

SENATE BILL REPORT

SB 5314

As Passed Senate, March 3, 2015

Title: An act relating to the use of local storm water charges paid by the department of transportation.

Brief Description: Modifying the use of local storm water charges paid by the department of transportation.

Sponsors: Senators Benton, Cleveland and King.

Brief History:

Committee Activity: Transportation: 1/28/15, 2/02/15 [DP].

Passed Senate: 3/03/15, 48-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators King, Chair; Benton, Vice Chair; Hobbs, Ranking Minority Member; Ericksen, Habib, Litzow, Miloscia, Pedersen, Rivers and Sheldon.

Staff: Clint McCarthy (786-7319)

Background: Under existing statute, local government utilities can charge the Department of Transportation (DOT) 30 percent of the rate for comparable real property for the construction, operation, and maintenance of storm water control facilities. Local government utilities must use these funds for storm water control facilities that directly reduce state highway storm water runoff impacts or implementation of best management practices that will reduce the need for such facilities. Local government utilities coordinate with DOT to develop a plan of expenditure for storm water charges each year, and report on the use of the charges assessed for the prior year.

Sec. 708 of ESSB 6001, the 2014 Supplemental Transportation Budget, temporarily expanded the types of storm water control facilities that local governments can address with the charges received from facilities that directly reduce state highway runoff impacts to facilities that directly reduce runoff impacts. Annual local government utility planning and reporting requirements on the use of storm water charges from DOT are currently suspended. These temporary changes are set to expire on June 30, 2015.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: The types of storm water control facilities that local governments can address with the charges received from facilities that directly reduce state highway runoff impacts are expanded to facilities that directly reduce runoff impacts. The authority to use charges received prior to the effective date of the act for non-highway storm water runoff facilities is provided to DOT. Annual local government utility planning and reporting requirements on the use of storm water charges to DOT are eliminated.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect on June 30, 2015.

Staff Summary of Public Testimony: PRO: Counties have broad responsibilities to manage their storm water facilities based on federal and state law. While cities and counties would prefer a 100 percent reimbursement, this bill removes red tape and adds flexibility for local governments. It is a good first step towards DOT paying its fair share. This bill passed the Senate during the 2014 legislative session. The state has been living under this provision for the past year, this bill will make the change permanent. DOT is the only customer on the storm water system that gets a 70 percent discount.

OTHER: This bill has significant impact to DOT. The agency is facing financial challenges moving into the future. This bill will increase costs up to \$600,000 per year which will take away from existing programs. The easing of the restrictions will encourage a number of cities to seek reimbursement.

Persons Testifying: PRO: Christopher Clifford, Clark County Dept. of Environmental Services; Gary Rowe, WA State Assn. of Counties; Alison Hellberg, Assn. of WA Cities.

OTHER: Chris Christopher, DOT.