

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 185

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1  
2 RELATING TO FLOOD CONTROL DISTRICTS; AMENDING SECTION 42-3129, IDAHO CODE,  
3 TO PROVIDE THAT LANDS PROPOSED TO BE ANNEXED TO A DISTRICT MAY BE CON-  
4 TIGUOUS OR NONCONTIGUOUS TO THE EXISTING DISTRICT; AND AMENDING SECTION  
5 42-3133, IDAHO CODE, TO PROVIDE THAT LANDS PROPOSED TO BE ANNEXED TO A  
6 DISTRICT MAY BE CONTIGUOUS OR NONCONTIGUOUS TO THE EXISTING DISTRICT  
7 AND TO MAKE A TECHNICAL CORRECTION.

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 42-3129, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 42-3129. PETITION FOR ANNEXATION OF LAND. The holder or holders of any  
12 title, or evidence of title, representing any body of lands, may file with  
13 the board of commissioners of a flood control district a petition in writing  
14 praying that said land may be annexed into the district. The lands proposed  
15 to be annexed to the district may be contiguous or noncontiguous to the ex-  
16 isting boundaries of the district. The petition shall be submitted on a form  
17 provided by the district. The petition shall contain a legal description of  
18 the lands proposed to be annexed and any other information the district may  
19 require, and the petitioners shall state under oath that petitioners hold  
20 title to the lands. The board may require petitioners to advance to the dis-  
21 trict sufficient money to pay the district's estimated costs of proceedings  
22 on the petition.

23 SECTION 2. That Section 42-3133, Idaho Code, be, and the same is hereby  
24 amended to read as follows:

25 42-3133. ORDER REJECTING OR ACCEPTING PETITION. If the board of com-  
26 missioners deems a proposed annexation not to be in the best interest of the  
27 district, the board shall reject the petition. If the board deems the pro-  
28 posed annexation in the best interest of the district, the board may order  
29 the lands identified in the petition or some part thereof be annexed into the  
30 district. The lands annexed to the district may be contiguous or noncontigu-  
31 ous to the existing boundaries of the district. The annexation order shall  
32 describe the lands to be annexed into the district, and the board may cause a  
33 survey thereof to be made if deemed necessary. Thereafter, the annexed land  
34 shall be included within the boundaries of the district and shall be subject  
35 to such assessments from time to time as the board levies pursuant to section  
36 42-3115, Idaho Code. The board shall state in its minutes at its next regular  
37 meeting in which division in the district the annexed lands shall be included  
38 ~~in~~, and, if it deems necessary, the board shall make an order redividing the  
39 district into divisions, in the same manner and to like effect, as near as may  
40 be, as provided for that purpose on the formation of the district.