

HOUSE BILL REPORT

HB 1873

As Reported By House Committee On:
Government Administration

Title: An act relating to city and town annexations under the direct property owner petition method of annexation.

Brief Description: Clarifying annexation procedures for cities and towns annexing populated and nonpopulated areas.

Sponsors: Representatives Boldt, Dunn and Mulliken.

Brief History:

Committee Activity:

Government Administration: 2/25/97 [DPS].

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Dunshee; Murray; Reams; Smith; L. Thomas; Wensman and Wolfe.

Staff: Steve Lundin (786-7127).

Background: Cities and towns are classified as either code or non-code. Separate statutes exist for each of these two classifications of cities and towns providing similar, but somewhat different, procedures to annex territory.

Three primary procedures exist for a city or town to annex unincorporated territory that is adjacent to a portion of the city's or town's boundaries.

Two of the procedures involve an election where voters who reside in the area proposed to be annexed vote on a ballot proposition authorizing the annexation. One of these procedures is the resolution/election method, where the annexation is proposed by resolution of the annexing city or town. The other of these procedures is the petition/election method, where the annexation is proposed by petition of voters residing in the area proposed to be annexed.

The third procedure is the direct-property owner petition method where an election is not held and the annexation occurs if the city or town council approves the annexation and a petition proposing the annexation has been signed by the owners of at least 75 percent of the assessed valuation in the area proposed to be annexed, if a non-code city or town is proposed to annex the area, or by the owners of at least 60 percent of the assessed valuation in the area proposed to be annexed, if a code city is proposed to annex the area.

Summary of Substitute Bill: The direct-property owner petition procedures by which cities and towns annex territory are altered.

A potential voter referendum on an annexation under the direct-property owner petition method of annexation is authorized, if the area proposed to be annexed has a population that is at least equal to 5 percent of the total population of the city or town, or a population of 100, whichever is greater, and a petition calling for a referendum is filed. The petition must be signed by at least 10 percent of the voters residing in the area proposed to be annexed, and must be submitted to the city or town within 45 days of the date that the notice is published in regards to when an annexation will occur.

A ballot proposition authorizing the annexation is approved by a simple majority vote of voters voting on the proposition, unless a proposal to accept indebtedness is involved, that requires approval by at least 60 percent of the voters voting on the proposition with a 40 percent validation requirement.

Substitute Bill Compared to Original Bill: Instead of automatically having a ballot proposition submitted to voters if any voter resides in the area, a potential for a ballot proposition being submitted exists if a sufficient number of persons reside in the area.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Vancouver just annexed an area with a huge population using this method. The voters should be able to decide. No debate exists when someone is gathering signatures that is similar to the debate during an election. Issues will come out in a debate over a ballot proposition. Many large annexations occur using this process.

Testimony Against: We involve people in our annexation efforts. Services are provided beyond city boundaries and the direct-property owner petition method is

appropriate. We are working very closely with the county on annexation issues. We were very up front about city taxes. The Growth Management Act encourages annexations.

Testified: (Pro) Representative Boldt, prime sponsor; and Rod Dembowski, Neighbors United for Representation.. (CON) Doug Levy, city of Everett; Larry Smith, city of Vancouver; and Jim Justin, Association of Washington Business.