
HOUSE BILL 2973

State of Washington 52nd Legislature 1992 Regular Session

By Representative Haugen

Read first time 02/07/92. Referred to Committee on Local Government.

1 AN ACT Relating to special districts; amending RCW 85.22.010;
2 adding a new sections to chapter 85.38 RCW; and repealing RCW
3 85.07.080.

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

5 **Sec. 1.** RCW 85.22.010 and 1933 c 182 s 1 are each amended to read
6 as follows:

7 Any diking district (~~organized under the provisions of chapter~~
8 ~~CXVII (117) of the Laws of 1895, and the acts amendatory thereof, which~~
9 ~~has been reorganized under the provisions of chapter 131 of the Laws of~~
10 ~~1917, and the acts amendatory thereof, and any~~); drainage district
11 (~~organized under the provisions of chapter CXV (115) of the Laws of~~
12 ~~1895, and the acts amendatory thereof, whether the same has been~~
13 ~~organized as a drainage and irrigation improvement district or as a~~
14 ~~drainage district,~~); irrigation district; intercounty diking and

1 drainage district; diking, drainage, and/or sewerage improvement
2 district; consolidated diking district, drainage district, diking
3 improvement district, and/or drainage improvement district; or flood
4 control district may reorganize as a drainage and irrigation
5 improvement district or as a diking, drainage and irrigation
6 improvement district in the manner provided in this chapter.

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

9 A special district may withdraw area from its boundaries that is
10 located within the boundaries of a city or town, or area that includes
11 area both within and adjacent to the boundaries of any city or town,
12 under this section.

13 (1) The withdrawal of area is authorized upon the following
14 conditions being met: (a) Adoption of a resolution by the special
15 district requesting withdrawal of the area from the district; (b)
16 adoption of a resolution by the city or town council approving the
17 withdrawal of the special district from the area; (c) assumption by the
18 city or town of full responsibility for the maintenance, improvements,
19 and collection of payment for the operation of the system previously
20 operated by the special district in the area; (d) transfer by the
21 special district of all rights-of-way or easements in the area to the
22 city or town by quit claim or deed; and (e) adoption of an interlocal
23 agreement between the special district and the city or town that
24 reimburses the special district for lost assessment revenue from the
25 withdrawn area, that transfers any facilities or improvements owned by
26 the special district to the city or town as agreed between the parties,
27 and that requires the city or town to maintain existing water run-off
28 and water quality levels in the area.

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

7 NEW SECTION. **Sec. 3.** RCW 85.07.080 and 1983 c 167 s 191 and
8 1935 c 103 s 3 are each repealed.