

# SENATE BILL REPORT

## SB 6303

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As Reported by Senate Committee On:  
Agriculture, Water & Rural Economic Development, January 30, 2012

**Title:** An act relating to authorizing an optional system of rates and charges for conservation districts.

**Brief Description:** Authorizing an optional system of rates and charges for conservation districts.

**Sponsors:** Senators Nelson, Haugen and Harper.

**Brief History:**

**Committee Activity:** Agriculture, Water & Rural Economic Development: 1/24/12, 1/30/12 [DPS].

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### SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 6303 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hatfield, Chair; Shin, Vice Chair; Honeyford, Ranking Minority Member; Becker, Delvin, Haugen, Hobbs and Schoesler.

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

**Background:** In 1989 legislation was enacted that provides authority for assessing land to finance the activities of a conservation district. The supervisors of the conservation district initiate the process by holding a public hearing on a proposed system of assessments. After the hearing, the district supervisors may file a proposed system of assessments along with a proposed budget to the county legislative authority. The county legislative authority is required to hold a second hearing. After the hearing, the county legislative authority may accept, modify, or reject the proposed system of assessment. A special assessment may be imposed if the county legislative authority finds that the public interest will be served and that the special assessment will not exceed the special benefit to the land.

Assessments may be approved for a duration of up to ten years and then may be renewed by the county legislative authority. A per parcel assessment, or a per acre assessment, or both may be imposed. The maximum rate of \$5 per parcel is fixed except counties that have over

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1.5 million in population may assess up to \$10 per parcel. Specific provisions for assessing forest lands at lower rates are included.

There is a provision that allows landowner to file a petition with the county legislative authority objecting to the imposition of a special assessment. If the petition objecting to the special assessment is signed by at least 20 percent of the owners of land that would be subject to the special assessment, then the special assessment shall not be collected.

There are issues relating to special assessment now before the courts.

**Summary of Bill (Recommended Substitute):** The option to levy a system of rates and charges is authorized as an option of levying special assessments.

The district's board of supervisors may, by resolution, initiate the process whereby the county legislative authority may set the rates and charges for funding the operation of conservation districts as an option to benefit assessments. This process parallels the existing law and contains the same per parcel limits as existing law. The consideration, adoption, implementation, and collection of rates and charges are to follow the same public notice and hearing process and be subject to the same procedure and authority that apply to other assessments.

**EFFECT OF CHANGES MADE BY AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT COMMITTEE (Recommended Substitute):** Deleted from the original bill was authority to increase the maximum assessment to \$20 per parcel. Rates and charges have the same maximums as for assessments in current law. The process for establishing and renewing the rates and charges are the same as for benefit assessments.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill:** PRO: There is pending litigation that may cause a conservation district to lose its local option funding mechanism. This bill allows districts to take corrective action by adopting a system of rates and charges. There is concern about whether this is the time to authorize an increase in the level of assessment.

OTHER: The Commission offers their help to conservation districts to merge into a single position.

**Persons Testifying:** PRO: Jim Armstrong, Spokane Conservation District; Sara Hemphill, King Conservation District; Ryan Mello, David Seajo, Pierce Conservation District; Jim Jesernig, WA Assn. of Conservation Districts; Stephan DiJulio, Pierce County Conservation District.

OTHER: Ron Shultz, WA State Conservation District.