

1 **SB 5675 - H COMM AMD ADOPTED 4-12-93**

2 By Committee on Local Government

3 On page 1, after the enacting clause, strike the remainder of
4 the bill and insert:

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter
6 36.89 RCW to read as follows:

7 Whenever a city or town annexes an area, or a city or town
8 incorporates an area, and the county has issued revenue bonds or
9 general obligation bonds to finance storm water control facilities
10 that are payable in whole or in part from rates or charges imposed
11 in the area, the county shall continue imposing all portions of the
12 rates or charges that are allocated to payment of the debt service
13 on bonds in that area after the effective date of the annexation or
14 official date of the incorporation until: (1) The debt is retired;
15 (2) any debt that is issued to refinance the underlying debt is
16 retired; or (3) the city or town reimburses the county amount that
17 is sufficient to retire that portion of the debt borne by the
18 annexed or incorporated area. The county shall construct all
19 facilities included in the storm water plan intended to be financed
20 by the proceeds of such bonds. If the county provides storm water
21 management services to the city or town by contract, the contract
22 shall consider the value of payments made by property owners to the
23 county for the payment of debt service.

24 The provisions of this section apply whether or not the bonds
25 finance facilities that are geographically located within the area
26 that is annexed or incorporated.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.94
28 RCW to read as follows:

29 Whenever a city or town annexes an area, or a city or town
30 incorporates an area, and the county has issued revenue bonds or

1 general obligation bonds to finance storm or surface water drains
2 or facilities that are payable in whole or in part from rates or
3 charges imposed in the area, the county shall continue imposing all
4 portions of the rates or charges that are allocated to payment of
5 the debt service on bonds in that area after the effective date of
6 the annexation or official date of the incorporation until: (1) The
7 debt is retired; (2) any debt that is issued to refinance the
8 underlying debt is retired; or (3) the city or town reimburses the
9 county amount that is sufficient to retire that portion of the debt
10 borne by the annexed or incorporated area. The county shall
11 construct all facilities included in the storm water plan intended
12 to be financed by the proceeds of such bonds. If the county
13 provides storm water management services to the city or town by
14 contract, the contract shall consider the value of payments made by
15 property owners to the county for the payment of debt service.

16 The provisions of this section apply whether or not the bonds
17 finance facilities that are geographically located within the area
18 that is annexed or incorporated.

19 **Sec. 3.** RCW 36.89.080 and 1970 ex.s. c 30 s 7 are each
20 amended to read as follows:

21 Any (~~board of county commissioners~~) county legislative
22 authority may provide by resolution for revenues by fixing rates
23 and charges for the furnishing of service to those served or
24 receiving benefits or to be served or to receive benefits from any
25 storm water control facility or contributing to an increase of
26 surface water runoff. In fixing rates and charges, the (~~board~~)
27 county legislative authority may in its discretion consider: (1)
28 Services furnished or to be furnished(()); (2) benefits received
29 or to be received(()); (3) the character and use of land(()) or
30 its water runoff characteristics; (4) the nature or type of land
31 user; or (5) any other matters which present a reasonable
32 difference as a ground for distinction. ((Such)) The service

1 charges and rates collected shall be deposited in a special fund or
2 funds in the county treasury to be used only for the purpose of
3 paying all or any part of the cost and expense of maintaining and
4 operating storm water control facilities, all or any part of the
5 cost and expense of planning, designing, establishing, acquiring,
6 developing, constructing and improving any of such facilities, or
7 to pay or secure the payment of all or any portion of any issue of
8 general obligation or revenue bonds issued for such purpose."

EFFECT: Applies the concept included in the bill for revenue bonds payable from rates and charges imposed by the county in the area to general obligation bonds payable from the rates and charges imposed by the county in the area. Insert this language in both chapters of law granting counties the authority to install storm water control facilities. Permits counties to consider the nature or type of land user when establishing service charges or rates for storm water control facilities.