

# HOUSE BILL REPORT

## HB 1229

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### As Reported by House Committee On: Local Government

**Title:** An act relating to annexation of territory of certain cities by water-sewer districts.

**Brief Description:** Revising provisions relating to annexation of territory of certain cities by water-sewer districts.

**Sponsors:** Representatives Chase, Schindler, Clibborn and Simpson.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 2/21/05, 2/21/05 [DPS].

#### **Brief Summary of Substitute Bill**

- Establishes a new and alternative water-sewer district annexation method for qualifying city territory.
- Includes commencement, public notification, and voter approval provisions for the new annexation method.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

**Staff:** Ethan Moreno (786-7386).

#### **Background:**

Water-sewer district powers include the authority to purchase, construct, maintain, and supply waterworks to furnish an ample supply of water to inhabitants within and outside of the district. Water-sewer districts have full authority to regulate and control the use, content, distribution, and price of the supplied water in a manner consistent with legal provisions.

The governing body of a district is a Board of Commissioners (Board) consisting of three, five, or seven members. In accordance with statutory provisions, the Board must, by resolution, adopt rules governing the transaction of its business.

Annexation methods for water-sewer districts are provided in statute. Among other annexation methods, current law specifies that qualifying territory may be annexed through an election method requiring approval by the Board, the applicable county legislative authority or authorities, and any qualified voters.

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### **Summary of Substitute Bill:**

A new and alternative water-sewer district annexation method is established. If a water-sewer district acquires either water facilities or sewer facilities, or both from a city, and the district and the city within which the facilities are located enter into an agreement stating that the district will seek annexation of territory within that city, the district commissioners may initiate a process for the annexation of such territory.

The process must commence upon the adoption of a resolution by the commissioners calling for the question of annexation to be submitted to the voters of the territory proposed for annexation. The resolution must also establish the boundaries of the proposed annexation area.

If a satisfactory resolution is submitted to each applicable county legislative authority, the legislative authority or authorities must call a hearing and hear the resolution, subject to specified provisions. Upon a final hearing, each legislative authority may make changes to the proposed boundary lines and must formally establish and define the boundaries. The boundaries, however, may not include territory outside of the area originally established in the water-sewer district resolution. Each authority must also make specified findings pertaining to the proposed annexation.

Upon the entry of the findings of the final public hearing, each legislative authority, if it finds that the proposed annexation satisfies prescribed requirements, must give notice of a special election to be held within the boundaries of the territory proposed for annexation. The purpose of the election is to determine whether the area will be annexed to the district. The notice must adhere to specified public notification and ballot proposition requirements.

The annexation election must be held on the date designated on the notice and must be conducted according to the general election laws of the state. Only qualified voters residing within the territory proposed for annexation may vote at the election.

If a majority of the votes cast are for annexation, the territory concerned must immediately be deemed annexed to the district.

### **Substitute Bill Compared to Original Bill:**

Statutory references to an existing water-sewer district annexation method are deleted and replaced with provisions specifying a new alternative annexation method that is generally parallel to the provisions of the deleted references. Requirements pertaining to public hearings and county legislative authorities for the new annexation method are added. Annexation ballot and election provisions are added.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** (Original bill) This is an efficiencies and clean-up bill that will streamline the water-sewer district annexation process. A current petition process for water-sewer district annexations is specified in law. This bill will allow the process to proceed without fulfilling the existing petition requirements. Support exists for the proposed substitute bill language.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Chase, prime sponsor; and Joe Daniels, Washington Association of Water and Sewer Districts.

**Persons Signed In To Testify But Not Testifying:** None.