

# HOUSE BILL REPORT

## HB 1699

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### As Reported by House Committee On: Local Government

**Title:** An act relating to the deannexation of a portion of land from a park and recreation district.

**Brief Description:** Concerning the deannexation of a portion of land from a park and recreation district.

**Sponsors:** Representatives Eslick, Peterson and Griffey.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 2/8/19, 2/19/19 [DP].

#### **Brief Summary of Bill**

- Authorizes a city, town, or county to deannex a portion of a jurisdiction from a parks and recreation district.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives Pollet, Chair; Peterson, Vice Chair; Kraft, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Appleton, Goehner and Senn.

**Staff:** Yvonne Walker (786-7841).

#### **Background:**

A park and recreation district (district) is a type of special purpose district created to provide leisure time activities, facilities, and recreational facilities as a public service to the residents of the area within its boundaries. Its area may include incorporated and unincorporated property. The process of creating a district requires the submission of a petition to the county signed by 15 percent of the registered voters within the area proposed to encompass the district. The board of county commissioners specifies the boundaries of the proposed district and, together with any funding obligations, presents the matter to the voters in the form of a ballot proposition for approval.

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*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.*

A district is governed by a board of five elected commissioners with 4-year staggered terms. The district may fund its operations by means of excess levies and regular property tax levies. Disposal of property must be by unanimous vote of the district commissioners.

Dissolution of Park and Recreation District.

A dissolution of a district is conducted in the same manner as required of port districts. For the purpose of a dissolution of a district, a petition must be signed either by a majority of commissioners or other governing authority of the district and submitted to the superior court. Upon the filing of the petition, a hearing date must be set along with public notice of the hearing. After the hearing, the court must enter an order dissolving or refusing to dissolve the district. If the court finds that dissolution of the district is to take place then the court must order the sale of the district's assets. A second hearing date and public notice must take place prior to the court ordering the sale of any district property.

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**Summary of Bill:**

A city, town, or county, which is part of a parks and recreation district (district), is authorized to withdraw that portion of the city, town, or county, from the district.

A city, town, or county may withdraw that portion of the local jurisdiction from the district when:

- both the governing body of a district and the governing body of the local jurisdiction, which are part of the district, adopt a resolution and findings of fact supporting deannexation of that portion of the local jurisdiction that is part of the district;
- ten percent of the voters, from the last general election, of the city or county petition the governing officials for such a vote; or
- a district located in a county with a population of 210,000 or more has not actively carried out any of the purposes or functions of the district in the preceding five years for which the district was formed.

After adoption of the resolution, receipt of the petition with the requisite number of voters, or a determination that the district has been inactive, the governing body of the city, town, or county must: (1) draft a ballot; (2) give appropriate notice to the public regarding the ballot measure; and (3) submit the ballot to the voters of the city, town, or county, which are part of the district at the next general election.

If 50 percent of the total persons voting on the ballot measure approve the deannexation, the ballot measure is approved and the deannexation becomes effective at the end of the day on December 31 in the year in which the ballot measure was approved. Property that is withdrawn from a district is not exempt from taxation for the purpose of paying the costs of redeeming any indebtedness of the district existing at the time of the withdrawal.

An area that has been withdrawn from a district may also be reannexed back into the district upon adoption of a resolution by the: (1) governing body proposing the reannexation; and (2) the district approving the reannexation.

The reannexation becomes effective at the end of the day on December 31 in the year in which the adoption of the second resolution occurs. However, for purposes of establishing boundaries for property tax purposes, the boundaries must be established immediately upon the adoption of the second resolution.

Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the district within a 30-day period after the adoption of the second resolution. The petition must be signed by registered voters of the area proposed to be reannexed equal in number to 10 percent of the total number of the registered voters residing in that area. If a valid petition is filed, a ballot proposition authorizing the reannexation must be submitted to the voters of the area at the next special election date. The ballot is approved by a simple majority vote.

The term "deannex" means to withdraw a specified portion of land from a park and recreation district.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Parks departments often suffer because they share general fund revenue with public safety and other general fund services. One of the tools that districts have to generate park funding is through the creation of metropolitan park districts.

While looking for ways to generate funding in the City of Monroe, it was discovered that the city was already part of an old, nonfunctioning parks district. This park district had a single asset which was physically and geographically separate from the City of Monroe. In fact, the City of Monroe residents do not even use this park. After further research, it was discovered that there was no statute that allows a district to deannex from a park district unlike many of the other special purpose districts.

This bill, which was crafted with plenty of public input, would allow a city to deannex from a park district upon the approval vote of the people. This bill would address situations where a city pays into a district but does not collect any viable services because the park district has been dormant for years. The City of Monroe is an example of why it makes sense to deannex from an old, unused district and subsequently create its own metropolitan park district.

(Opposed) None.

(Other) Some residents residing in the City of Sammamish are paying for parks services through their property taxes both through the metropolitan district and to the City of Sammamish. They would like to only have to pay for one set of parks. As a result, it is proposed that this bill be amended to include metropolitan park districts in the deannexation process. However, due to the title of the bill, the committee may not be able to amend the current version of the bill.

**Persons Testifying:** (In support) Representative Eslick, prime sponsor; Deborah Knight, City of Monroe; and Paul Simmons, Washington Recreation and Parks Association.

(Other) Nick Federici, City of Sammamish.

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