

2 **SB 6858** - S AMD - 218

3 By Senators Roach, Goings and Rasmussen

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5 On page 4, after line 12, insert the following:

6 "NEW SECTION. **Sec. 3.** A new section is added to chapter 36.61 RCW  
7 to read as follows:

8 To improve the ability of counties to finance long-term lake  
9 management objectives, lake management districts may be created for any  
10 needed period of time.

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

13 Any county may create lake management districts to finance the  
14 improvement and maintenance of lakes located within or partially within  
15 the boundaries of the county. All or a portion of a lake and the  
16 adjacent land areas may be included within one or more lake management  
17 districts. More than one lake, or portions of lakes, and the adjacent  
18 land areas may be included in a single lake management district. ((A  
19 lake management district may be created for a period of up to ten  
20 years.))

21 Special assessments or rates and charges may be imposed on the  
22 property included within a lake management district to finance lake  
23 improvement and maintenance activities, including: (1) The control or  
24 removal of aquatic plants and vegetation; (2) water quality; (3) the  
25 control of water levels; (4) storm water diversion and treatment; (5)  
26 agricultural waste control; (6) studying lake water quality problems  
27 and solutions; (7) cleaning and maintaining ditches and streams  
28 entering or leaving the lake; and (8) the related administrative,  
29 engineering, legal, and operational costs, including the costs of  
30 creating the lake management district.

31 Special assessments or rates and charges may be imposed annually on  
32 all the land in a lake management district for the duration of the lake  
33 management district without a related issuance of lake management  
34 district bonds or revenue bonds. Special assessments also may be  
35 imposed in the manner of special assessments in a local improvement

1 district with each landowner being given the choice of paying the  
2 entire special assessment in one payment, or to paying installments,  
3 with lake management district bonds being issued to obtain moneys not  
4 derived by the initial full payment of the special assessments, and the  
5 installments covering all of the costs related to issuing, selling, and  
6 redeeming the lake management district bonds.

7 **Sec. 5.** RCW 36.61.260 and 1985 c 398 s 26 are each amended to read  
8 as follows:

9 (1) Counties may issue lake management district bonds in accordance  
10 with this section. Lake management district bonds may be issued to  
11 obtain money sufficient to cover that portion of the special  
12 assessments that are not paid within the thirty-day period provided in  
13 RCW 36.61.190. (~~The maximum term of lake management district bonds~~  
14 ~~shall be ten years.~~)

15 Whenever lake management district bonds are proposed to be issued,  
16 the county legislative authority shall create a special fund or funds  
17 for the lake management district from which all or a portion of the  
18 costs of the lake improvement and maintenance activities shall be paid.  
19 Lake management district bonds shall not be issued in excess of the  
20 costs and expenses of the lake improvement and maintenance activities  
21 and shall not be issued prior to twenty days after the thirty days  
22 allowed for the payment of special assessments without interest or  
23 penalties.

24 Lake management district bonds shall be exclusively payable from  
25 the special fund or funds and from a guaranty fund that the county may  
26 have created out of a portion of proceeds from the sale of the lake  
27 management district bonds.

28 (2) Lake management district bonds shall not constitute a general  
29 indebtedness of the county issuing the bond nor an obligation, general  
30 or special, of the state. The owner of any lake management district  
31 bond shall not have any claim for the payment thereof against the  
32 county that issues the bonds except for payment from the special  
33 assessments made for the lake improvement or maintenance activities for  
34 which the lake management district bond was issued and from a lake  
35 management district guaranty fund that may have been created. The  
36 county shall not be liable to the owner of any lake management district  
37 bond for any loss to the lake management district guaranty fund  
38 occurring in the lawful operation of the fund. The owner of a lake

1 management district bond shall not have any claim against the state  
2 arising from the lake management district bond, special assessments, or  
3 guaranty fund. Tax revenues shall not be used to secure or guarantee  
4 the payment of the principal of or interest on lake management district  
5 bonds.

6 The substance of the limitations included in this subsection shall  
7 be plainly printed, written, engraved, or reproduced on: (a) Each lake  
8 management district bond that is a physical instrument; (b) the  
9 official notice of sale; and (c) each official statement associated  
10 with the lake management district bonds.

11 (3) If the county fails to make any principal or interest payments  
12 on any lake management district bond or to promptly collect any special  
13 assessment securing the bonds when due, the owner of the lake  
14 management district bond may obtain a writ of mandamus from any court  
15 of competent jurisdiction requiring the county to collect the special  
16 assessments, foreclose on the related lien, and make payments out of  
17 the special fund or guaranty fund if one exists. Any number of owners  
18 of lake management districts may join as plaintiffs.

19 (4) A county may create a lake management district bond guaranty  
20 fund for each issue of lake management district bonds. The guaranty  
21 fund shall only exist for the life of the lake management district  
22 bonds with which it is associated. A portion of the bond proceeds may  
23 be placed into a guaranty fund. Unused moneys remaining in the  
24 guaranty fund during the last two years of the installments shall be  
25 used to proportionally reduce the required level of installments and  
26 shall be transferred into the special fund into which installment  
27 payments are placed.

28 (5) Lake management district bonds shall be issued and sold in  
29 accordance with chapter 39.46 RCW. The authority to create a special  
30 fund or funds shall include the authority to create accounts within a  
31 fund."

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4 On page 1, line 4 of the title, after "amending RCW 82.14.400"  
5 insert ", 36.61.020, and 36.61.260; adding a new section to chapter  
6 36.61 RCW"

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