

SENATE BILL REPORT

SB 6535

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, February 2, 2012

Title: An act relating to subzones in countywide flood control zone districts.

Brief Description: Clarifying provisions establishing subzones in countywide flood control zone districts.

Sponsors: Senators Conway and Pridemore.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/31/12, 2/02/12 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Benton, Chase and Nelson.

Staff: Karen Epps (786-7424)

Background: Flood control zone districts (Zones) are quasi-municipal corporations created for the limited purpose of undertaking, operating, and maintaining flood control or storm water control projects. Zones are created by the legislative body of a county or by petition of at least 25 percent of the electors within a proposed Zone and are an independent taxing authority and a taxing district. Generally, the legislative body of a county serves as the Zone's supervisors and the county engineer as the administrator. In any Zone with more than 2000 residents, an election of supervisors other than the board may be held, subject to statutory requirements.

Zones possess the usual powers of a corporation for public purposes, including but not limited to, the authority to hire employees and staff, obtain services, enter into contracts, and 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 authorized by the Zone's budget. Subject to board approval, the engineer may also organize or reorganize the Zone into departments or other administrative

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relationships deemed necessary to its operation. There are currently at least nine Zones in Washington.

The legislative body of a county may establish a countywide flood control zone district (Countywide Zones) that includes all of the watersheds located within the county that are not already included in a Zone. Countywide Zones are created in the same manner as a Zone.

Summary of Bill: Provisions governing the formation of countywide Zones and associated subzones are modified. A statutory reference to a section of the code that has been previously repealed is removed. Provisions governing the formation of subzones are modified to specify that the board of county commissioners, in establishing subzones, is not required to satisfy all the procedural requirements pertaining to the formation of Zones.

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: The City of Lakewood asks for this legislation in order to clarify that Zones can create subzones that do not follow watersheds. That seems to be the original intent of the bill. The language that this bill strikes is from 1969 and it appears from the bill history that this language was added with a floor amendment right before the last vote on the bill. It appears that this amendment was drafted quickly. This bill clarifies the language and seems to be inline with the intent of the Legislature in 1969.

Persons Testifying: PRO: Briahna Taylor, City of Lakewood.