

HOUSE BILL REPORT

HB 2188

As Reported by House Committee On:
Local Government

Title: An act relating to diking district annexations.

Brief Description: Authorizing the annexation of territory outside of, contiguous to, and that receives services from a diking district.

Sponsors: Representatives Takko and Blake.

Brief History:

Committee Activity:

Local Government: 1/15/14, 1/16/14 [DP].

Brief Summary of Bill

- Authorizes diking districts to annex territory that is contiguous to and receives services from the district.
- Establishes related annexation provisions and requirements.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 6 members: Representatives Takko, Chair; Gregerson, Vice Chair; Kochmar, Assistant Ranking Minority Member; Fitzgibbon, Pike and Springer.

Minority Report: Do not pass. Signed by 2 members: Representatives Overstreet, Ranking Minority Member; Taylor.

Staff: Amanda Ondrick (786-7296).

Background:

Diking Districts.

A diking district (district or districts) is a special purpose district charged with constructing and maintaining a system of dikes. Among other powers, districts may straighten, widen, and deepen waterways considered a flood threat. Districts may also construct dikes, drains,

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ditches, and other infrastructure to reduce flood risk. Districts are generally governed by a three-member board of elected officials.

Summary of Bill:

Districts may annex territory that is contiguous and receives services from the district. Territory bounded by a body of water is considered contiguous to a district as long as the same body of water also binds the district.

In exercising the annexation authority, the district must adopt a resolution of its intent to annex the territory. The district must then hold a public hearing, publish a notice in a newspaper, and notify property owners by mail. After the public hearing, the districts' governing body must decide whether to recommend the annexation to the legislative authority of the county in which the territory proposed for annexation is located.

If the governing body recommends the annexation, the county legislative authority must conduct a public hearing and notify property owners by mail. After this public hearing, the county legislative authority must decide whether to approve, modify, or reject the annexation proposal. If the county legislative authority decides to approve the annexation, they must do so by ordinance.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) A small number of parcels of inhabited land are close to diking districts but not within the diking district boundaries. These residents receive diking district services without paying for them. Unfortunately, the way the annexation law works, residents have to petition to come into a diking district. There is no incentive for residents receiving a free service to petition to pay for it. This bill establishes a process for diking districts to have an alternative process for proposing annexations. A similar bill to this passed out last year and did not get acted on. If this bill is passed, the implementation costs to the county would be de minimis.

(With concerns) The costs of the annexation processes could be fairly large depending on the size of the mailings and publicity. The bill should clarify that those costs are the responsibility of the diking district.

(Opposed) None.

Persons Testifying: (In support) Representative Takko, prime sponsor.

(With concerns) Laura Merrill, Washington State Association of Counties.

Persons Signed In To Testify But Not Testifying: None.