
HOUSE BILL 3043

State of Washington

55th Legislature

1998 Regular Session

By Representative Romero

Read first time 01/27/98. Referred to Committee on Government Administration.

1 AN ACT Relating to lake management districts; amending RCW
2 36.61.020 and 36.61.270; and repealing RCW 36.61.115.

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

4 **Sec. 1.** RCW 36.61.020 and 1987 c 432 s 2 are each amended to read
5 as follows:

6 Any county may create lake management districts to finance the
7 improvement and maintenance of lakes located within or partially within
8 the boundaries of the county. All or a portion of a lake and the
9 adjacent land areas may be included within one or more lake management
10 districts. More than one lake, or portions of lakes, and the adjacent
11 land areas may be included in a single lake management district. ((A
12 lake management district may be created for a period of up to ten
13 years.))

14 Special assessments or rates and charges may be imposed on the
15 property included within a lake management district to finance lake
16 improvement and maintenance activities, including: (1) The control or
17 removal of aquatic plants and vegetation; (2) water quality; (3) the
18 control of water levels; (4) storm water diversion and treatment; (5)
19 agricultural waste control; (6) studying lake water quality problems

1 and solutions; (7) cleaning and maintaining ditches and streams
2 entering or leaving the lake; and (8) the related administrative,
3 engineering, legal, and operational costs, including the costs of
4 creating the lake management district.

5 Special assessments or rates and charges may be imposed annually on
6 all the land in a lake management district for the duration of the lake
7 management district without a related issuance of lake management
8 district bonds or revenue bonds. Special assessments also may be
9 imposed in the manner of special assessments in a local improvement
10 district with each landowner being given the choice of paying the
11 entire special assessment in one payment, or to paying installments,
12 with lake management district bonds being issued to obtain moneys not
13 derived by the initial full payment of the special assessments, and the
14 installments covering all of the costs related to issuing, selling, and
15 redeeming the lake management district bonds.

16 **Sec. 2.** RCW 36.61.270 and 1987 c 432 s 11 are each amended to read
17 as follows:

18 Whenever rates and charges are to be imposed in a lake management
19 district or whenever a previously approved schedule of rates and
20 charges is to be adjusted, the county legislative authority shall
21 prepare a roll of rates and charges that includes those matters
22 required to be included in a special assessment roll and shall hold a
23 public hearing on the proposed roll of rates and charges as provided
24 under RCW 36.61.120 through 36.61.150 for a special assessment roll.
25 The county legislative authority shall have full jurisdiction and
26 authority to fix, alter, regulate, and control the rates and charges
27 imposed by a lake management district and may classify the rates or
28 charges by any reasonable factor or factors, including benefit, use,
29 front footage, acreage, the extent of improvements on the property, the
30 type of improvements on the property, uses to which the property is
31 put, service to be provided, and any other reasonable factor or
32 factors. The flexibility to establish rates and charges includes the
33 authority to reduce rates and charges on property owned by low-income
34 persons.

35 Except as provided in this section, the collection of rates and
36 charges, lien status of unpaid rates and charges, and method of
37 foreclosing on such liens shall be subject to the provisions of chapter
38 36.94 RCW. Public property, including state property, shall be subject

1 to the rates and charges to the same extent that private property is
2 subject to them, except that liens may not be foreclosed on the public
3 property, and the procedure for imposing such rates and charges on
4 state property shall conform with the procedure provided for in chapter
5 79.44 RCW concerning the imposition of special assessments upon state
6 property. The total amount of rates and charges cannot exceed the cost
7 of lake improvement or maintenance activities proposed to be financed
8 by such rates and charges, as specified in the resolution of intention.
9 Revenue bonds exclusively payable from the rates and charges may be
10 issued by the county under chapter 39.46 RCW.

11 NEW SECTION. **Sec. 3.** RCW 36.61.115 and 1987 c 432 s 9 are each
12 repealed.

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