

---

**SUBSTITUTE SENATE BILL 5068**

---

**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Governmental Operations (originally sponsored by Senators Conway and Shin)

READ FIRST TIME 01/30/13.

1 AN ACT Relating to the annexation of property owned by the state  
2 for military purposes; and amending RCW 43.41.100, 35.13.125,  
3 35.13.130, and 35A.14.120.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.41.100 and 2009 c 549 s 5119 are each amended to  
6 read as follows:

7 (1) The director of financial management shall:

8 ~~((1))~~ (a) Supervise and administer the activities of the office  
9 of financial management.

10 ~~((2))~~ (b) Exercise all the powers and perform all the duties  
11 prescribed by law with respect to the administration of the state  
12 budget and accounting system.

13 ~~((3))~~ (c) Advise the governor and the legislature with respect to  
14 matters affecting program management and planning.

15 ~~((4))~~ (d) Make efficiency surveys of all state departments and  
16 institutions, and the administrative and business methods pursued  
17 therein, examine into the physical needs and industrial activities  
18 thereof, and make confidential reports to the governor, recommending  
19 necessary betterments, repairs, and the installation of improved and

1 more economical administrative methods, and advising such action as  
2 will result in a greater measure of self-support and remedies for  
3 inefficient functioning.

4 (2) The director of financial management may enter into contracts  
5 on behalf of the state to carry out the purposes of this chapter; (~~he~~  
6 ~~or she~~) the director or the director's designee may file a petition  
7 under RCW 35.13.125 and 35.13.130 to have real property owned by the  
8 state for military purposes annexed to a city or town if that property  
9 constitutes the whole of the property in the annexation petition; the  
10 director may act for the state in the initiation of or participation in  
11 any multi-governmental agency program relative to the purposes of this  
12 chapter; and (~~he or she~~) the director may accept gifts and grants,  
13 whether such grants be of federal or other funds.

14 **Sec. 2.** RCW 35.13.125 and 1990 c 33 s 565 are each amended to read  
15 as follows:

16 Proceedings for the annexation of territory pursuant to RCW  
17 35.13.130, 35.13.140, 35.13.150, 35.13.160 and 35.13.170 shall be  
18 commenced as provided in this section. Prior to the circulation of a  
19 petition for annexation, the initiating party or parties who, except as  
20 provided in RCW 28A.335.110 and 43.41.100, shall be either not less  
21 than ten percent of the residents of the area to be annexed or the  
22 owners of not less than ten percent in value, according to the assessed  
23 valuation for general taxation of the property for which annexation is  
24 petitioned, shall notify the legislative body of the city or town in  
25 writing of their intention to commence annexation proceedings. The  
26 legislative body shall set a date, not later than sixty days after the  
27 filing of the request, for a meeting with the initiating parties to  
28 determine whether the city or town will accept, reject, or  
29 geographically modify the proposed annexation, whether it shall require  
30 the simultaneous adoption of the comprehensive plan if such plan has  
31 been prepared and filed for the area to be annexed as provided for in  
32 RCW 35.13.177 and 35.13.178, and whether it shall require the  
33 assumption of all or of any portion of existing city or town  
34 indebtedness by the area to be annexed. If the legislative body  
35 requires the assumption of all or of any portion of indebtedness and/or  
36 the adoption of a comprehensive plan, it shall record this action in

1 its minutes and the petition for annexation shall be so drawn as to  
2 clearly indicate this fact. There shall be no appeal from the decision  
3 of the legislative body.

4 **Sec. 3.** RCW 35.13.130 and 2009 c 60 s 3 are each amended to read  
5 as follows:

6 A petition for annexation of an area contiguous to a city or town  
7 may be made in writing addressed to and filed with the legislative body  
8 of the municipality to which annexation is desired. Except where all  
9 the property sought to be annexed is property of a school district, and  
10 the school directors thereof file the petition for annexation as in RCW  
11 28A.335.110 authorized, or all the property sought to be annexed is  
12 owned by the state for military purposes, and the director of financial  
13 management files a petition for annexation as authorized in RCW  
14 43.41.100, the petition must be signed by the owners of not less than  
15 sixty percent in value according to the assessed valuation for general  
16 taxation of the property for which annexation is petitioned: PROVIDED,  
17 That in cities and towns with populations greater than one hundred  
18 sixty thousand located east of the Cascade mountains, the owner of tax  
19 exempt property may sign an annexation petition and have the tax exempt  
20 property annexed into the city or town, but the value of the tax exempt  
21 property shall not be used in calculating the sufficiency of the  
22 required property owner signatures unless only tax exempt property is  
23 proposed to be annexed into the city or town. The petition shall set  
24 forth a description of the property according to government legal  
25 subdivisions or legal plats which is in compliance with RCW 35.02.170,  
26 and shall be accompanied by a plat which outlines the boundaries of the  
27 property sought to be annexed. If the legislative body has required  
28 the assumption of all or of any portion of city or town indebtedness by  
29 the area annexed, and/or the adoption of a comprehensive plan for the  
30 area to be annexed, these facts, together with a quotation of the  
31 minute entry of such requirement or requirements shall be set forth in  
32 the petition.

33 **Sec. 4.** RCW 35A.14.120 and 1989 c 351 s 6 are each amended to read  
34 as follows:

35 Proceedings for initiating annexation of unincorporated territory  
36 to a charter code city or noncharter code city may be commenced by the

1 filing of a petition of property owners of the territory proposed to be  
2 annexed, in the following manner. This method of annexation shall be  
3 alternative to other methods provided in this chapter. Prior to the  
4 circulation of a petition for annexation, the initiating party or  
5 parties, except as provided in RCW 43.41.100, who shall be the owners  
6 of not less than ten percent in value, according to the assessed  
7 valuation for general taxation of the property for which annexation is  
8 sought, shall notify the legislative body of the code city in writing  
9 of their intention to commence annexation proceedings. The legislative  
10 body shall set a date, not later than sixty days after the filing of  
11 the request, for a meeting with the initiating parties to determine  
12 whether the code city will accept, reject, or geographically modify the  
13 proposed annexation, whether it shall require the simultaneous adoption  
14 of a proposed zoning regulation, if such a proposal has been prepared  
15 and filed for the area to be annexed as provided for in RCW 35A.14.330  
16 and 35A.14.340, and whether it shall require the assumption of all or  
17 of any portion of existing city indebtedness by the area to be annexed.  
18 If the legislative body requires the assumption of all or of any  
19 portion of indebtedness and/or the adoption of a proposed zoning  
20 regulation, it shall record this action in its minutes and the petition  
21 for annexation shall be so drawn as to clearly indicate these facts.  
22 Approval by the legislative body shall be a condition precedent to  
23 circulation of the petition. There shall be no appeal from the  
24 decision of the legislative body. A petition for annexation of an area  
25 contiguous to a code city may be filed with the legislative body of the  
26 municipality to which annexation is desired. ~~((It))~~ Except where the  
27 property sought to be annexed is owned by the state for military  
28 purposes, and the director of financial management or the director's  
29 designee files a petition for annexation as authorized in RCW  
30 43.41.100, the petition must be signed by the owners, as defined by RCW  
31 35A.01.040(9) (a) through (d), of not less than sixty percent in value,  
32 according to the assessed valuation for general taxation of the  
33 property for which annexation is petitioned: PROVIDED, That a petition  
34 for annexation of an area having at least eighty percent of the  
35 boundaries of such area contiguous with a portion of the boundaries of  
36 the code city, not including that portion of the boundary of the area  
37 proposed to be annexed that is coterminous with a portion of the  
38 boundary between two counties in this state, need be signed by only the

1 owners of not less than fifty percent in value according to the  
2 assessed valuation for general taxation of the property for which the  
3 annexation is petitioned. Such petition shall set forth a description  
4 of the property according to government legal subdivisions or legal  
5 plats and shall be accompanied by a map which outlines the boundaries  
6 of the property sought to be annexed. If the legislative body has  
7 required the assumption of all or any portion of city indebtedness by  
8 the area annexed or the adoption of a proposed zoning regulation, these  
9 facts, together with a quotation of the minute entry of such  
10 requirement, or requirements, shall also be set forth in the petition.

--- END ---