
SENATE BILL 5047

State of Washington

53rd Legislature

1993 Regular Session

By Senator Haugen

Read first time 01/11/93. Referred to Committee on Government Operations.

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

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

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

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

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

3 A special district may withdraw area from its boundaries that is
4 located within the boundaries of a city or town, or area that includes
5 area both within and adjacent to the boundaries of any city or town,
6 under this section.

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

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

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

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