

# SENATE BILL REPORT

## SHB 1502

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As of March 16, 2001

**Title:** An act relating to conservation districts.

**Brief Description:** Revising provisions relating to conservation districts.

**Sponsors:** By House Committee on Agriculture & Ecology (originally sponsored by Representatives G. Chandler, Grant, Schoesler and Mastin).

**Brief History:**

**Committee Activity:** Agriculture & International Trade: 3/21/01.

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### SENATE COMMITTEE ON AGRICULTURE & INTERNATIONAL TRADE

**Staff:** Bob Lee (786-7404)

**Background:** Conservation districts are units of local government formed to coordinate soil and water conservation efforts. Washington's conservation district law, Chapter 89.08 RCW, was first enacted in 1939. Conservation districts are governed by three elected supervisors and two appointed by the state Conservation Commission. At least three of the five supervisors must be landowners or operators of farms within the district.

Districts have the power to initiate special assessments against land to finance their activities, subject to approval by the county legislative authority if it finds that both the public interest will be served and that the special assessment will not exceed the special benefit that the land will receive from the activities of the conservation district. The assessments are paid by landowners and are limited to \$5 per parcel and 10 cents per acre, except that forest lands are subject to lower assessments.

Conservation district elections have been governed under specific election laws in Chapter 89.08 RCW. Recently, some have voiced the opinion that the law requires them to be governed under the general election laws.

**Summary of Bill:** The definition of a conservation "district elector" is changed from a registered voter residing within the district to a qualified county elector occupying land within the district boundary. Qualified county elector is not defined.

Conservation districts may choose to use the conservation district chapter election process or the process specified in local general and special election statutes. For conservation districts choosing to conduct elections according to the conservation district chapter process, election procedures are specified as follows:

- elections are to be held in odd-numbered years;

- a supervisor position is treated as vacant and no election is held if no one files for the position; and
- a person is deemed elected to a supervisor position if he or she is the only person who filed for the position.

For those conservation districts choosing to use the local general and special election statutes, the provisions of Title 29 RCW and the following special provisions apply:

- no primary is held to nominate candidates;
- the alternate method of dividing the district into three zones, authorized for elections under the conservation district chapter, may be used; and
- all candidates and supervisors are subject to public disclosure law requirements.

Conservation district supervisors' terms are changed from three to four years. Initial appointed supervisors are to serve staggered terms for two and four years from the date of appointment. For initial elected supervisors, terms are staggered for two, three and four years. For elected supervisors whose terms expire in 2001, a special election is to be held in the last quarter of 2001. For those elected supervisors whose terms expire in 2002 or 2003, general elections are to be held in 2003, with incumbents remaining in office until successors are elected and qualified.

Conservation districts choosing the local general and special election method may impose special assessments for activities and programs to conserve natural resources, including soil and water, without county legislative authority approval. Those districts choosing to use the conservation district chapter's election process must still obtain county legislative authority approval to impose these assessments.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.