

HOUSE BILL REPORT

HB 2365

As Passed Legislature

Title: An act relating to road and bridge service districts.

Brief Description: Revising provisions for bridge and service districts.

Sponsors: Representatives Casada and Pelesky.

Brief History:

Committee Activity:

Transportation: 1/29/96, 1/30/96 [DP].

Floor Activity:

Passed House: 2/6/96, 96-0.

Senate Amended.

House Concurred.

Passed Legislature.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 23 members: Representatives K. Schmidt, Chairman; Benton, Vice Chairman; Mitchell, Vice Chairman; Hatfield, Assistant Ranking Minority Member; Backlund; Blanton; Brown; Buck; Cairnes; Chopp; Hankins; Horn; Johnson; McMahan; Ogden; Patterson; Quall; Robertson; Romero; D. Schmidt; Scott; Sterk and Tokuda.

Staff: Gary Lebow (786-7304).

Background: The legislative authority of a county is allowed to establish one or more service districts within the county for the purpose of providing and funding capital and maintenance costs for any bridge or road improvement. Costs for the improvements may be funded by special assessments on all property benefiting from the improvement, as well as an additional property tax levied on all properties within the service district. The county legislative authority is the governing body of the service district.

The bond counsel for Pierce County has stated that it could not recommend the sale of bonds due to possible conflicts with Article 7 of the Washington State Constitution. In the opinion of the bond counsel, the additional property taxes violate the equal taxation rule because the county legislative authority governs properties inside the

service district as well as those outside the service district, making it unclear whether the service district is an independent municipal entity.

Summary of Bill: The governing body of a road and bridge service district is changed to a three-person board of commissioners appointed by the county legislative authority or county executive. The commissioners of the road and bridge service district must reside within the boundaries of the service district. The commissioners first appointed will serve terms of one, two, and three years, respectively, from the date of their appointment. Thereafter, service district commissioners shall be appointed for a term of office of five years. A referendum can be filed to call an election to retain any and all commissioners.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Making this change will allow Ponderosa Estates and other communities to help themselves and bring their roads up to county and city standards.

Testimony Against: None.

Testified: Representative Sarah Casada, prime sponsor; George Walk, Pierce County; Jan Shabro, Pierce County Council; and Patrick J. Klein, Ponderosa Action Committee.