

2 **HB 2008** - S COMM AMD

3 By Committee on Government Operations

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 85.22.010 and 1933 c 182 s 1 are each amended to read
8 as follows:

9 Any diking district (~~organized under the provisions of chapter~~
10 ~~CXVII (117) of the Laws of 1895, and the acts amendatory thereof, which~~
11 ~~has been reorganized under the provisions of chapter 131 of the Laws of~~
12 ~~1917, and the acts amendatory thereof, and any~~); drainage district
13 (~~organized under the provisions of chapter CXV (115) of the Laws of~~
14 ~~1895, and the acts amendatory thereof, whether the same has been~~
15 ~~organized as a drainage and irrigation improvement district or as a~~
16 ~~drainage district,~~); irrigation district; intercounty diking and
17 drainage district; diking, drainage, and/or sewerage improvement
18 district; consolidated diking district, drainage district, diking
19 improvement district, and/or drainage improvement district; or flood
20 control district may reorganize as a drainage and irrigation
21 improvement district or as a diking, drainage and irrigation
22 improvement district in the manner provided in this chapter.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 85.38 RCW
24 to read as follows:

25 A special district may withdraw area from its boundaries that is
26 located within the boundaries of a city or town, or area that includes
27 area both within and adjacent to the boundaries of any city or town,
28 under this section.

29 (1) The withdrawal of area is authorized upon the following
30 conditions being met: (a) Adoption of a resolution by the special
31 district requesting withdrawal of the area from the district; (b)
32 adoption of a resolution by the city or town council approving the
33 withdrawal of the special district from the area; (c) assumption by the
34 city or town of full responsibility for the maintenance, improvements,
35 and collection of payment for the operation of the system previously

1 operated by the special district in the area; (d) transfer by the
2 special district of all rights-of-way or easements in the area to the
3 city or town by quit claim or deed; and (e) adoption of an interlocal
4 agreement between the special district and the city or town that
5 reimburses the special district for lost assessment revenue from the
6 withdrawn area, that transfers any facilities or improvements owned by
7 the special district to the city or town as agreed between the parties,
8 and that requires the city or town to maintain existing water run-off
9 and water quality levels in the area.

10 (2) Property in the territory withdrawn from the boundaries of a
11 special district under this section shall remain liable for any special
12 assessments of the special district from which it was withdrawn, if the
13 special assessments are associated with bonds or notes used to finance
14 facilities serving the property, to the same extent as if the
15 withdrawal of property had not occurred.

16 **Sec. 3.** RCW 85.38.140 and 1985 c 396 s 15 are each amended to read
17 as follows:

18 The process by which budgets are adopted, special assessments are
19 measured and imposed, rates and charges are fixed, and assessment zones
20 are established, as provided in RCW 85.38.140 through 85.38.170, shall
21 constitute an alternative optional method of financing special
22 districts. A special district in existence prior to July 28, 1985, may
23 conform with RCW 85.38.140 through 85.38.170 when its governing body
24 adopts a resolution indicating its intention to conform with such laws.
25 Whenever such a resolution is adopted, or a new special district is
26 created on or after July 28, 1985, RCW 85.38.140 through 85.38.170
27 shall be the exclusive method by which the special district measures
28 and imposes special assessments and adopts its budget. The governing
29 body of a special district that was created before July 28, 1985, and
30 which operates under RCW 85.38.140 through 85.38.170, may adopt a
31 resolution removing the special district from operating under RCW
32 85.38.140 through 85.38.170, and operate under alternative procedures
33 available to the special district. A county may charge a special
34 district for costs the county incurs in establishing a system or
35 systems of assessment for the special district pursuant to RCW
36 85.38.140 through 85.38.170.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 85.38 RCW
2 to read as follows:

3 Regardless of whether any special assessments have been or may be
4 imposed on a particular parcel of real property pursuant to this
5 chapter, in order to implement the authority granted under RCW
6 85.38.180(3), a special district may fix rates and charges payable by
7 owners or occupiers of real estate within the special district. When
8 fixing rates and charges, the district may consider the degree to which
9 activities on a parcel of real property, including on-site septic
10 systems, contribute to the problems that the special district is
11 authorized to address under RCW 85.38.180(3).

12 NEW SECTION. **Sec. 5.** RCW 85.07.080 and 1983 c 167 s 191 and 1935
13 c 103 s 3 are each repealed."

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17 On page 1, line 1 of the title, after "districts;" strike the
18 remainder of the title and insert "amending RCW 85.22.010 and
19 85.38.140; adding new sections to chapter 85.38 RCW; and repealing RCW
20 85.07.080."

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