
HOUSE BILL 1368

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Haugen, R. King, H. Sommers, Prince, Silver, Morris, Wood, Moyer and Miller; by request of Department of Wildlife.

Read first time January 28, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to local assessments against public lands used for
2 wildlife conservation and recreational purposes; and amending RCW
3 77.12.230, 35.43.042, 35.43.050, 35.44.010, 35.58.500, 36.61.010,
4 36.69.200, 36.73.080, 36.83.050, 36.88.080, 36.89.085, 36.94.140,
5 52.20.010, 53.08.050, 53.20.050, 54.16.120, 56.08.012, 56.20.010,
6 57.16.050, 79.44.010, and 86.15.160.

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

8 **Sec. 1.** RCW 77.12.230 and 1987 c 506 s 32 are each amended to read
9 as follows:

10 The director may pay lawful local improvement district assessments
11 for projects that may benefit wildlife or wildlife-oriented recreation
12 made against lands held by the state for department purposes(~~(.—The~~
13 ~~payments may be made from money appropriated from the state wildlife~~
14 ~~fund to the department)), provided the assessments, rates, and charges
15 do not exceed the rates and charges to which private property is~~

1 subject. The director shall not be required to pay, and department
2 lands shall not be subject to, any local improvement district
3 assessment in excess of the lowest assessments, rates, and charges or
4 class of assessments, rates, and charges that private property is
5 subject to in that district.

6 **Sec. 2.** RCW 35.43.042 and 1969 ex.s. c 258 s 2 are each amended to
7 read as follows:

8 Whenever the legislative authority of any city or town has provided
9 pursuant to law for the acquisition, construction, reconstruction,
10 purchase, condemnation and purchase, addition to, repair, or renewal of
11 the whole or any portion of a:

12 (1) System for providing the city or town and the inhabitants
13 thereof with water, which system includes as a whole or as a part
14 thereof water mains, hydrants or appurtenances which are authorized
15 subjects for local improvements under RCW 35.43.040(13) or other law;
16 or a

17 (2) System for providing the city or town with sewerage and storm
18 or surface water disposal, which system includes as a whole or as a
19 part thereof drains, sewers or sewer appurtenances which are authorized
20 subjects for local improvements under RCW 35.43.040(7) or other law; or

21 (3) Off-street parking facilities; and

22 Has further provided in accordance with any applicable provisions
23 of the Constitution or statutory authority for the issuance and sale of
24 revenue bonds to pay the cost of all or a portion of any such system,
25 such legislative authority shall have the authority to establish
26 utility local improvement districts, and to levy special assessments on
27 all property specially benefited by any such local improvement to pay
28 in whole or in part the damages or costs of any local improvements so
29 provided for.

1 The initiation and formation of such utility local improvement
2 districts and the levying, collection and enforcement of assessments
3 shall be in the manner and subject to the same procedures and
4 limitations as are now or hereafter provided by law for the initiation
5 and formation of local improvement districts in cities and towns and
6 the levying, collection and enforcement of assessments pursuant
7 thereto.

8 It must be specified in any petition or resolution initiating the
9 formation of such a utility local improvement district in a city or
10 town and in the ordinance ordered pursuant thereto, that the
11 assessments shall be for the sole purpose of payment into such revenue
12 bond fund as may be specified by the legislative authority for the
13 payment of revenue bonds issued to defray the cost of such system or
14 facilities or any portion thereof as provided for in this section.

15 Assessments in any such utility local improvement district may be
16 made on the basis of special benefits up to but not in excess of the
17 total cost of the local improvements portion of any system or
18 facilities payable by issuance of revenue bonds. Assessments against
19 department of wildlife land shall be subject to RCW 77.12.230. No
20 warrants or bonds shall be issued in any such utility local improvement
21 district, but the collection of interest and principal on all
22 assessments in such utility local improvement district, when collected,
23 shall be paid into any such revenue bond fund.

24 When in the petition or resolution for establishment of a local
25 improvement district and in the ordinance ordered pursuant thereto, it
26 is specified or provided that the assessments shall be for the sole
27 purpose of payment into a revenue bond fund for the payment of revenue
28 bonds, then the local improvement district shall be designated a
29 "utility local improvement district".

1 The provisions of chapters 35.45, 35.47 and 35.48 RCW shall have no
2 application to utility local improvement districts created under
3 authority of this section.

4 **Sec. 3.** RCW 35.43.050 and 1985 c 397 s 2 are each amended to read
5 as follows:

6 When the legislative body of any city or town finds that all of the
7 property within a local improvement district or utility local
8 improvement district will be benefited by the improvements as a whole,
9 a local improvement district or utility local improvement district may
10 include adjoining, vicinal, or neighboring streets, avenues, and alleys
11 or other improvements even though the improvements thus made are not
12 connected or continuous. The assessment rates may be ascertained on
13 the basis of the special benefit of the improvements as a whole to the
14 properties within the entire local improvement district or utility
15 local improvement district, or on the basis of the benefit of each unit
16 of the improvements to the properties specially benefited by that unit,
17 or the assessment rates may be ascertained by a combination of the two
18 bases. Assessments against department of wildlife land shall be
19 subject to RCW 77.12.230. Where no finding is made by the legislative
20 body as to the benefit of the improvements as a whole to all of the
21 property within a local improvement district or utility local
22 improvement district, the cost and expense of each continuous unit of
23 the improvements shall be ascertained separately, as near as may be,
24 and the assessment rates shall be computed on the basis of the cost and
25 expense of each unit. In the event of the initiation of a local
26 improvement district authorized by this section or a utility local
27 improvement district authorized by this section, the legislative body
28 may, in its discretion, eliminate from the district any unit of the
29 improvement which is not connected or continuous and may proceed with

1 the balance of the improvement within the local improvement district or
2 utility local improvement district, as fully and completely as though
3 the eliminated unit had not been included within the improvement
4 district, without the giving of any notices to the property owners
5 remaining within the district, other than such notices as are required
6 by the provisions of this chapter to be given subsequent to such
7 elimination.

8 **Sec. 4.** RCW 35.44.010 and 1985 c 397 s 3 are each amended to read
9 as follows:

10 All property included within the limits of a local improvement
11 district or utility local improvement district shall be considered to
12 be the property specially benefited by the local improvement and shall
13 be the property to be assessed to pay the cost and expense thereof or
14 such part thereof as may be chargeable against the property specially
15 benefited. The cost and expense shall be assessed upon all the
16 property in accordance with the special benefits conferred thereon.
17 Assessments against department of wildlife land shall be subject to RCW
18 77.12.230.

19 **Sec. 5.** RCW 35.58.500 and 1965 c 7 s 35.58.500 are each amended to
20 read as follows:

21 The metropolitan municipal corporation shall have the power to levy
22 special assessments payable over a period of not exceeding twenty years
23 on all property within the metropolitan area specially benefited by any
24 improvement, on the basis of special benefits conferred, to pay in
25 whole, or in part, the damages or costs of any such improvement, and
26 for such purpose may establish local improvement districts and enlarged
27 local improvement districts, issue local improvement warrants and bonds
28 to be repaid by the collection of local improvement assessments and

1 generally to exercise with respect to any improvements which it may be
2 authorized to construct or acquire the same powers as may now or
3 hereafter be conferred by law upon cities of the first class.
4 Assessments against department of wildlife land shall be subject to RCW
5 77.12.230. Such local improvement districts shall be created and such
6 special assessments levied and collected and local improvement warrants
7 and bonds issued and sold in the same manner as shall now or hereafter
8 be provided by law for cities of the first class. The duties imposed
9 upon the city treasurer under such acts shall be imposed upon the
10 treasurer of the county in which such local improvement district shall
11 be located.

12 A metropolitan municipal corporation may provide that special
13 benefit assessments levied in any local improvement district may be
14 paid into such revenue bond redemption fund or funds as may be
15 designated by the metropolitan council to secure the payment of revenue
16 bonds issued to provide funds to pay the cost of improvements for which
17 such assessments were levied. If local improvement district
18 assessments shall be levied for payment into a revenue bond fund, the
19 local improvement district created therefor shall be designated a
20 utility local improvement district.

21 **Sec. 6.** RCW 36.61.010 and 1987 c 432 s 1 are each amended to read
22 as follows:

23 The legislature finds that the environmental, recreational, and
24 aesthetic values of many of the state's lakes are threatened by
25 eutrophication and other deterioration and that existing governmental
26 authorities are unable to adequately improve and maintain the quality
27 of the state's lakes.

28 It is the purpose of this chapter to establish a governmental
29 mechanism by which property owners can embark on a program of lake

1 improvement and maintenance for their and the general public's benefit,
2 health, and welfare. Public property, including state property, shall
3 be considered the same as private property in this chapter, except
4 liens for special assessments and liens for rates and charges shall not
5 extend to public property. Lake bottom property shall not be
6 considered to be benefited, shall not be subject to special assessments
7 or rates and charges, and shall not receive voting rights under this
8 chapter. Assessments against department of wildlife land shall be
9 subject to RCW 77.12.230.

10 **Sec. 7.** RCW 36.69.200 and 1983 c 167 s 85 are each amended to read
11 as follows:

12 (1) Whenever the board of park and recreation commissioners of any
13 district shall determine that any proposed capital improvement would be
14 of special benefit to all or to any portion of the district, it may
15 establish local improvement districts within its territory; levy
16 special assessments under the mode of annual installments extending
17 over a period not exceeding twenty years, on all property specially
18 benefited by a local improvement, on the basis of special benefits to
19 pay in whole or in part the damage or costs of any improvements ordered
20 in the district; and issue local improvement bonds in the improvement
21 district to be repaid by the collection of local improvement
22 assessments. The method of establishment, levying, collection and
23 enforcement of such assessments and issuance and redemption of local
24 improvement warrants and bonds and the provisions regarding the
25 conclusiveness of the assessment roll and the review by the superior
26 court of any objections thereto shall be as provided for the levying,
27 collection, and enforcement of local improvement assessments and the
28 issuance of local improvement bonds by cities and towns, insofar as
29 consistent herewith. Assessments against department of wildlife land

1 shall be subject to RCW 77.12.230. The duties devolving upon the city
2 treasurer are hereby imposed upon the county treasurer for the purposes
3 hereof. The mode of assessment shall be determined by the board. Such
4 bonds may be in any form, including coupon bonds or registered bonds as
5 provided in RCW 39.46.030.

6 (2) Notwithstanding subsection (1) of this section, such bonds may
7 be issued and sold in accordance with chapter 39.46 RCW.

8 **Sec. 8.** RCW 36.73.080 and 1987 c 327 s 8 are each amended to read
9 as follows:

10 (1) A transportation benefit district may form a local improvement
11 district to provide any transportation improvement it has the authority
12 to provide, impose special assessments on all property specially
13 benefited by the transportation improvements, and issue special
14 assessment bonds or revenue bonds to fund the costs of the
15 transportation improvement. Local improvement districts shall be
16 created and assessments shall be made and collected pursuant to
17 chapters 35.43, 35.44, 35.49, 35.50, 35.51, 35.53, and 35.54 RCW.
18 Assessments against department of wildlife land shall be subject to RCW
19 77.12.230.

20 (2) The governing body of a transportation benefit district shall
21 by resolution establish for each special assessment bond issue the
22 amount, date, terms, conditions, denominations, maximum fixed or
23 variable interest rate or rates, maturity or maturities, redemption
24 rights, registration privileges, if any, covenants, and form, including
25 registration as to principal and interest, registration as to principal
26 only, or bearer. Registration may include, but not be limited to: (a)
27 A book entry system of recording the ownership of a bond whether or not
28 physical bonds are issued; or (b) recording the ownership of a bond
29 together with the requirement that the transfer of ownership may only

1 be effected by the surrender of the old bond and either the reissuance
2 of the old bond or the issuance of a new bond to the new owner.
3 Facsimile signatures may be used on the bonds and any coupons. The
4 maximum term of any special assessment bonds shall not exceed thirty
5 years beyond the date of issue. Special assessment bonds issued
6 pursuant to this section shall not be an indebtedness of the
7 transportation benefit district issuing the bonds, and the interest and
8 principal on the bonds shall only be payable from special assessments
9 made for the improvement for which the bonds were issued and any local
10 improvement guaranty fund that the transportation benefit district has
11 created. The owner or bearer of a special assessment bond or any
12 interest coupon issued pursuant to this section shall not have any
13 claim against the transportation benefit district arising from the bond
14 or coupon except for the payment from special assessments made for the
15 improvement for which the bonds were issued and any local improvement
16 guaranty fund the transportation benefit district has created. The
17 district issuing the special assessment bonds is not liable to the
18 owner or bearer of any special assessment bond or any interest coupon
19 issued pursuant to this section for any loss occurring in the lawful
20 operation of its local improvement guaranty fund. The substance of the
21 limitations included in this subsection shall be plainly printed,
22 written, or
23 engraved on each special assessment bond issued pursuant to this
24 section.

25 (3) Assessments shall reflect any credits given by a
26 transportation benefit district for real property or property right
27 donations made pursuant to RCW 47.14.030.

28 (4) The governing body may establish and pay moneys into a local
29 improvement guaranty fund to guarantee special assessment bonds issued
30 by the transportation benefit district.

1 **Sec. 9.** RCW 36.83.050 and 1983 c 130 s 5 are each amended to read
2 as follows:

3 (1) A service district may form a local improvement district or
4 utility local improvement district to provide any local improvement it
5 has the authority to provide, impose special assessments on all
6 property specially benefited by the local improvements, and issue
7 special assessment bonds or revenue bonds to fund the costs of the
8 local improvement. Improvement districts shall be created and
9 assessments shall be made and collected pursuant to chapters 35.43,
10 35.44, 35.49, 35.50, 35.53, and 35.54 RCW. Assessments against
11 department of wildlife land shall be subject to RCW 77.12.230.

12 (2) The governing body of a service district shall by resolution
13 establish for each special assessment bond issue the amount, date,
14 terms, conditions, denominations, maximum fixed or variable interest
15 rate or rates, maturity or maturities, redemption rights, registration
16 privileges, if any, covenants, and form, including registration as to
17 principal and interest, registration as to principal only, or bearer.
18 Registration may include, but not be limited to: (a) A book entry
19 system of recording the ownership of a bond whether or not physical
20 bonds are issued; or (b) recording the ownership of a bond together
21 with the requirement that the transfer of ownership may only be
22 effected by the surrender of the old bond and either the reissuance of
23 the old bond or the issuance of a new bond to the new owner. Facsimile
24 signatures may be used on the bonds and any coupons. The maximum term
25 of any special assessment bonds shall not exceed thirty years beyond
26 the date of issue. Special assessment bonds issued pursuant to this
27 section shall not be an indebtedness of the service district issuing
28 the bonds, and the interest and principal on the bonds shall only be
29 payable from special assessments made for the improvement for which the
30 bonds were issued and any local improvement guaranty fund that the

1 service district has created. The owner or bearer of a special
2 assessment bond or any interest coupon issued pursuant to this section
3 shall not have any claim against the service district arising from the
4 bond or coupon except for the payment from special assessments made for
5 the improvement for which the bonds were issued and any local
6 improvement guaranty fund the service district has created. The service
7 district issuing the special assessment bonds is not liable to the
8 owner or bearer of any special assessment bond or any interest coupon
9 issued pursuant to this section for any loss occurring in the lawful
10 operation of its local improvement guaranty fund. The substance of the
11 limitations included in this subsection shall be plainly printed,
12 written, or engraved on each special assessment bond issued pursuant to
13 this section.

14 (3) The governing body may establish and pay moneys into a local
15 improvement guaranty fund to guarantee special assessment bonds issued
16 by the service district.

17 (4) The governing body of a service district shall provide for the
18 payment of both the special assessments which are imposed and a portion
19 of the utility income from the utility improvement into a special fund
20 established for the payment of the revenue bonds to defray the cost of
21 the utility local improvement district whenever it desires to create a
22 utility local improvement district and issue revenue bonds to fund the
23 local improvement.

24 **Sec. 10.** RCW 36.88.080 and 1963 c 84 s 5 are each amended to read
25 as follows:

26 Every resolution ordering any improvement mentioned in this
27 chapter, payment for which shall be in whole or in part by special
28 assessments shall establish a road improvement district which shall
29 embrace as near as may be all the property specially benefited by such

1 improvement and the board shall apply thereto such method of assessment
2 as shall be deemed most practical and equitable under the conditions
3 prevailing: PROVIDED, That no assessment as determined by the board of
4 commissioners shall be levied which shall be greater than the special
5 benefits derived from the improvements. Assessments against department
6 of wildlife land shall be subject to RCW 77.12.230.

7 **Sec. 11.** RCW 36.89.085 and 1986 c 278 s 57 are each amended to
8 read as follows:

9 Except as otherwise provided in RCW 90.03.525, any public entity
10 and public property, including the state of Washington and state
11 property, shall be subject to rates and charges for storm water control
12 facilities to the same extent private persons and private property are
13 subject to such rates and charges that are imposed by counties pursuant
14 to RCW 36.89.080. In setting these rates and charges, consideration
15 may be made of in-kind services, such as stream improvements or
16 donation of property. Assessments against department of wildlife land
17 shall be subject to RCW 77.12.230.

18 **Sec. 12.** RCW 36.94.140 and 1990 c 133 s 2 are each amended to read
19 as follows:

20 Every county, in the operation of a system of sewerage and/or
21 water, shall have full jurisdiction and authority to manage, regulate
22 and control it and to fix, alter, regulate and control the rates and
23 charges for the service to those to whom such county service is
24 available, and to levy charges for connection to such system. The
25 rates for availability of service and connection charges so charged
26 must be uniform for the same class of customers or service.

1 In classifying customers served, service furnished or made
2 available by such system of sewerage and/or water, or the connection
3 charges, the board may consider any or all of the following factors:

4 (1) The difference in cost of service to the various customers
5 within or without the area;

6 (2) The difference in cost of maintenance, operation, repair and
7 replacement of the various parts of the systems;

8 (3) The different character of the service furnished various
9 customers;

10 (4) The quantity and quality of the sewage and/or water delivered
11 and the time of its delivery;

12 (5) Capital contributions made to the system or systems, including,
13 but not limited to, assessments;

14 (6) The cost of acquiring the system or portions of the system in
15 making system improvements necessary for the public health and safety;
16 and

17 (7) Any other matters which present a reasonable difference as a
18 ground for distinction.

19 Such rates shall produce revenues sufficient to take care of the
20 costs of maintenance and operation, revenue bond and warrant interest
21 and principal amortization requirements, and all other charges
22 necessary for the efficient and proper operation of the system.
23 Assessments against department of wildlife land shall be subject to RCW
24 77.12.230.

25 **Sec. 13.** RCW 52.20.010 and 1984 c 230 s 48 are each amended to
26 read as follows:

27 If, for fire protection or emergency medical purposes the
28 acquisition, maintenance, and operation of real property, buildings,
29 apparatus, and instrumentalities needed to provide such services are of

1 special benefit to part or all of the lands in the fire protection
2 district, the board of fire commissioners may include the lands in a
3 local improvement district, and may levy special assessments under a
4 mode of annual installments extending over a period not exceeding
5 twenty years on all property specially benefited by any local
6 improvement, on the basis of the special benefits to pay in whole or in
7 part the damages or costs of improvements ordered in the local
8 improvement district. Assessments against department of wildlife land
9 shall be subject to RCW 77.12.230. Local improvement districts may be
10 initiated either by resolution of the board of fire commissioners or by
11 petition signed by the owners of a majority of the acreage of lands to
12 be included within the local improvement district.

13 If the petition procedure is followed, the petition shall set forth
14 generally the necessity for the creation of a local improvement
15 district, outline the plan of fire or emergency medical protection to
16 be accomplished, and the means by which the cost shall be financed.
17 Upon receipt of a petition, the board of fire commissioners of the
18 district shall at its next regular meeting review the petition. The
19 owners of the lands as shown on the general tax roll in the county
20 treasurer's office, last equalized, shall be used to determine the
21 ownership of the lands to be included in the local improvement
22 district. If the petition is sufficient, the district board shall
23 consider the petition and determine whether the proposed local
24 improvement appears feasible and of special benefit to the lands
25 concerned.

26 If the board of fire commissioners (~~desire[s]~~) desires to
27 initiate the formation of a local improvement district by resolution,
28 it shall adopt a resolution declaring its intention to order the
29 proposed improvement, set forth the nature and territorial extent of
30 the proposed improvement, designate the number of the proposed

1 district, describe the boundaries, state the estimated costs and
2 expenses of the improvement and the proportionate amount of the costs
3 which will be borne by the property within the proposed district, and
4 fix a date, time, and place for a public hearing on the formation of
5 the proposed district.

6 **Sec. 14.** RCW 53.08.050 and 1983 c 167 s 132 are each amended to
7 read as follows:

8 (1) A district may establish local improvement districts within the
9 district, and levy special assessments, in annual installments
10 extending over a period not exceeding ten years on all property
11 specially benefited by the local improvement, on the basis of special
12 benefits, to pay in whole or in part the damages or costs of the local
13 improvement, and issue local improvement bonds to be paid from local
14 improvement assessments. Assessments against department of wildlife
15 land shall be subject to RCW 77.12.230. The levy and collection of
16 such assessments and issuance of such bonds shall be as provided for
17 the levy and collection of local improvement assessments and the
18 issuance of local improvement bonds by cities and towns, insofar as
19 consistent with this title: PROVIDED, That the duties of the
20 treasurers of such cities and towns in connection therewith shall be
21 performed by the county treasurer. Such bonds may be in any form,
22 including bearer bonds or registered bonds as provided in RCW
23 39.46.030.

24 (2) Notwithstanding subsection (1) of this section, such bonds may
25 be issued and sold in accordance with chapter 39.46 RCW.

26 **Sec. 15.** RCW 53.20.050 and 1985 c 469 s 52 are each amended to
27 read as follows:

1 Whenever a petition signed by one hundred freeholders in the
2 district to be therein described, shall be filed with the port
3 commission, asking that any portion of the general plan adopted be
4 ordered, and defining the boundaries of a local improvement district to
5 be assessed in whole or in part to pay the cost thereof, it shall be
6 the duty of the port commission to fix a date for hearing on the
7 petition, after which it may alter the boundaries of the proposed
8 district and prepare and adopt detail plans of any such local
9 improvement, declare the estimated cost thereof, what proportion of the
10 cost shall be borne by the proposed local improvement district, and
11 what proportion of the cost, if any, but in any event not to exceed
12 fifty percent, shall be borne by the entire port district. Assessments
13 against department of wildlife land shall be subject to RCW 77.12.230.
14 At any time within two years thereafter, upon petition of the owners of
15 a majority of the lands in the proposed local improvement district,
16 fixed by the port commission, as shown in the office of the auditor of
17 the county, asking that the improvement be ordered, the port commission
18 shall forthwith by resolution order the improvement, provide the
19 general funds of the port district to be applied thereto, acquire all
20 lands necessary therefor, pay all damages caused thereby, and commence
21 in the name of the port district such eminent domain proceedings and
22 supplemental assessment or reassessment proceedings to pay all eminent
23 domain awards as may be necessary to entitle the port district to
24 proceed with such work, and shall thereafter proceed with the work, and
25 shall make and file with the county treasurer its roll levying special
26 assessments in the amount to be paid by special assessment against the
27 property situated within the local improvement district in proportion
28 to the special benefits to be derived by the property in the local
29 improvement district from the improvement. Before the approval of the
30 roll a notice shall be published once a week for two consecutive weeks

1 in one or more newspapers of general circulation in the local
2 improvement district, stating that the roll is on file and open to
3 inspection in the office of the clerk of the port commission, and
4 fixing a time not less than fifteen nor more than thirty days from the
5 date of the first publication of the notice within which protests must
6 be filed with the clerk of the port commission against any assessments
7 shown thereon, and fixing a time when a hearing shall be held by the
8 commission on the protests. After the hearing the port commission may
9 alter any and all assessments shown on the roll and may then by
10 resolution approve the same, but in the event of any assessment being
11 raised a new notice similar to the first notice shall be given, after
12 which final approval of the roll may be made by the port commission.
13 Any person feeling aggrieved by any such assessments shall perfect an
14 appeal to the superior court of the county within ten days after the
15 approval in the manner now provided by law for appeals from assessments
16 levied by cities of the first class in this state. Engineering and
17 office expenses in all cases shall be borne by the general district.

18 **Sec. 16.** RCW 54.16.120 and 1975 c 46 s 1 are each amended to read
19 as follows:

20 A district may, by resolution, establish and define the boundaries
21 of local assessment districts to be known as local utility district No.
22, for distribution, under the general supervision and control of
23 the commission, of water for domestic use, irrigation, and electric
24 energy, and for providing street lighting, or any of them, and in like
25 manner provide for the purchasing, or otherwise acquiring, or
26 constructing and equipping and maintaining and operating distribution
27 systems for such purposes, and for extensions and betterments thereof,
28 and may levy and collect in accordance with the special benefits
29 conferred thereon, special assessments and reassessments on property

1 specially benefited thereby, for paying the cost and expense thereof,
2 or any portions thereof, as herein provided, and issue local
3 improvement bonds or warrants or both to be repaid wholly or in part by
4 collection of local improvement assessments. Assessments against
5 department of wildlife land shall be subject to RCW 77.12.230.

6 **Sec. 17.** RCW 56.08.012 and 1986 c 278 s 59 are each amended to
7 read as follows:

8 Except as otherwise provided in RCW 90.03.525, any public entity
9 and public property, including the state of Washington and state
10 property, shall be subject to rates and charges for storm water control
11 facilities to the same extent private persons and private property are
12 subject to such rates and charges that are imposed by sewer districts
13 pursuant to RCW 56.08.010 or 56.16.090. In setting these rates and
14 charges, consideration may be made of in-kind services, such as stream
15 improvements or donation of property. Assessments against department
16 of wildlife land shall be subject to RCW 77.12.230.

17 **Sec. 18.** RCW 56.20.010 and 1987 c 169 s 1 are each amended to read
18 as follows:

19 Any sewer district shall have the power to establish utility local
20 improvement districts within its territory as hereinafter provided, and
21 to levy special assessments under a mode of annual installments
22 extending over a period not exceeding twenty years on all property
23 specially benefited by any local improvement, on the basis of the
24 special benefits to pay in whole or in part the damages or costs of any
25 improvements ordered in such sewer district. The levying, collection
26 and enforcement of all special assessments hereby authorized shall be
27 in the manner now and hereafter provided by law for the levying,

1 collection and enforcement of special assessments by cities and towns,
2 insofar as the same shall not be inconsistent with the provisions of
3 this title. Assessments against department of wildlife land shall be
4 subject to RCW 77.12.230. The duties devolving upon the city or town
5 treasurer under said laws are imposed upon the county treasurer of each
6 county in which the real property is located for the purposes of this
7 title. The mode of assessment shall be in the manner to be determined
8 by the sewer commissioners by resolution. It must be specified in any
9 petition for the establishment of a utility local improvement district
10 and in the approved general comprehensive plan or approved amendment
11 thereto, that, except as provided in this section, the special
12 assessments shall be for the sole purpose of payment into the revenue
13 bond fund for the payment of revenue bonds. Special assessments in any
14 utility local improvement district may be made on the basis of special
15 benefits up to but not in excess of the total cost of any comprehensive
16 scheme or plan payable by issuance of revenue bonds. No warrants or
17 bonds shall be issued in any such utility local improvement district,
18 but the collection of interest and principal on all special assessments
19 in such utility local improvement district, when collected, shall be
20 paid into the revenue bond fund, except that special assessments paid
21 before the issuance and sale of bonds may be deposited in a fund for
22 the payment of costs of improvements in the utility local improvement
23 district.

24 **Sec. 19.** RCW 57.16.050 and 1987 c 169 s 2 are each amended to read
25 as follows:

26 (1) A district may establish local improvement districts within its
27 territory; levy special assessments under the mode of annual
28 installments extending over a period not exceeding twenty years, on all
29 property specially benefited by a local improvement, on the basis of

1 special benefits to pay in whole or in part the damage or costs of any
2 improvements ordered in the district; and issue local improvement bonds
3 in the local improvement district to be repaid by the collection of
4 special assessments. Such bonds may be of any form, including bearer
5 bonds or registered bonds as provided in RCW 39.46.030. The levying,
6 collection and enforcement of such special assessments and issuance of
7 bonds shall be as provided for the levying, collection, and enforcement
8 of special assessments and the issuance of local improvement district
9 bonds by cities and towns insofar as consistent herewith. Assessments
10 against department of wildlife land shall be subject to RCW 77.12.230.
11 The duties devolving upon the city or town treasurer are hereby imposed
12 upon the county treasurer of the county in which the real property is
13 located for the purposes hereof. The mode of assessment shall be
14 determined by the water commissioners by resolution. When in the
15 petition or resolution for the establishment of a local improvement
16 district, and in the approved comprehensive plan or approved amendment
17 thereto or plan providing for additions and betterments to the original
18 plan, previously adopted, it is provided that, except as set forth in
19 this section, the special assessments shall be for the sole purpose of
20 payment into the revenue bond fund for the payment of revenue bonds,
21 then the local improvement district shall be designated as a "utility
22 local improvement district." No warrants or bonds shall be issued in
23 a utility local improvement district, but the collection of interest
24 and principal on all special assessments in the utility local
25 improvement district shall be paid into the revenue bond fund, except
26 that special assessments paid before the issuance and sale of bonds may
27 be deposited in a fund for the payment of costs of improvements in the
28 utility local improvement district.

29 (2) Such bonds may also be issued and sold in accordance with
30 chapter 39.46 RCW.

1 **Sec. 20.** RCW 79.44.010 and 1982 1st ex.s. c 21 s 178 are each
2 amended to read as follows:

3 All lands, including school lands, granted lands, escheated lands,
4 or other lands, held or owned by the state of Washington in fee simple
5 (in trust or otherwise), situated within the limits of any assessing
6 district in this state, may be assessed and charged for the cost of
7 local or other improvements specially benefiting such lands which may
8 be ordered by the proper authorities of any such assessing district and
9 may be assessed by any irrigation district to the same extent as
10 private lands within the district are assessed: PROVIDED, That the
11 leasehold, contractual, or possessory interest of any person, firm,
12 association, or private or municipal corporation in any such lands
13 shall be charged and assessed in the proportional amount such
14 leasehold, contractual, or possessory interest is benefited: PROVIDED,
15 FURTHER, That no lands of the state shall be included within an
16 irrigation district except as provided in RCW 87.03.025 and 89.12.090.
17 Assessments against department of wildlife land shall be subject to RCW
18 77.12.230.

19 **Sec. 21.** RCW 86.15.160 and 1986 c 278 s 60 are each amended to
20 read as follows:

21 For the purposes of this chapter the supervisors may authorize:

22 (1) An annual excess ad valorem tax levy within any zone or
23 participating zones when authorized by the voters of the zone or
24 participating zones under RCW 84.52.052 and 84.52.054;

25 (2) An assessment upon property, including state property,
26 specially benefited by flood control improvements or storm water
27 control improvements imposed under chapter 86.09 RCW;

28 (3) Within any zone or participating zones an annual ad valorem
29 property tax levy of not to exceed fifty cents per thousand dollars of

1 assessed value when the levy will not take dollar rates that other
2 taxing districts may lawfully claim and that will not cause the
3 combined levies to exceed the constitutional and/or statutory
4 limitations, and the additional levy, or any portion thereof, may also
5 be made when dollar rates of other taxing units is released therefor by
6 agreement with the other taxing units from their authorized levies;

7 (4) A charge, under RCW 36.89.080, for the furnishing of service to
8 those who are receiving or will receive benefits from storm water
9 control facilities and who are contributing to an increase in surface
10 water runoff. Except as otherwise provided in RCW 90.03.525, any
11 public entity and public property, including the state and state
12 property, shall be liable for the charges to the same extent a private
13 person and privately owned property is liable for the charges, and in
14 setting these rates and charges, consideration may be made of in-kind
15 services, such as stream improvements or donation of property;

16 (5) The creation of local improvement districts and utility local
17 improvement districts, the issuance of improvement district bonds and
18 warrants, and the imposition, collection, and enforcement of special
19 assessments on all property, including any state-owned or other
20 publicly-owned property, specially benefited from improvements in the
21 same manner as provided for counties by chapter 36.94 RCW. Assessments
22 against department of wildlife land shall be subject to RCW 77.12.230.