

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5437**

61st Legislature  
2009 Regular Session

Passed by the Senate March 3, 2009  
YEAS 46 NAYS 1

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**President of the Senate**

Passed by the House April 1, 2009  
YEAS 95 NAYS 2

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5437** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 5437

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Passed Legislature - 2009 Regular Session

State of Washington                      61st Legislature                      2009 Regular Session

By Senate Agriculture & Rural Economic Development (originally sponsored by Senators Schoesler, Hatfield, and Haugen; by request of Conservation Commission)

READ FIRST TIME 02/05/09.

1            AN ACT Relating to the state conservation commission; and amending  
2 RCW 89.08.040, 89.08.050, and 89.08.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 89.08.040 and 1984 c 287 s 112 are each amended to  
5 read as follows:

6            Members shall be compensated in accordance with RCW (~~43.03.240~~)  
7 43.03.250 and shall be entitled to travel expenses in accordance with  
8 RCW 43.03.050 and 43.03.060 incurred in the discharge of their duties.

9            The commission shall keep a record of its official actions, shall  
10 adopt a seal, which shall be judicially noticed, and may perform such  
11 acts, hold such public hearings, and (~~promulgate~~) adopt such rules  
12 (~~and regulations~~) as may be necessary for the execution of its  
13 functions under chapter 184, Laws of 1973 1st ex. sess. The state  
14 department of ecology is empowered to pay the travel expenses of the  
15 elected and appointed members of the state conservation commission, and  
16 the salaries, wages and other expenses of such administrative officers  
17 or other employees as may be required under the provisions of this  
18 chapter.

1       **Sec. 2.** RCW 89.08.050 and 1973 1st ex.s. c 184 s 6 are each  
2 amended to read as follows:

3       The commission may employ an administrative officer, and such  
4 technical experts and such other agents and employees, permanent and  
5 temporary as it may require, and shall determine their qualifications,  
6 duties, and compensation. The commission may call upon the attorney  
7 general for such legal services as it may require.

8       It shall have authority to delegate to its (~~(chairman)~~) chair, to  
9 one or more of its members, to one or more agents or employees such  
10 duties and powers as it deems proper. (~~(It)~~) As long as the commission  
11 and the office of financial management under the provisions of chapter  
12 43.82 RCW deems it appropriate and financially justifiable to do so,  
13 the commission shall be supplied with suitable office accommodations at  
14 the central office of the department of ecology, and shall be furnished  
15 the necessary supplies and equipment.

16       The commission shall organize annually and select a (~~(chairman)~~)  
17 chair from among its members, who shall serve for one year from the  
18 date of (~~(his)~~) the chair's selection. A majority of the commission  
19 shall constitute a quorum and all actions of the commission shall be by  
20 a majority vote of the members present and voting at a meeting at which  
21 a quorum is present.

22       **Sec. 3.** RCW 89.08.070 and 1973 1st ex.s. c 184 s 8 are each  
23 amended to read as follows:

24       In addition to the duties and powers hereinafter conferred upon the  
25 commission, it shall have the following duties and powers:

26       (1) To offer such assistance as may be appropriate to the  
27 supervisors of conservation districts organized under the provisions of  
28 chapter 184, Laws of 1973 1st ex. sess., in the carrying out of any of  
29 their powers and programs:

30       (a) To assist and guide districts in the preparation and carrying  
31 out of programs for resource conservation authorized under chapter 184,  
32 Laws of 1973 1st ex. sess.;

33       (b) To review district programs;

34       (c) To coordinate the programs of the several districts and resolve  
35 any conflicts in such programs;

36       (d) To facilitate, promote, assist, harmonize, coordinate, and

1 guide the resource conservation programs and activities of districts as  
2 they relate to other special purpose districts, counties, and other  
3 public agencies.

4 (2) To keep the supervisors of each of the several conservation  
5 districts organized under the provisions of chapter 184, Laws of 1973  
6 1st ex. sess. informed of the activities and experience of all other  
7 districts organized hereunder, and to facilitate an interchange of  
8 advice and experience between such districts and cooperation between  
9 them.

10 (3) To review agreements, or forms of agreements, proposed to be  
11 entered into by districts with other districts or with any state,  
12 federal, interstate, or other public or private agency, organization,  
13 or individual, and advise the districts concerning such agreements or  
14 forms of agreements.

15 (4) To secure the cooperation and assistance of the United States  
16 and any of its agencies, and of agencies of this state in the work of  
17 such districts.

18 (5) To recommend the inclusion in annual and longer term budgets  
19 and appropriation legislation of the state of Washington of funds  
20 necessary for appropriation by the legislature to finance the  
21 activities of the commission and the conservation districts; to  
22 administer the provisions of any law hereinafter enacted by the  
23 legislature appropriating funds for expenditure in connection with the  
24 activities of conservation districts; to distribute to conservation  
25 districts funds, equipment, supplies and services received by the  
26 commission for that purpose from any source, subject to such conditions  
27 as shall be made applicable thereto in any state or federal statute or  
28 local ordinance making available such funds, property or services; to  
29 (~~issue regulations~~) adopt rules establishing guidelines and suitable  
30 controls to govern the use by conservation districts of such funds,  
31 property and services; and to review all budgets, administrative  
32 procedures and operations of such districts and advise the districts  
33 concerning their conformance with applicable laws and (~~regulations~~)  
34 rules.

35 (6) To encourage the cooperation and collaboration of state,  
36 federal, regional, interstate and local public and private agencies  
37 with the conservation districts, and facilitate arrangements under  
38 which the conservation districts may serve county governing bodies and

1 other agencies as their local operating agencies in the administration  
2 of any activity concerned with the conservation of renewable natural  
3 resources.

4 (7) To disseminate information throughout the state concerning the  
5 activities and programs of the conservation districts organized  
6 hereunder, and to encourage the formation of such districts in areas  
7 where their organization is desirable; to make available information  
8 concerning the needs and the work of the conservation district and the  
9 commission to the governor, the legislature, executive agencies of the  
10 government of this state, political subdivisions of this state,  
11 cooperating federal agencies, and the general public.

12 (8) Pursuant to procedures developed mutually by the commission and  
13 other state and local agencies that are authorized to plan or  
14 administer activities significantly affecting the conservation of  
15 renewable natural resources, to receive from such agencies for review  
16 and comment suitable descriptions of their plans, programs and  
17 activities for purposes of coordination with district conservation  
18 programs; to arrange for and participate in conferences necessary to  
19 avoid conflict among such plans and programs, to call attention to  
20 omissions, and to avoid duplication of effort.

21 (9) To compile information and make studies, summaries and analysis  
22 of district programs in relation to each other and to other resource  
23 conservation programs on a statewide basis.

24 (10) To assist conservation districts in obtaining legal services  
25 from state and local legal officers.

26 (11) To require annual reports from conservation districts, the  
27 form and content of which shall be developed by the commission.

28 (12) To establish by (~~regulations~~) rule, with the assistance and  
29 advice of the state auditor's office, adequate and reasonably uniform  
30 accounting and auditing procedures which shall be used by conservation  
31 districts.

32 (13) To seek and accept grants from any source, public or private,  
33 to fulfill the purposes of the agency. The commission may also accept  
34 gifts or endowments that are made from time to time, in trust or  
35 otherwise, including real and personal property, for the use and  
36 benefit consistent with the purposes of this chapter.

37 (14) To conduct conferences, seminars, and training sessions  
38 consistent with the purposes of this chapter, and may accept grants,

1 gifts, and contributions, and may contract for services, to accomplish  
2 these activities. The commission may recover costs for these  
3 activities, whether the activity is sponsored or cosponsored by the  
4 commission, at a rate determined by the commission. The commission may  
5 provide reimbursement to participants in these activities and other  
6 commission sponsored meetings and events, as appropriate and approved  
7 by the commission, consistent with applicable statutes. The commission  
8 may provide meals for participants in working meetings.  
9 (15) To adopt rules to implement this section as it deems  
10 appropriate.

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