

SENATE BILL REPORT

SB 6240

As Reported By Senate Committee On:
Government Operations & Elections, January 29, 2008

Title: An act relating to the signature validation process for petitions that seek annexation.

Brief Description: Addressing the signature validation process for petitions that seek annexation.

Sponsors: Senator Fairley.

Brief History:

Committee Activity: Government Operations & Elections: 1/28/08, 1/29/08 [DP, DNP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, McDermott, Pridemore and Swecker.

Minority Report: Do not pass.

Signed by Senator Roach, Ranking Minority Member, Benton.

Staff: Sharon Swanson (786-7447)

Background: Cities are organized under statute as either first or second class cities and towns (classified cities) or code cities. Classified cities are organized under Title 35. Code cities are organized under Title 35A. Classified and code cities have multiple processes to annex territory, including a resolution/election method, a petition/election method, a direct petition method, a resolution method, and an ordinance method. Each method of annexation must follow different processes as set forth in statute.

Under the direct petition method of annexation, the petition for annexation must be signed by owners of a certain percentage of land included in the annexation. In classified cities, the petition must be signed by the owners of not less than 75 percent of the assessed value of the property subject to the annexation. In code cities, the petition must be signed by the owners of at least 60 percent of the assessed value of the property subject to annexation.

In a code city direct petition annexation where the area to be annexed has at least 80 percent of its boundaries contiguous with a portion of the city's boundaries, the petition can be signed by the owners of 50 percent of the assessed value of the property subject to the annexation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

An officer of a corporation signing a petition on behalf of the corporation must be duly authorized to execute deeds or encumbrances on behalf of the corporation and must attach a certified excerpt from the corporation bylaws showing such authority to the petition.

Summary of Bill: An officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign under oath on behalf of that corporation and is no longer required to submit a certified excerpt of the corporation bylaws.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: There are certain entities, like limited liability corporations, that do not have bylaws so they are unable to meet the requirement in current law to attach a certified excerpt of the bylaws to the petition. The alternative proposed in the bill is achievable in most circumstances. The bill will save time and money and be better policy.

Persons Testifying: PRO: Mark Brown, Cities of Longview, Lacey, Vancouver, Battleground and Ridgefield; Dave Williams, Association of Washington Cities.