

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: Monday, February 22, 2016
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Luker, Vice Chairman Sims, Representatives Barbieri, Perry, Clow, Horman, Malek (Chadderdon), Collins, Cheatham, Loertscher, Redman, Kloc, McCrostie, Nye
**ABSENT/
EXCUSED:** Representative(s) Perry
GUESTS: None

Chairman Luker called the meeting to order at 1:31 P.M.

Chairman Luker introduced the committee's page **Rebecca Georgeson**.

H 406: **Rep. Gestrin** presented **H 406**. This legislation amends the water and sewer district law by providing a process for the district to annex a city and the city has the ability to approve or deny the requests. Currently two public entities doing the same function in the same geographical area using the same water and sewer treatment facility can combine and provide a cost effective service to the patrons.

William F. Gigray, Attorney, White Peterson Law, is presenting on behalf of **H 406**. There is an amendment to section 4, which will clarify that this proposed process for annexation does not interfere with the existing process for annexation into a water or sewer district that is in Idaho Code 42-3218. This bill proposes an additional method by which areas within a city can be annexed into a water and sewer district or can be withdrawn. Currently there is only one process allowed which refers to petitions from property owners within cities to seek annexation into water or sewer districts and that is done by individual property owners, or owners of parcels that own 60% of the area that is to be annexed, or having 20% of landowners who are also tax payers petition to be annexed into a water or sewer district.

Mr. Gigray stated that this legislation will amend the water and sewer district law by providing a process for the governing bodies of a water and sewer district and a city to include or remove areas within a city, to or from a water and/or sewer district by resolution and/or ordinance, subject to minimum qualifications where there is an existing water or sewer system. This legislation provides a process for public hearings and special election options. This maintains the status of a recreational water and sewer district upon completion of the annexation, and it provides an option to establish residence zones for election of directors of water and sewer districts.

Mr. Gigray explained this legislation would provided an additional option for cities and districts to consolidate water and sewer services under one governance to reduce cost and improve efficiency. It would help with the expense of constructing and maintaining portable water and sanitary sewer systems. The steps for the process of adding this additional annexation tool include, the governing boards drafting an agreement of annexation or withdrawal including post withdrawal or annexation operations, then both governing boards hold a joint public hearing to receive testimony. This is preceded by a published notice with the information, then a joint public hearing is held, followed by both governing boards either taking 30 days or the approved resolution for a special election then both governing boards approve a resolution or ordinance including terms and conditions. The final step

would require a certification or ordinance and election to District Court for Order of annexation or withdrawal.

In response to committee questions **Mr. Gigray** stated that yes the amendment resolves concerns with this legislation.

MOTION

Rep. Malek made a motion to send **H 406** to General Orders with an amendment attached. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 1:57 P.M.

Representative Luker
Chair

Chelsea Cantrell
Secretary