

HOUSE BILL REPORT

HB 1460

*As Reported By House Committee on:
Local Government*

Title: An act relating to drainage districts.

Brief Description: Providing an alternative to drainage districts.

Sponsor(s): Representatives Franklin, Haugen, Ferguson and Ebersole.

Brief History:

Reported by House Committee on:
Local Government, March 5, 1991, DPS.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *That Substitute House Bill No. 1460 be substituted therefor, and the substitute bill do pass.*
Signed by 15 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Staff: Steve Lundin (786-7127).

Background: A variety of different local governments have been authorized to provide drainage improvements, including counties, cities, towns, drainage districts, and drainage improvement districts.

Drainage districts and drainage improvement districts are special districts where the franchise has been limited to property owners. Procedures exist by which the county legislative authority of a county may suspend the operations of a variety of special districts, including drainage districts and drainage improvement districts, and reactivate the special district.

Procedures exist by which a variety of inactive special districts, including drainage districts and drainage improvement districts, can be dissolved by the county legislative authority of the county in which the district is located. It appears that a special district, such as a

drainage district or drainage improvement district, that owns drainage or flood control improvements may not be dissolved unless the county accepts responsibility for operating and maintaining the facilities.

Counties are authorized to establish storm water utilities and drainage utilities.

Summary of Substitute Bill: A county legislative authority by ordinance may dissolve a drainage district or drainage improvement district that is located in a county storm drainage and surface water management utility and which is not currently imposing assessments. This is an alternative procedure.

The county assumes responsibility to pay or settle all outstanding debts of a drainage district or drainage improvement district that is so dissolved. All assets of the district become assets of the county. The county storm drainage and surface management utility may determine how to manage, operate, and dispose of the dissolved district.

Any portion of a drainage district or drainage improvement district that is located within a first class city may be removed from the district by ordinance of the city. The removal shall not impair the obligation of a contract nor remove the liability or obligation to finance district improvements that serve the area when it is removed.

Substitute Bill Compared to Original Bill: The ability of the county to dissolve a district is restricted to those that are not imposing assessments. Language was added about removing portions of districts from first class cities.

Fiscal Note: Not requested.

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

Testimony For: Part of an old drainage district was annexed years ago by Tacoma. The city now has a storm drainage utility. Property owners are being charged by both the city and the district. Pierce County now has a storm drainage utility.

Testimony Against: None.

Witnesses: John Trent, Pierce County Public Works; George Walk, Pierce County; and Bob Mack, City of Tacoma.