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SECOND SUBSTITUTE HOUSE BILL 1158

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State of Washington

63rd Legislature

2013 Regular Session

**By** House Appropriations Subcommittee on General Government (originally sponsored by Representatives Kirby, Green, O'Ban, Sawyer, Ryu, and Morrell)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to the annexation of property owned by the state  
2 for military purposes; and amending RCW 43.41.100, 35.13.125,  
3 35.13.130, and 35A.14.120.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.41.100 and 2009 c 549 s 5119 are each amended to  
6 read as follows:

7 (1) The director of financial management shall:

8 ~~((1))~~ (a) Supervise and administer the activities of the office  
9 of financial management.

10 ~~((2))~~ (b) Exercise all the powers and perform all the duties  
11 prescribed by law with respect to the administration of the state  
12 budget and accounting system.

13 ~~((3))~~ (c) Advise the governor and the legislature with respect to  
14 matters affecting program management and planning.

15 ~~((4))~~ (d) Make efficiency surveys of all state departments and  
16 institutions, and the administrative and business methods pursued  
17 therein, examine into the physical needs and industrial activities  
18 thereof, and make confidential reports to the governor, recommending  
19 necessary betterments, repairs, and the installation of improved and

1 more economical administrative methods, and advising such action as  
2 will result in a greater measure of self-support and remedies for  
3 inefficient functioning.

4 (2) The director of financial management may enter into contracts  
5 on behalf of the state to carry out the purposes of this chapter; (~~he~~  
6 ~~or she~~) the director or the director's designee may act for the state  
7 in the initiation of or participation in any multi-governmental agency  
8 program relative to the purposes of this chapter; and he or she may  
9 accept gifts and grants, whether such grants be of federal or other  
10 funds.

11 (3) The director of financial management or the director's designee  
12 may file a petition under RCW 35.13.125 and 35.13.130 to have real  
13 property owned by the state for military purposes annexed to a city or  
14 town if that property constitutes the whole of the property in the  
15 annexation petition. Prior to the filing of the petition that requires  
16 state expenditures, the governor shall submit the request for funds as  
17 part of the biennial or supplemental omnibus appropriations act. The  
18 legislature shall approve or reject all petitions for annexation of  
19 state-owned property that require state expenditures as part of the  
20 omnibus appropriations act.

21 **Sec. 2.** RCW 35.13.125 and 1990 c 33 s 565 are each amended to read  
22 as follows:

23 Proceedings for the annexation of territory pursuant to RCW  
24 35.13.130, 35.13.140, 35.13.150, 35.13.160 and 35.13.170 shall be  
25 commenced as provided in this section. Prior to the circulation of a  
26 petition for annexation, the initiating party or parties who, except as  
27 provided in RCW 28A.335.110 and 43.41.100, shall be either not less  
28 than ten percent of the residents of the area to be annexed or the  
29 owners of not less than ten percent in value, according to the assessed  
30 valuation for general taxation of the property for which annexation is  
31 petitioned, shall notify the legislative body of the city or town in  
32 writing of their intention to commence annexation proceedings. The  
33 legislative body shall set a date, not later than sixty days after the  
34 filing of the request, for a meeting with the initiating parties to  
35 determine whether the city or town will accept, reject, or  
36 geographically modify the proposed annexation, whether it shall require  
37 the simultaneous adoption of the comprehensive plan if such plan has

1 been prepared and filed for the area to be annexed as provided for in  
2 RCW 35.13.177 and 35.13.178, and whether it shall require the  
3 assumption of all or of any portion of existing city or town  
4 indebtedness by the area to be annexed. If the legislative body  
5 requires the assumption of all or of any portion of indebtedness and/or  
6 the adoption of a comprehensive plan, it shall record this action in  
7 its minutes and the petition for annexation shall be so drawn as to  
8 clearly indicate this fact. There shall be no appeal from the decision  
9 of the legislative body.

10 **Sec. 3.** RCW 35.13.130 and 2009 c 60 s 3 are each amended to read  
11 as follows:

12 A petition for annexation of an area contiguous to a city or town  
13 may be made in writing addressed to and filed with the legislative body  
14 of the municipality to which annexation is desired. Except where all  
15 the property sought to be annexed is property of a school district, and  
16 the school directors thereof file the petition for annexation as in RCW  
17 28A.335.110 authorized, or when all the property sought to be annexed  
18 is owned by the state for military purposes and the director of  
19 financial management files a petition for annexation as authorized in  
20 RCW 43.41.100, the petition must be signed by the owners of not less  
21 than sixty percent in value according to the assessed valuation for  
22 general taxation of the property for which annexation is petitioned:  
23 PROVIDED, That in cities and towns with populations greater than one  
24 hundred sixty thousand located east of the Cascade mountains, the owner  
25 of tax exempt property may sign an annexation petition and have the tax  
26 exempt property annexed into the city or town, but the value of the tax  
27 exempt property shall not be used in calculating the sufficiency of the  
28 required property owner signatures unless only tax exempt property is  
29 proposed to be annexed into the city or town. The petition shall set  
30 forth a description of the property according to government legal  
31 subdivisions or legal plats which is in compliance with RCW 35.02.170,  
32 and shall be accompanied by a plat which outlines the boundaries of the  
33 property sought to be annexed. If the legislative body has required  
34 the assumption of all or of any portion of city or town indebtedness by  
35 the area annexed, and/or the adoption of a comprehensive plan for the  
36 area to be annexed, these facts, together with a quotation of the

1 minute entry of such requirement or requirements shall be set forth in  
2 the petition.

3 **Sec. 4.** RCW 35A.14.120 and 1989 c 351 s 6 are each amended to read  
4 as follows:

5 Proceedings for initiating annexation of unincorporated territory  
6 to a charter code city or noncharter code city may be commenced by the  
7 filing of a petition of property owners of the territory proposed to be  
8 annexed, in the following manner. This method of annexation shall be  
9 alternative to other methods provided in this chapter. Prior to the  
10 circulation of a petition for annexation, the initiating party or  
11 parties, except as provided in RCW 43.41.100, who shall be the owners  
12 of not less than ten percent in value, according to the assessed  
13 valuation for general taxation of the property for which annexation is  
14 sought, shall notify the legislative body of the code city in writing  
15 of their intention to commence annexation proceedings. The legislative  
16 body shall set a date, not later than sixty days after the filing of  
17 the request, for a meeting with the initiating parties to determine  
18 whether the code city will accept, reject, or geographically modify the  
19 proposed annexation, whether it shall require the simultaneous adoption  
20 of a proposed zoning regulation, if such a proposal has been prepared  
21 and filed for the area to be annexed as provided for in RCW 35A.14.330  
22 and 35A.14.340, and whether it shall require the assumption of all or  
23 of any portion of existing city indebtedness by the area to be annexed.  
24 If the legislative body requires the assumption of all or of any  
25 portion of indebtedness and/or the adoption of a proposed zoning  
26 regulation, it shall record this action in its minutes and the petition  
27 for annexation shall be so drawn as to clearly indicate these facts.  
28 Approval by the legislative body shall be a condition precedent to  
29 circulation of the petition. There shall be no appeal from the  
30 decision of the legislative body. A petition for annexation of an area  
31 contiguous to a code city may be filed with the legislative body of the  
32 municipality to which annexation is desired. ~~((It))~~ Except where the  
33 property sought to be annexed is owned by the state for military  
34 purposes, and the director of financial management or the director's  
35 designee files a petition for annexation as authorized in RCW  
36 43.41.100, the petition must be signed by the owners, as defined by RCW  
37 35A.01.040(9) (a) through (d), of not less than sixty percent in value,

1 according to the assessed valuation for general taxation of the  
2 property for which annexation is petitioned: PROVIDED, That a petition  
3 for annexation of an area having at least eighty percent of the  
4 boundaries of such area contiguous with a portion of the boundaries of  
5 the code city, not including that portion of the boundary of the area  
6 proposed to be annexed that is coterminous with a portion of the  
7 boundary between two counties in this state, need be signed by only the  
8 owners of not less than fifty percent in value according to the  
9 assessed valuation for general taxation of the property for which the  
10 annexation is petitioned. Such petition shall set forth a description  
11 of the property according to government legal subdivisions or legal  
12 plats and shall be accompanied by a map which outlines the boundaries  
13 of the property sought to be annexed. If the legislative body has  
14 required the assumption of all or any portion of city indebtedness by  
15 the area annexed or the adoption of a proposed zoning regulation, these  
16 facts, together with a quotation of the minute entry of such  
17 requirement, or requirements, shall also be set forth in the petition.

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