

# HOUSE BILL REPORT

## HB 2358

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### As Passed Legislature

**Title:** An act relating to annexation of unincorporated territory with boundaries contiguous to two municipal corporations.

**Brief Description:** Revising provisions relating to annexation of unincorporated territory with boundaries contiguous to two municipal corporations.

**Sponsors:** By Representatives Upthegrove and Schual-Berke.

### Brief History:

#### Committee Activity:

Local Government & Housing: 1/21/02, 1/31/02 [DP].

#### Floor Activity:

Passed House: 2/12/02, 97-0.

Passed Senate: 3/5/02, 46-0.

Passed Legislature.

### Brief Summary of Bill

- Authorizes a municipal corporation providing sewer service to annex a parcel of unincorporated territory that is less than 100 acres in size and has at least 80 percent of its boundaries contiguous to two municipal corporations, one of which is a water-sewer district.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

**Majority Report:** Do pass. Signed by 11 members: Representatives Dunshee, Chair; Edwards, Vice Chair; Mulliken, Ranking Minority Member; Berkey, Crouse, DeBolt, Dunn, Hatfield, Kirby, Mielke and Sullivan.

**Staff:** Scott MacColl (786-7106).

### Background:

Water-sewer districts, water districts, and sewer districts (districts) may annex territory that is in the county or in close proximity in another county. The annexation process is initiated with a petition signed by 10 percent of the registered voters who reside in the

proposed district requesting a vote on the subject of annexation. If there are no voters residing in the district, the petition may be signed by the property owners of the majority of the acreage. The commissioners of the district must concur with the proposed annexation, and then must submit the petition to the county legislative authority for an election on the proposed annexation.

The board of commissioners of a district may by resolution annex unincorporated territory within a district that is less than 100 acres, with at least 80 percent of the boundaries contiguous to the district. The effective date of such annexation must be 45 days after the initial resolution to allow residents of the proposed territory the opportunity to file a referendum petition for a vote on the issue. If the annexation is to be contested, the referendum must be signed by at least 10 percent of the registered voters in the proposed area. The annexation is deemed approved unless a majority of the voters vote in opposition to the annexation.

A municipal corporation (city, town, or water-sewer district) that provides water service may annex a parcel of unincorporated territory that: a) is less than 100 acres in size; and b) has at least 80 percent of the boundaries contiguous to two municipal corporations, one of which is a water-sewer district. The legislative authority of the annexing municipal corporation must pass a resolution stating the intent to annex, and have concurrence of a majority of the legislative authority of the other municipal corporation contiguous to the proposed area.

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**Summary of Bill:**

A municipal corporation providing sewer service is authorized to annex a parcel of unincorporated territory that is less than 100 acres and has at least 80 percent of its boundaries contiguous to two municipal corporations, one of which is a water-sewer district.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

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

**Testimony For:** The bill allows sewer services the same authority to extend water services to unincorporated areas as water services. This is a technical bill that was probably missed during the 1996 title merger, and the 1998 amendments. This involves the Midway sewer district, which had an agreement with the city of Des Moines, and then realized there was no authority for sewer.

**Testimony Against:** None.

**Testified:** Representative Upthegrove, prime sponsor; and Joe Daniels, Washington Association of Sewer and Water Districts.