

SENATE BILL REPORT

HB 2365

As Reported By Senate Committee On:
Government Operations, February 23, 1996

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: Government Operations: 2/20/96, 2/23/96 [DPA].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

Staff: Katie Healy (786-7403)

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 improvements. Costs for the improvements may be funded by special assessments on all property benefitting 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.

Concern has been expressed that imposing the additional property taxes violates 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 Amended Bill: The governing body of a road and bridge service district is changed from the county legislative authority to a three-person board of commissioners appointed by the county legislative authority or county executive. The district may now acquire, hold, and dispose of real and personal property. The commissioners may modify the boundaries of, expand or otherwise modify the functions of, or dissolve the service district after complying with certain requirements and receiving approval from the county legislative authority.

Provision is made for removing commissioners of a service district in the event of the commissioner's neglect of duty or misconduct in office.

Any road or bridge improvements financed in whole by funds of a service district are owned by the district. Improvements financed jointly by a service district and the county or city

within which the improvements are located may be owned jointly pursuant to an interlocal agreement.

The county treasurer acts as the treasurer for the service district.

A referendum petition may be filed to call an election to retain any or all commissioners.

Amended Bill Compared to Original Bill: The striking amendment permits a referendum petition to be filed to call an election to retain any and all commissioners. Previously, commissioners could only be removed by the county legislative authority for cause.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Bonding attorneys were previously concerned that additional property taxes violated the equal taxation rule. Roads were not being serviced and started to deteriorate, becoming public safety issues. The districts are dissolved after the assessments are paid. This bill provides a handup, not a handout.

Testimony Against: None.

Testified: Patrick Klein, Pondbusch Estates (pro); Jan Shabro, Pierce County Council (pro); Corinne Davis, Philip Williams, Ponderosa Estates (pro).