

SSB 5409 - S AMD 43
By Senator Mulliken

WITHDRAWN 03/06/2003

1 On page 12, after line 14, insert the following:

2 "Sec. 14. RCW 35A.14.380 and 1981 c 332 s 8 are each amended to
3 read as follows:

4 If a portion of a fire protection district including at least sixty
5 percent of the assessed valuation of the real property of the district
6 is annexed to or incorporated into a code city, ownership of all of the
7 assets of the district shall be vested in the code city, upon payment
8 in cash, properties or contracts for fire protection services to the
9 district within one year, of a percentage of the value of said assets
10 equal to the percentage of the value of the real property in the entire
11 district remaining outside the incorporated or annexed area.

12 The fire protection district may elect, by a vote of a majority of
13 the persons residing outside the annexed area who vote on the
14 proposition, to require the annexing code city to assume responsibility
15 for the provision of fire protection, and for the operation and
16 maintenance of the district's property, facilities, and equipment
17 throughout the district and to pay the code city a reasonable fee for
18 such fire protection, operation, and maintenance.

19 If all of a fire protection district is included in an area that
20 incorporates as a city or town or is annexed to a city or town or fire
21 protection district, all of the assets and liabilities of the fire
22 protection district shall be transferred to the newly incorporated city
23 or town on the date on which the fire protection district ceases to
24 provide fire protection services pursuant to RCW 52.04.161 or to the
25 city or town or fire protection district upon the annexation.

26 NEW SECTION. Sec. 15. The following acts or parts of acts are
27 each repealed:

28 (1) RCW 35.02.200 (Annexation/incorporation of fire protection

1 district--Ownership of assets of fire protection district--When less
2 than sixty percent) and 1997 c 245 s 2;

3 (2) RCW 35.02.202 (Annexation/incorporation of fire protection
4 district--Delay of transfer) and 1991 c 360 s 7;

5 (3) RCW 35.02.205 (Annexation/incorporation of fire protection
6 district--Distribution of assets of district when less than five
7 percent of district annexed--Distribution agreement--Arbitration) and
8 1993 c 262 s 4 & 1989 c 267 s 3; and

9 (4) RCW 35A.14.400 (Ownership of assets of fire protection
10 district--When less than sixty percent of assessed valuation is annexed
11 or incorporated in code city) and 1989 c 267 s 2 & 1967 ex.s. c 119 s
12 35A.14.400."

13 Renumber the remaining sections and correct any internal
14 references.

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15 On page 1, line 1 of the title, after "Relating to" strike the
16 remainder of the title and insert "annexation or incorporation of
17 unincorporated territory; amending RCW 35.21.005, 35A.01.040, and
18 35A.14.380; adding new sections to chapter 35.13 RCW; adding new
19 sections to chapter 35A.14 RCW; creating new sections; repealing RCW
20 35.02.200, 35.02.202, 35.02.205, and 35A.14.400; and declaring an
21 emergency."

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