

# FINAL BILL REPORT

## SHB 1747

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C 305 L 99

Synopsis as Enacted

**Brief Description:** Changing conservation district provisions.

**Sponsors:** By House Committee on Agriculture & Ecology (Originally sponsored by Representatives Linville and G. Chandler; by request of Washington State Conservation Commission).

**House Committee on Agriculture & Ecology**  
**Senate Committee on Agriculture & Rural Economic Development**

**Background:**

A conservation district may be initiated by filing a petition with the Conservation Commission that is signed by 25 or more persons who live in the affected area. Similarly, annexation of territory to a conservation district may be initiated by the occupiers of the lands to be included in the district. After a district has been organized for five years, 100 occupiers of lands within the district may file a petition with the commission to dissolve the district.

A conservation district is dissolved if a majority of votes cast at an election favor dissolution. If two-thirds of the votes cast at an election oppose dissolution of the district, the commission must determine whether the continued existence of the district is practicable. If a conservation district is dissolved, there is no requirement for the proceeds from the sale of district property to be applied to the debts of the district.

A dissolution of a conservation district does not affect any contracts or obligations of the district. The Conservation Commission is required to assume all duties, liabilities, and powers of the district supervisors. If a petition to dissolve a district is rejected, no new petition for the dissolution of a district may be submitted for a period of five years.

There is no process for withdrawing a city or town from a conservation district. As new cities and towns incorporate, or as cities and towns annex territory, there is a greater likelihood of city or town property being included within a conservation district's boundaries.

Conservation districts administer programs which provide federal cost-share assistance to occupiers of land. The conservation district supervisors are unable to participate in

these programs because it would constitute a violation of the municipal officer's ethics law.

**Summary:**

The number of property owners required to sign a petition to initiate a conservation district, to annex territory to an existing conservation district, or to dissolve a conservation district, is 20 percent of the registered voters occupying land within the area.

Language is removed that requires the Conservation Commission to consider whether the continued existence of a conservation district is practicable after a ballot measure to dissolve the district fails. If a district is dissolved, proceeds from the sale of district property must be used to pay any debts of the district and the remaining balance is paid to the State Treasurer.

The requirement that the Conservation Commission assume the liabilities of a dissolved conservation district is repealed. The prohibition against filing a petition for the dissolution of a district within five years after a dissolution election fails is repealed.

A process is created to allow a city or town to withdraw from a conservation district. The legislative authority of a city or town may approve a petition to withdraw from the district by a majority vote. The petition must be submitted to the conservation district for its approval. If the conservation district approves the petition, it is submitted to the Conservation Commission. The Conservation Commission must notify the Secretary of State if the petition is approved in order to adjust the boundaries of the district. If a city and a conservation district disagree over the city's withdrawal from the conservation district, the petition is forwarded to the Conservation Commission to decide whether the city may withdraw from the district. The decision must be based upon criteria the commission has adopted by rule to address petitions in dispute.

District supervisors who are also land occupiers may participate in cost-share assistance provided to the district without violating the ethics law pertaining to municipal officers.

**Votes on Final Passage:**

House 93 0  
Senate 48 0 (Senate amended)  
House (House refused to concur)  
Senate 43 0 (Senate amended)  
House 96 0 (House concurred)

**Effective:** July 25, 1999