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HOUSE BILL 1937

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Ryu, Kenney, Moscoso, Ladenburg, and Roberts

Read first time 02/11/11. Referred to Committee on Community Development & Housing.

1 AN ACT Relating to authorizing local improvement district funding  
2 to benefit innovation partnership zones for the purposes of economic  
3 development; and amending RCW 35.43.040.

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

5 **Sec. 1.** RCW 35.43.040 and 2009 c 435 s 1 are each amended to read  
6 as follows:

7 Whenever the public interest or convenience may require, the  
8 legislative authority of any city or town may order the whole or any  
9 part of any local improvement including but not restricted to those, or  
10 any combination thereof, listed below to be constructed, reconstructed,  
11 repaired, or renewed and landscaping including but not restricted to  
12 the planting, setting out, cultivating, maintaining, and renewing of  
13 shade or ornamental trees and shrubbery thereon; may order any and all  
14 work to be done necessary for completion thereof; and may levy and  
15 collect special assessments on property specially benefited thereby to  
16 pay the whole or any part of the expense thereof, viz:

17 (1) Alleys, avenues, boulevards, lanes, park drives, parkways,  
18 parking facilities, public places, public squares, public streets,  
19 their grading, regrading, planking, replanking, paving, repaving,

1 macadamizing, remacadamizing, graveling, regraveling, piling, repiling,  
2 capping, recapping, or other improvement; if the management and control  
3 of park drives, parkways, and boulevards is vested in a board of park  
4 commissioners, the plans and specifications for their improvement must  
5 be approved by the board of park commissioners before their adoption;

6 (2) Auxiliary water systems;

7 (3) Auditoriums, field houses, gymnasiums, swimming pools, or other  
8 recreational, playground, museum, cultural, or arts facilities or  
9 structures;

10 (4) Bridges, culverts, and trestles and approaches thereto;

11 (5) Bulkheads and retaining walls;

12 (6) Dikes and embankments;

13 (7) Drains, sewers, and sewer appurtenances which as to trunk  
14 sewers shall include as nearly as possible all the territory which can  
15 be drained through the trunk sewer and subsewers connected thereto;

16 (8) Escalators or moving sidewalks together with the expense of  
17 operation and maintenance;

18 (9) Parks and playgrounds;

19 (10) Sidewalks, curbing, and crosswalks;

20 (11) Street lighting systems together with the expense of  
21 furnishing electrical energy, maintenance, and operation;

22 (12) Underground utilities transmission lines;

23 (13) Water mains, hydrants, and appurtenances which as to trunk  
24 water mains shall include as nearly as possible all the territory in  
25 the zone or district to which water may be distributed from the trunk  
26 water mains through lateral service and distribution mains and  
27 services;

28 (14) Fences, culverts, syphons, or coverings or any other feasible  
29 safeguards along, in place of, or over open canals or ditches to  
30 protect the public from the hazards thereof;

31 (15) Roadbeds, trackage, signalization, storage facilities for  
32 rolling stock, overhead and underground wiring, and any other  
33 stationary equipment reasonably necessary for the operation of an  
34 electrified public streetcar line;

35 (16) Systems of surface, underground, or overhead railways,  
36 tramways, buses, or any other means of local transportation except  
37 taxis, and including passenger, terminal, station parking, and related  
38 facilities and properties, and such other facilities as may be

1 necessary for passenger and vehicular access to and from such terminal,  
2 station, parking, and related facilities and properties, together with  
3 all lands, rights-of-way, property, equipment, and accessories  
4 necessary for such systems and facilities;

5 (17) Convention center facilities or structures in cities  
6 incorporated before January 1, 1982, with a population over sixty  
7 thousand located in a county with a population over one million, other  
8 than the city of Seattle. Assessments for purposes of convention  
9 center facilities or structures may be levied only to the extent  
10 necessary to cover a funding shortfall that occurs when funds received  
11 from special excise taxes imposed pursuant to chapter 67.28 RCW are  
12 insufficient to fund the annual debt service for such facilities or  
13 structures, and may not be levied on property exclusively maintained as  
14 single-family or multifamily permanent residences whether they are  
15 rented, leased, or owner occupied;

16 (18) Programs of aquatic plant control, lake or river restoration,  
17 or water quality enhancement. Such programs (~~shall~~) must identify  
18 all the area of any lake or river which will be improved and (~~shall~~)  
19 must include the adjacent waterfront property specially benefited by  
20 such programs of improvements. Assessments may be levied only on  
21 waterfront property including any waterfront property owned by the  
22 department of natural resources or any other state agency. Notice of  
23 an assessment on a private leasehold in public property (~~shall~~) must  
24 comply with provisions of chapter 79.44 RCW. Programs under this  
25 subsection shall extend for a term of not more than five years; (~~and~~)

26 (19) Railroad crossing protection devices, including maintenance  
27 and repair. Assessments for purposes of railroad crossing protection  
28 devices may not be levied on property owned or maintained by a  
29 railroad, railroad company, street railroad, or street railroad  
30 company, as defined in RCW 81.04.010, or a regional transit authority  
31 as defined in RCW 81.112.020; and

32 (20) Research laboratories, testing facilities, incubation  
33 facilities, and training centers built in areas designated as  
34 innovation partnership zones under RCW 43.330.270.

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