

SENATE BILL REPORT

ESB 5094

As Passed Senate, March 16, 2005

Title: An act relating to special assessments for conservation district activities and programs.

Brief Description: Changing the maximum per parcel rate for conservation district special assessments.

Sponsors: Senator Jacobsen.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 2/10/05, 2/17/05 [DP, DNP].

Passed Senate: 3/16/05, 29-17.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen and Morton.

Minority Report: Do not pass.

Signed by Senators Schoesler, Ranking Minority Member; and Sheldon.

Staff: Bob Lee (786-7404)

Background: In 1989, a process was established to allow funds to be generated for programs and activities provided by the conservation district by establishing special assessments on lands within the district.

The process is initiated by the conservation district board who holds a public hearing on a proposal. On or before August 1, the conservation district then may file a proposed system of special assessment and a proposed budget with the county legislative authority. The county legislative authority is required to hold a public hearing and then may accept or modify the proposal. To establish the special assessment, the county legislative authority must find that the public interest will be served and that the special assessment will not exceed the special benefit that the land will receive. The actual cost of collecting the special assessments are to be deducted by the county treasurer from the revenue that is generated by the special assessment.

The maximum rate of assessment is ten cents per acre or five dollars per parcel, or both. Such assessments may continue for a period of up to ten years.

Summary of Bill: The maximum assessment to fund conservation district programs or activities for counties with a population of over 1.5 million is raised from five dollars to ten dollars per parcel. Clarification is provided that all funds except those to reimburse the county for the actual cost of collecting the assessments are to go to the conservation district and used by the district as authorized by statute.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: Several counties are in the midst of responding to salmon listings and updating critical area ordinances. Conservation districts have a better relationship and expertise to help local landowners develop and implement Best Management Practices (BMP) than other county offices. Many approaches are done on a watershed basis. All of these things take funding. This bill provides another tool in the tool box that can be implemented as a local option to fund these activities. The present funding available for conservation stewardship really isn't even touching the need. Though eight counties have adopted the special assessment, at \$5 per parcel it often isn't worth the bother in some areas. Funds generated from special assessments is used as leverage to secure additional funds from state and federal sources. Local governments are in a bigger crunch today to have funds to address all the things that they are supposed to do on salmon, critical areas, and growth management issues. Increasing the maximum per parcel assessment will help meet this need.

Testimony Against: None.

Who Testified: PRO: John Koster, Snohomish County; Don Stuart, American Farmland Trust; Doug Rushton, Thurston County Conservation District; Bill Reams; and Sara Hemphill, King County Conservation District.

House Amendment(s): The Senate version allowing an increase in the assessment to \$10 per parcel is limited to counties with a population over 1.5 million. The revised House version allows counties with a population over 500,000 to increase the assessment.

The revised version passed by the House maintains current law that special assessments be imposed to finance the activities of a conservation districts. It removes the restriction in the Senate version that required the funds to be transferred to the conservation district and be used for conservation district purposes.

Passed House: 57-14.