

SENATE BILL REPORT

HB 2008

AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS, APRIL 2, 1993

**Brief Description:** Affecting withdrawal of territory by special districts.

**SPONSORS:** Representative Dunshee

**HOUSE COMMITTEE ON LOCAL GOVERNMENT**

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Majority Report:** Do pass as amended.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, and Winsley.

**Staff:** Katie Healy (786-7784)

**Hearing Dates:** March 30, 1993; April 2, 1993

**BACKGROUND:**

A variety of special districts exist which provide diking, drainage, and flood control facilities and operation. These districts are given specific powers, including the ability to annex property, consolidate districts, transfer territory from one district to another, or dissolve the district. No process for withdrawing territory from one of these districts is presently available.

The statute regarding funding bonds for special districts was both amended and repealed in 1983. Clarification is required as to the repealing of the section.

**SUMMARY:**

Reorganization of special districts now delineates the types of districts which may reorganize as a drainage and irrigation improvement district or as a diking, drainage and irrigation improvement district, deleting extraneous language.

A special district is empowered to withdraw certain areas from its boundaries. The withdrawal is conditioned upon five specific requirements relating to transfer of powers and funding being met. Property withdrawn from a special district's boundaries remains liable for any special assessments related to bonds or notes used to finance facilities serving the property.

The section regarding proceeds of funding bonds for special districts is repealed.

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

A special district may fix rates and charges related to water quality enhancement activities. These may be based on the degree to which activities on certain property contribute to water quality problems addressed by the district.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

A city annexed a diking district and now wants the area withdrawn. The amendment clarifies the specific authority granted the districts in 1991. A problem arose at Lake Stevens in the district's efforts to revitalize the lake. Those on septic systems and not on sewers disproportionately contribute to the pollution problem. To continue to fund the district's efforts is counterproductive if it cannot properly assess those who contribute most significantly to the problem.

**TESTIMONY AGAINST:** None

**TESTIFIED:** J. Steven Thomas, Ken Withrow, Drainage Improvement District #8 (pro)