the Legislature's authority to regulate familial relationships statewide.

HOLDINGS

1. The Legislature did not expressly or impliedly preempt Vancouver from adopting a reasonable definition of dependents that included domestic partners for purposes of municipal employee benefits.
2. The City's inclusion of domestic partners as dependents did not directly and irreconcilably conflict with RCW 41.04.180.
3. The City's limited recognition of domestic partnerships for its employee-benefits program did not create the equivalent of marriage or interfere unconstitutionally with the Legislature's authority to regulate familial relationships statewide.

KEY QUOTATIONS

“Because the regulation of employee benefits is a matter of local concern, we recognize that cities should have great latitude in implementing their employee benefits programs, especially when they have received specific delegated authority from the legislature.” (144 Wash. 2d at 567)

“From all these definitions, we conclude that to be a “dependent” requires some degree of reliance between two parties and that the one party provides some degree of financial support to the other.” (144 Wash. 2d at 565)

FACTUAL BACKGROUND

In 1998, Vancouver adopted a program allowing qualifying domestic partners of city employees and the partners' children to receive health-insurance benefits, and allowing employees to use sick leave to care for them. Qualification required an affidavit establishing, among other things, a shared residence and joint responsibility for basic living expenses. At least 29 partnerships and 13 children were approved, and the City spent at least \$20,000 in tax funds on the program. Heinsma challenged the program as exceeding the City's authority under article XI, section 11 of the Washington Constitution and RCW 41.04.180.

PROCEDURAL HISTORY

The City of Vancouver began providing health-insurance and related sick-leave benefits to domestic partners of city employees and their children. Heinsma, a taxpayer and city resident, sued for a declaratory judgment. The

trial court upheld the program on summary judgment, and the Supreme Court affirmed after accepting certified review from the Court of Appeals.

DISPOSITION

affirmed

CASES CITED

- City of Spokane v. Portch, 92 Wn.2d 342, 345-46, 596 P.2d 1044 (1979)
- Lenci v. City of Seattle, 63 Wn.2d 664, 669, 388 P.2d 926 (1964)
- Massie v. Brown, 84 Wn.2d 490, 492, 527 P.2d 476 (1974)
- City of Bothell v. Gutschmidt, 78 Wn. App. 654, 659-60, 898 P.2d 864 (1995)
- Brown v. City of Yakima, 116 Wn.2d 556, 559-63, 807 P.2d 353 (1991)
- Arlington County v. White, 259 Va. 708, 711-12, 528 S.E.2d 706, 708 (2000)
- Hite v. Pub. Util. Dist. No. 2, 112 Wn.2d 456, 458-59, 772 P.2d 481 (1989)
- State ex rel. Beck v. Carter, 2 Wn. App. 974, 979-81, 471 P.2d 127 (1970)
- Ayers v. City of Tacoma, 6 Wn.2d 545, 554, 108 P.2d 348 (1940)
- Schaefer v. City & County of Denver, 973 P.2d 717, 719 (Colo. Ct. App. 1998)
- Colo. Springs Fire Fighters Ass'n v. City of Colo. Springs, 784 P.2d 766, 773 (Colo. 1989)
- Crawford v. City of Chi., 304 Ill. App. 3d 818, 827, 710 N.E.2d 91, 98, appeal denied, 185 Ill. 2d 621, 720 N.E.2d 1090 (1999)
- City of Seattle v. Auto Sheet Metal Workers Local 387, 27 Wn. App. 669, 683-84, 620 P.2d 119 (1980)
- City of Pasco v. Pub. Employment Relations Comm'n, 119 Wn.2d 504, 833 P.2d 381 (1992)
- Chem. Bank v. Wash. Pub. Power Supply Sys., 99 Wn.2d 772, 792, 666 P.2d 329 (1983)
- Childers v. Childers, 89 Wn.2d 592, 598, 575 P.2d 201 (1978)
- City of Seattle v. Williams, 128 Wn.2d 341, 349, 908 P.2d 359 (1995)
- Seattle Newspaper-Web Pressmen's Union Local No. 26 v. City of Seattle, 24 Wn. App. 462, 467, 604 P.2d 170 (1979)
- Winkenwerder v. City of Yakima, 52 Wn.2d 617, 622-23, 328 P.2d 873 (1958)
- Slattery v. City of New York, 266 A.D.2d 24, 25, 697 N.Y.S.2d 603, 605 (1999), appeal dismissed, 94 N.Y.2d 897, 706 N.Y.S.2d 699 (2000)