

# SENATE BILL REPORT

## ESSB 6259

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As of Third Reading  
February 11, 1998

**Title:** An act relating to lake management service areas.

**Brief Description:** Authorizing the creation of lake management service areas.

**Sponsors:** Senate Committee on Agriculture & Environment (originally sponsored by Senators Swecker, Rasmussen and Winsley).

**Brief History:**

**Committee Activity:** Agriculture & Environment: 1/22/98, 1/29/98 [DPS].

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### SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**Majority Report:** That Substitute Senate Bill No. 6259 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; McAuliffe, Oke and Rasmussen.

**Staff:** Kari Guy (786-7437)

**Background:** In 1985 legislation was passed to clarify and standardize the laws related to various special districts. The special district act provides uniform procedures for the creation, elections, and operations of various special districts. Special districts are defined as diking districts; drainage districts; diking, drainage, and sewerage improvement districts; and flood control districts.

Special districts may engage in flood control activities, drainage control, storm water control, and surface water control activities. In 1991, the powers of special districts were expanded to include lake restoration, aquatic plant control, and water quality enhancement activities. However, the special district definition does not include a lake district, and there is no lake district that meets the description of a special district authorized elsewhere in law.

Local governments attempting to form a special district to conduct lake management activities have been limited by the lack of enabling legislation for a lake district.

**Summary of Bill:** Lake management service areas are authorized. Lake management service areas may provide the following services and facilities:

- 1) maintain and restore lakes;
- 2) enhance water quality;
- 3) control and maintain water levels;
- 4) provide fish ladders and other devices to conserve fish;
- 5) divert and treat storm water;

- 6) control agricultural wastes;
- 7) study lake water quality problems;
- 8) clean and maintain streams and drainages entering or leaving a lake; and
- 9) provide drainage control improvements and activities.

The lake management service area is governed by a three-member governing body. The provisions of the special district act relating to election of members, district formation, filing of bonds, adoption of budgets and assessments, issuance of bonds, and annexations apply to lake management service areas. Activities of the lake management service area may not affect existing property or water rights.

Rates charged to public lands may not exceed rates charged to adjacent private property.

The definition of a special district is amended to include a lake management service area.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill is needed to correct inconsistencies that make it difficult for lake property owners to create a special district for lake management activities.

**Testimony Against:** Language should be added to ensure lake management activities don't affect existing land, water, or other property rights.

**Testified:** Jonathan Frodge, Washington Lakes Protection Association (pro); Mark Swartout, Thurston County (pro); Karla Kay Fullerton, Washington Cattlemen's Association.