

Sec. 1. Section 8, chapter 30, Laws of 1970 ex. sess. and RCW 36.89-.090 are each amended to read as follows:

The county shall have a lien for delinquent service charges, including interest thereon, against any property against which they were levied for storm water control facilities, which lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. Such lien shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67-.200 through 35.67.290: PROVIDED, That a county may, by resolution or ordinance, adopt all or any part of the alternative interest rate, lien, and foreclosure procedures as set forth in sections 2 through 4 of this 1987 act.

NEW SECTION. Sec. 2. A new section is added to chapter 36.89 RCW to read as follows:

Any county may provide, by resolution or ordinance, that delinquent storm water service charges bear interest at a rate of twelve percent per annum, computed on a monthly basis, in lieu of the interest rate provided for in RCW 35.67.200.

NEW SECTION. Sec. 3. A new section is added to chapter 36.89 RCW to read as follows:

Any county may, by resolution or ordinance, provide that the storm water service charge lien shall be effective for a total not to exceed one year's delinquent service charges without the necessity of any writing or recording of the lien with the county auditor, in lieu of the provisions provided for in RCW 35.67.210.

NEW SECTION. Sec. 4. A new section is added to chapter 36.89 RCW to read as follows:

Any county may, by resolution or ordinance, provide that an action to foreclose a storm water service charge lien may be commenced after three years from the date storm water service charges become delinquent, in lieu of the provisions provided for in RCW 35.67.230.

Passed the House March 13, 1987.

Passed the Senate April 16, 1987.

Approved by the Governor May 1, 1987.

Filed in Office of Secretary of State May 1, 1987.

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## CHAPTER 242

[House Bill No. 1014]

### PUBLIC CORPORATIONS MAY USE LOCAL IMPROVEMENT DISTRICT FINANCING

AN ACT Relating to local improvements; amending RCW 35.43.010, 35.43.190, 35.44-.020, and 35.51.020; adding a new section to chapter 35.43 RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. It is declared to be the public policy of the state that public improvements owned and operated by public corporations that confer special benefits on property, including without limitation museum, cultural, or arts facilities or structures, should be able to use the local improvement district financing of municipalities.

Sec. 2. Section 35.43.010, chapter 7, Laws of 1965 and RCW 35.43-.010 are each amended to read as follows:

Whenever the words "city council" or "town council" are used in this and the following chapters relating to municipal local improvements, they shall be construed to mean the council or other legislative body of such city or town. Whenever the word "mayor" is used therein, it shall be construed to mean the presiding officer of said city or town. Whenever the words "installment" or "installments" are used therein, they shall be construed to include installment or installments of interest. Whenever the words "local improvement," "local improvements," or "municipal local improvements" are used therein, they shall be construed to include improvements owned or operated by a public corporation or by a public corporation and a city, town, or another public corporation. Whenever the words "public corporation" are used therein, they shall mean a public corporation, commission, or authority created pursuant to RCW 35.21.730 through 35.21.755.

Sec. 3. Section 35.43.190, chapter 7, Laws of 1965 as amended by section 6, chapter 116, Laws of 1971 ex. sess. and RCW 35.43.190 are each amended to read as follows:

All local improvements, the funds for the making of which are derived in whole or in part from assessments upon property specially benefited shall be made by contract on competitive bids whenever the estimated cost of such improvement including the cost of materials, supplies, labor, and equipment will exceed the sum of five thousand dollars. The city ((or)), town, or public corporation may reject any and all bids. The city ((or)), town, or public corporation itself may make the local improvements if all the bids received exceed by ten percent preliminary cost estimates prepared by an independent consulting engineer or registered professional engineer retained for that purpose by the city ((or)), town, or public corporation.

Sec. 4. Section 35.44.020, chapter 7, Laws of 1965 as last amended by section 4, chapter 397, Laws of 1985 and RCW 35.44.020 are each amended to read as follows:

There shall be included in the cost and expense of every local improvement for assessment against the property in the district created to pay the same, or any part thereof:

(1) The cost of all of the construction or improvement authorized for the district including, but not limited to, that portion of the improvement within the street intersections;

(2) The estimated cost and expense of all engineering and surveying necessary for the improvement done under the supervision of the city or town engineer;

(3) The estimated cost and expense of ascertaining the ownership of the lots or parcels of land included in the assessment district;

(4) The estimated cost and expense of advertising, mailing, and publishing all necessary notices;

(5) The estimated cost and expense of accounting, clerical labor, and of books and blanks extended or used on the part of the city or town clerk and city or town treasurer in connection with the improvement;

(6) All cost of the acquisition of rights of way, property, easements, or other facilities or rights, whether by eminent domain, purchase, gift, or in any other manner;

(7) The cost for legal, financial, and appraisal services and any other expenses incurred by the city ((or)), town, or public corporation for the district or in the formation thereof, or by the city ((or)), town, or public corporation in connection with such construction or improvement and in the financing thereof, including the issuance of any bonds and the cost of providing for increases in the local improvement guaranty fund, or providing for a separate reserve fund or other security for the payment of principal of and interest on such bonds.

Any of the costs set forth in this section may be excluded from the cost and expense to be assessed against the property in such local improvement district and may be paid from any other moneys available therefor if the legislative body of the city or town so designates by ordinance at any time.

Sec. 5. Section 6, chapter 397, Laws of 1985 and RCW 35.51.020 are each amended to read as follows:

A municipality may contract with any other municipality, with a public corporation, or with the state of Washington, for the following purposes:

(1) To have the acquisition or construction of the whole or any part of an improvement performed by another municipality, by a public corporation, or by the state of Washington;

(2) To pay, from assessments on property within a local improvement district or from the proceeds of local improvement district bonds, notes or warrants, the whole or any part of the expense of an improvement ordered, constructed, acquired, or owned by another municipality or a public corporation; or

(3) To integrate the planning, financing, construction, acquisition, management, or operation, or any combination thereof, of the improvements of one municipality or a public corporation with the planning, financing, construction, acquisition, management, or operation, or any combination thereof, of the improvements of another municipality or public corporation on such terms and conditions as may be mutually agreed upon including, but not limited to, the allocation of the costs of the improvements and the

allocation of planning, financing, construction, management, operation, or other responsibilities.

**NEW SECTION.** Sec. 6. A new section is added to chapter 35.43 RCW to read as follows:

The provisions of this and the following chapters relating to municipal local improvements apply to local improvements owned or operated by a public corporation or by a public corporation and a city, town, or another public corporation as if they were owned or operated by a city or town. Whenever a section in such chapters refers to improvements made by, ordered by, owned by, operated by, constructed by, acquired by, or otherwise provided for or undertaken by a city or town or other municipality, it shall be construed to refer also to improvements made by, ordered by, owned by, operated by, constructed by, acquired by, or otherwise provided for or undertaken by a public corporation.

Passed the House March 13, 1987.

Passed the Senate April 16, 1987.

Approved by the Governor May 1, 1987.

Filed in Office of Secretary of State May 1, 1987.

## CHAPTER 243

[Engrossed Senate Bill No. 5178]

### COMMODITY CONTRACTS AND OPTIONS REGULATED

AN ACT Relating to commodities; amending RCW 21.30.010, 21.30.030, 21.30.040, 21.30.190, and 21.30.350; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. The legislature intends that this chapter, and any rules, regulations, or orders promulgated pursuant hereto, apply to transactions in commodities which constitute commodity contracts or commodity options as defined in this chapter, unless the context clearly requires otherwise.

Sec. 2. Section 1, chapter 14, Laws of 1986 and RCW 21.30.010 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrator" means the person designated by the director in accordance with the provisions of RCW 21.20.460.

(2) "Board of trade" means any person or group of persons engaged in buying or selling any commodity or receiving any commodity for sale on consignment, whether such person or group of persons is characterized as a board of trade, exchange, or other form of marketplace.

(3) "Director" means the director of the department of licensing.