

SENATE BILL REPORT

2SHB 1158

As of March 28, 2013

Title: An act relating to the annexation of property owned by the state for military purposes.

Brief Description: Concerning the annexation of property owned by the state for military purposes.

Sponsors: House Committee on Appropriations Subcommittee on General Government (originally sponsored by Representatives Kirby, Green, O'Ban, Sawyer, Ryu and Morrell).

Brief History: Passed House: 3/09/13, 97-0.

Committee Activity: Governmental Operations: 3/28/13.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Samuel Brown (786-7470)

Background: Cities are authorized to annex unincorporated areas through several alternative processes. The most common annexation process is annexation by direct petition. This process is initiated by filing a petition signed by the owners of the subject property who represent not less than 10 percent of the assessed value of the property. The city to which the petition is directed responds by accepting, rejecting, or modifying the proposed annexation area.

To continue the process, a petition must then be signed by the owners of the property representing at least 60 percent of the assessed value of the property. The legislative body of the city then holds a public hearing and either rejects or accepts the petition. The annexation is finalized by adoption of an ordinance by the city's legislative body.

Other authorized annexation processes include the following:

- annexation by election, which follows a similar process as annexation by direct petition, but annexation must be approved by a majority of the voters in the territory to be annexed. Annexation by election may be initiated by a resolution of the city's legislative body or through voter petition;
- annexation by interlocal agreement, which allows for annexation based on an agreement between the city and county. An annexation by interlocal agreement can be overturned by the residents within the areas proposed for annexation;

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- the alternative annexation by direct petition method, which follows the same process as annexation by direct petition, but requires that the petitions include the signatures of owners of a majority of the acreage to be annexed and a majority of the registered voters in the area to be annexed;
- annexation of unincorporated islands;
- annexation of municipally owned land; and
- annexation of federally owned lands by gift or agreement.

Summary of Bill: The Director of the Office of Financial Management (OFM) may petition for property owned by the state for military purposes to be annexed by a city, code city, or town if the annexation petition includes only that property. Once the Director of OFM files a petition for annexation by the city, code city, or town, the legislative body of the city, code city, or town may hold a public hearing on the proposed annexation and determine whether to reject or accept the petition. Annexation of state military property is exempt from requirements that a percentage of residents or landowners sign the petition for annexation.

Prior to filing a petition for annexation of state military land that will require state expenditures, the Governor must submit a request for funds as part of the biennial or supplemental Omnibus Appropriations Act, and the Legislature must approve or reject the petition.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: There is a little glitch in the law. Lakewood would like to enter into negotiations with the Military Department over annexation of Camp Murray, but there is nobody authorized to sign off on it. This adds more safeguards and sets up a structure and framework to have a conversation about annexation. This is enabling only, and does not mandate that annexation happen. We have shoreline management issues in common and are the recipient of a federal grant to improve the overpass for Camp Murray's primary exit. We do not think the economic impact is as severe as in the fiscal note. There is approximately \$50,000 per year in savings in surface water management fees. We think there is a way to get there in a revenue-neutral manner.

Persons Testifying: PRO: Representative Kirby, prime sponsor; Briahna Taylor, Don Anderson, City of Lakewood.