
Transportation Committee

HB 2733

Brief Description: Concerning rates and charges for storm water control facilities.

Sponsors: Representatives Jinkins, Upthegrove and Clibborn.

Brief Summary of Bill

- Removes the requirement that a local government utility charge its own streets or roads for storm water impacts in order to charge the state.
- Removes the requirement that state payments to local government utilities be used for facilities that directly reduce state highway runoff.
- Requires state payments for storm water impacts to be used consistent with the 18th Amendment of the Washington Constitution.
- Allows local government utilities to charge their own streets or other local entities at any rate determined by the legislative authority of that local government utility.
- Declares that rates charged to the state and rates determined by local government utilities are presumptively fair and equitable.
- Removes annual reporting and planning requirements for local government utilities.

Hearing Date: 1/31/12

Staff: Christie Parker (786-7322).

Background:

State law allows local government utilities to charge the state Department of Transportation for the construction, operation, and maintenance of storm water control facilities. The rate to be charged is 30 percent of the rate for comparable real property. The rate charged to the state may not be greater than the rate charged to cities and counties within the same jurisdiction; thus, local entities must charge themselves for storm water impacts if they are to charge the state. These charges are declared to be presumptively fair and equitable because the state invests in the

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construction, operation and maintenance of storm water control facilities that control runoff from state highways. Funds paid by the state must be used solely for storm water control facilities that directly reduce state highway runoff impacts or to implement best management practices that reduce the need for storm water control facilities. Local government utilities are required to develop an annual plan for the expenditure of the storm water charges and provide a progress report on the use of charges assessed for the prior year.

Summary of Bill:

Local government utilities may charge the state regardless of whether the utility charges its own streets or roads for storm water impacts. Local government utilities may charge their own streets or other local entities at any rate determined by the legislative authority of that local government utility. Rate determinations by the legislative authority of a local government utility for local highway rights-of-way are declared presumptively fair and equitable. Funds received by local storm water utilities from the state may be used for storm water facilities that reduce runoff impacts or that implement practices that reduce the need for storm water facilities; funds must be used consistent with the 18th Amendment of the Washington Constitution. Local government utilities are no longer required to develop a plan for spending these funds or to provide a progress report on the use of these funds.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect July 1, 2013.