

CERTIFICATION OF ENROLLMENT

SENATE BILL 5767

54th Legislature
1995 Regular Session

Passed by the Senate March 10, 1995
YEAS 45 NAYS 0

President of the Senate

Passed by the House April 6, 1995
YEAS 97 NAYS 0

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5767** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5767

Passed Legislature - 1995 Regular Session

State of Washington

54th Legislature

1995 Regular Session

By Senators Deccio and McCaslin

Read first time 02/06/95. Referred to Committee on Government Operations.

1 AN ACT Relating to municipal irrigation assessment districts; and
2 amending RCW 35.92.220 and 35.92.230.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 35.92.220 and 1965 c 130 s 1 are each amended to read
5 as follows:

6 (1) A city or town, situated within or served by, an irrigation
7 project, or projects, owned or operated by the United States
8 government, a water users' association, associations, corporation, or
9 corporations or another city or town or towns, where the legislative
10 authority deems it feasible to furnish water for irrigation and
11 domestic purposes, or either, and where the water used for irrigation
12 and domestic purposes or either, is appurtenant or may become
13 appurtenant to the land located within such city or town, may purchase,
14 lease, or otherwise acquire water or water rights for the purpose of
15 furnishing the city or town and the inhabitants thereof with a supply
16 of water for irrigation and domestic purposes, or either; purchase,
17 construct, or otherwise acquire systems and means of distribution and
18 delivery of water within and without the limits of the city or town, or
19 for the delivery of water where the owner of land within the city or

1 town owns a water right appurtenant to his or her land, with full power
2 to maintain, repair, reconstruct, regulate, and control the same, and
3 if private property is necessary for such purposes, the city or town
4 may condemn and purchase or purchase and acquire property, enter into
5 any contract, and order any and all work to be done (~~(which shall be)~~)
6 that is necessary to carry out such purposes, and it may do so either
7 by the entire city or town or by assessment districts, consisting of
8 the whole or any portion thereof, as the legislative authority of the
9 city or town may determine.

10 (2) The legislative authority of any city or town may by ordinance
11 authorize the consolidation of separate irrigation assessment
12 districts, previously established pursuant to this section, for the
13 purposes of construction or rehabilitation of improvements, or of
14 ongoing administration, service, repair, and reconstruction of
15 irrigation systems. The separate irrigation assessment districts to be
16 consolidated need not be adjoining, vicinal, or neighboring. If the
17 legislative authority orders the creation of such consolidated
18 irrigation assessment districts, the money received and on hand from
19 assessments levied within the original districts shall be deposited in
20 a consolidated fund to be used by the municipality for future expenses
21 within the consolidated district.

22 **Sec. 2.** RCW 35.92.230 and 1965 c 130 s 2 are each amended to read
23 as follows:

24 For the purpose of paying for a water right purchased by the city
25 or town from the United States government where the purchase price has
26 not been fully paid; paying annual maintenance or annual rental charge
27 to the United States government or any corporation or individual
28 furnishing the water for irrigation and domestic purposes, or either;
29 paying assessments made by any water users' association; paying the
30 cost of constructing or acquiring any system or means of distribution
31 or delivery of water for (~~(said)~~) such purposes; and for the upkeep,
32 repair, reconstruction, operation, and maintenance thereof;
33 accumulating reasonable operating fund reserves to pay for system
34 upkeep, repair, operation, and maintenance, in such amount as is
35 determined by the city or town legislative authority; accumulating
36 reasonable capital fund reserves in an amount not to exceed the total
37 estimated cost of system construction, reconstruction, or
38 refurbishment, over such period of time as is determined by the city or

1 town legislative authority; and for any expense incidental to ((said))
2 such purposes, the city or town may levy and collect special
3 assessments against the property within any district created pursuant
4 to RCW 35.92.220 ((as now or hereafter amended)), to pay the whole or
5 any part of any such costs and expenses.

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