
SUBSTITUTE SENATE BILL 6260

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Agriculture & Environment (originally sponsored by Senators Swecker, Rasmussen and Winsley)

Read first time 01/30/98.

1 AN ACT Relating to lake management districts; amending RCW
2 36.61.010, 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 36.61.010 and 1987 c 432 s 1 are each amended to read
5 as follows:

6 The legislature finds that the environmental, recreational, and
7 aesthetic values of many of the state's lakes are threatened by
8 eutrophication and other deterioration and that existing governmental
9 authorities are unable to adequately improve and maintain the quality
10 of the state's lakes.

11 It is the purpose of this chapter to establish a governmental
12 mechanism by which property owners can embark on a program of lake
13 improvement and maintenance for their and the general public's benefit,
14 health, and welfare. Public property, including state property, shall
15 be considered the same as private property in this chapter, except
16 liens for special assessments and liens for rates and charges shall not
17 extend to public property. Special assessments or rates and charges
18 imposed on public property may not exceed the special assessments or
19 rates and charges imposed on adjacent private property. Lake bottom

1 property shall not be considered to be benefited, shall not be subject
2 to special assessments or rates and charges, and shall not receive
3 voting rights under this chapter.

4 **Sec. 2.** 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
20 and solutions; (7) cleaning and maintaining ditches and streams
21 entering or leaving the lake; and (8) the related administrative,
22 engineering, legal, and operational costs, including the costs of
23 creating the lake management district.

24 Special assessments or rates and charges may be imposed annually on
25 all the land in a lake management district for the duration of the lake
26 management district without a related issuance of lake management
27 district bonds or revenue bonds. Special assessments also may be
28 imposed in the manner of special assessments in a local improvement
29 district with each landowner being given the choice of paying the
30 entire special assessment in one payment, or to paying installments,
31 with lake management district bonds being issued to obtain moneys not
32 derived by the initial full payment of the special assessments, and the
33 installments covering all of the costs related to issuing, selling, and
34 redeeming the lake management district bonds.

35 **Sec. 3.** RCW 36.61.270 and 1987 c 432 s 11 are each amended to read
36 as follows:

1 Whenever rates and charges are to be imposed in a lake management
2 district or whenever a previously approved schedule of rates and
3 charges is to be adjusted, the county legislative authority shall
4 prepare a roll of rates and charges that includes those matters
5 required to be included in a special assessment roll and shall hold a
6 public hearing on the proposed roll of rates and charges as provided
7 under RCW 36.61.120 through 36.61.150 for a special assessment roll.
8 The county legislative authority shall have full jurisdiction and
9 authority to fix, alter, regulate, and control the rates and charges
10 imposed by a lake management district and may classify the rates or
11 charges by any reasonable factor or factors, including benefit, use,
12 front footage, acreage, the extent of improvements on the property, the
13 type of improvements on the property, uses to which the property is
14 put, service to be provided, and any other reasonable factor or
15 factors. The flexibility to establish rates and charges includes the
16 authority to reduce rates and charges on property owned by low-income
17 persons.

18 Except as provided in this section, the collection of rates and
19 charges, lien status of unpaid rates and charges, and method of
20 foreclosing on such liens shall be subject to the provisions of chapter
21 36.94 RCW. Public property, including state property, shall be subject
22 to the rates and charges to the same extent that private property is
23 subject to them, except that liens may not be foreclosed on the public
24 property, and the procedure for imposing such rates and charges on
25 state property shall conform with the procedure provided for in chapter
26 79.44 RCW concerning the imposition of special assessments upon state
27 property. The total amount of rates and charges cannot exceed the cost
28 of lake improvement or maintenance activities proposed to be financed
29 by such rates and charges, as specified in the resolution of intention.
30 Revenue bonds exclusively payable from the rates and charges may be
31 issued by the county under chapter 39.46 RCW.

32 NEW SECTION. **Sec. 4.** RCW 36.61.115 and 1987 c 432 s 9 are each
33 repealed.

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