

# HOUSE BILL REPORT

## HB 1238

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### As Passed House:

March 3, 2005

**Title:** An act relating to administering flood control zone districts.

**Brief Description:** Revising administration of flood control zone districts.

**Sponsors:** By Representatives Blake, Orcutt, McCoy, Takko and Chase.

### Brief History:

#### Committee Activity:

Local Government: 1/31/05, 2/10/05 [DP].

#### Floor Activity:

Passed House: 3/3/05, 97-0.

### Brief Summary of Bill

- Allows directly elected flood control zone district supervisors, rather than the county engineer, to provide for the administration of the affairs of the zone.
- Establishes compensation and reimbursement provisions for directly elected district supervisors, including a maximum annual compensation limit of \$6,720.
- Includes an emergency clause.

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## HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

**Staff:** Ethan Moreno (786-7386).

### Background:

Flood control zone districts (zones) may be established in a county for the purpose of undertaking, operating, or maintaining flood or storm water control projects that are of special benefit to areas of the county. The board of county commissioners (board) of each county must be, by virtue of their office, supervisors of zones created in the county. In any zone with more than 2,000 residents, an election of supervisors other than the board may be held,

subject to statutory requirements. Current law does not specify provisions for the compensation or reimbursement of directly elected supervisors.

Statute specifies that a zone is a quasi municipal corporation, an independent taxing authority, and a taxing district. A zone constitutes a body corporate and possesses the usual powers of a corporation for public purposes, including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, and to sue and be sued.

The county engineer is responsible for the administration of the zone. The engineer may appoint deputies and engage employees, specialists and technicians as may be required by the zone and as are authorized by the zone's budget. Subject to board approval, the engineer may also organize or reorganize the zone into departments or other administrative relationships deemed necessary to its efficient operation.

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**Summary of Bill:**

Directly elected supervisors of a flood control zone district (zone) may, pursuant to existing authority to hire employees and services and to enter into contracts, provide for the administration of the zone by other than the county engineer.

In a zone with directly elected supervisors, the supervisors may each receive up to \$70 for attendance at official meetings. They may also receive this same amount for each day, or major part of a day, spent in service as a supervisor. The board of county commissioners must fix the compensation to be paid to initial supervisors during their initial terms. The supervisors must subsequently fix their own compensation in an amount not to exceed \$6,720 per year. A supervisor is entitled to reimbursement for reasonable expenses incurred in connection with the duties of a supervisor while away from the supervisor's place of residence. A supervisor may waive all or any portion of his or her compensation for any specified month or months, subject to requirements.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** This is a clean-up of an earlier bill. This bill passed the House of Representatives in 2004 but did not pass the Senate. This bill will allow elected flood control zone district supervisors to use the county engineer or to contract with an engineering firm for the administration of the district. Flood control supervisors should be paid for their services and this bill will allow them to be compensated.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Blake, prime sponsor; Jeff Rasmusson, Cowlitz County Commissioners; and Don MacDonald, Lexington Flood District Supervisor.

**Persons Signed In To Testify But Not Testifying:** None.