

# SENATE BILL REPORT

## SB 5068

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As Reported by Senate Committee On:  
Governmental Operations, January 29, 2013

**Title:** An act relating to the annexation of property owned by the state for military purposes.

**Brief Description:** Concerning the annexation of property owned by the state for military purposes.

**Sponsors:** Senators Conway and Shin.

**Brief History:**

**Committee Activity:** Governmental Operations: 1/28/13, 1/29/13 [DPS].

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### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Majority Report:** That Substitute Senate Bill No. 5068 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Hasegawa, Ranking Member; Braun, Conway and Rivers.

**Staff:** Samuel Brown (786-7470)

**Background:** Annexation of Land. Cities are authorized to annex unincorporated areas through several alternative processes. The most common annexation process is annexation by direct petition. This process is initiated by filing a petition signed by the owners of the subject property who represent not less than 10 percent of the assessed value of the property. The city to which the petition is directed responds by accepting, rejecting, or modifying the proposed annexation area.

To continue the process, a petition must then be signed by the owners of the property representing at least 60 percent of the assessed value of the property. The legislative body of the city then holds a public hearing and either rejects or accepts the petition. The annexation is finalized by adoption of an ordinance by the city's legislative body.

Other authorized annexation processes include the following:

- annexation by election, which follows a similar process as annexation by direct petition, but annexation must be approved by a majority of the voters in the territory

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- to be annexed. Annexation by election may be initiated by a resolution of the city's legislative body or through voter petition;
- annexation by interlocal agreement, which allows for annexation based on an agreement between the city and county. An annexation by interlocal agreement can be overturned by the residents within the areas proposed for annexation;
  - the alternative annexation by direct petition method, which follows the same process as annexation by direct petition, but requires that the petitions include the signatures of owners of a majority of the acreage to be annexed and a majority of the registered voters in the area to be annexed;
  - annexation of unincorporated islands;
  - annexation of municipally-owned land; and
  - annexation of federally owned lands by gift or agreement.

The Adjutant General. The Adjutant General is the director of the Military Department and commander of the Washington National Guard. The Adjutant General keeps records of all land owned or used by the state for military purposes and possesses sole authority to execute leases and grant easements for the use of state military land.

**Summary of Bill (Recommended Substitute):** The Director of the Office of Financial Management (OFM) may petition for property owned by the state for military purposes to be annexed by a city, code city, or town if the annexation petition includes only that property. Once the Director of OFM files a petition for annexation by the city, code city, or town, the legislative body of the city, code city, or town may hold a public hearing on the proposed annexation and determine whether to reject or accept the petition.

**EFFECT OF CHANGES MADE BY GOVERNMENTAL OPERATIONS COMMITTEE (Recommended Substitute):** The ability to petition a city or town to for annexation of property owned by the state for military purposes is given to the Director of OFM, rather than the Adjutant General. A procedure which allows property owned by the state for military purposes to be annexed to a code city is added.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill resolves an ambiguity about who has the authority to enter into annexation agreements for land owned by the state for military purposes. This bill is about providing the structure for annexation. It enables annexation, but doesn't require it. After consultation with OFM and the Military Department, we'd like to amend the bill to give the OFM director or their designee the authority to petition for annexation rather than the Adjutant General. We would like to clarify the language as well to make sure it applies to code cities. Camp Murray is in a unique annexation situation because there are no permanent residents. Annexation would allow revision of Lakewood's shoreline master plan and improve planning opportunities for

transportation management. An interlocal agreement could be reached to help mitigate the fiscal impact. We have discussed waiving, deferring, and decreasing utility taxes.

**Persons Testifying:** PRO: Senator Conway, prime sponsor; Briahna Taylor, Dave Bugher, City of Lakewood.