

HOUSE BILL REPORT

HB 2365

As Amended by the Senate

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 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 revised to a three-person board of commissioners appointed by the county legislative authority or county executive instead of the county legislative authority itself. By changing the governing body of the service district to a separate entity, it is very clear that the service district is a separate municipal entity.

EFFECT OF SENATE AMENDMENT(S): The Senate amendment permits a referendum petition to 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.