

SENATE BILL REPORT

SB 6016

As Reported By Senate Committee On:
Agriculture & International Trade, February 28, 2001

Title: An act relating to conservation district liability.

Brief Description: Limiting the liability of a conservation district for decisions made in compliance with chapter 70.94 RCW.

Sponsors: Senator Sheahan.

Brief History:

Committee Activity: Agriculture & International Trade: 2/28/01 [DP].

SENATE COMMITTEE ON AGRICULTURE & INTERNATIONAL TRADE

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Parlette, Sheahan and Swecker.

Staff: David Johnson (786-7754)

Background: Some conservation districts issue and enforce burning permits on behalf of the Department of Ecology. Permits can be issued to allow burning for weed abatement, agricultural burning, and for other purposes.

Conservation districts are considered local government units and generally must insure themselves. It is unclear whether a conservation district and its employees might be liable for burning which the district permits on behalf of the state.

Summary of Bill: A conservation district board, individual directors, and authorized employees are immune from liability for their decisions regarding the issuance and enforcement of burning permits. The decisions must have been made in good faith and in compliance with other requirements of law.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Districts are unsure of their potential liability and unsure of their insurance coverage when they issue permits for the department. This issue needs to be addressed by this bill.

Testimony Against: None.

Testified: Pat McGregor, Washington Association of Conservation Districts.