

SENATE BILL REPORT

SB 6690

As Passed Senate, February 12, 1996

Title: An act relating to water permit fees.

Brief Description: Changing water permit fees.

Sponsors: Senators Rasmussen, Swecker, Morton, Snyder and Fraser.

Brief History:

Committee Activity: Ways & Means: 2/5/96, 2/6/96 [DP].
Passed Senate, 2/12/96, 37-12.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rinehart, Chair; Loveland, Vice Chair; Bauer, Drew, Finkbeiner, Fraser, Hargrove, Kohl, Moyer, Pelz, Quigley, Sheldon, Snyder, Spanel, Strannigan, Sutherland, West, Winsley and Wojahn.

Staff: Cathy Baker (786-7708)

Background: The water right permitting process was first established in 1917 at which time a fee schedule was established for processing water right applications. The existing fee schedule pays for approximately 2 percent of the costs incurred by the Department of Ecology in processing water right permit applications. The remainder of the budget for this program comes from the state general fund.

The 1993-95 operating budget reduced the general fund appropriation for the water right administration program in fiscal year 1995 by approximately 60 percent. It also included a budget proviso stating that the appropriation for water right administration would be increased if legislation was enacted authorizing fees at a level sufficient to cover 50 percent of the costs of the program.

The 1993 Legislature also established a Water Right Fee Task Force. The task force was directed to: (1) recommend to the Legislature statutory changes to improve the efficiency of the water right permit process; and (2) develop a fee schedule whereby water right applicants would pay 50 percent of the cost of the water rights program.

Legislation containing the recommendations of the task force, including a fee schedule, was submitted to the 1994 Legislature but was not enacted. Legislation was also introduced during the 1995 session to establish a new fee schedule but was not enacted.

The 1995-97 operating budget continues funding for the program at the reduced level that went into effect in fiscal year 1995. The Governor increased funding for the program by

\$700,000 in the current biennium through a veto of other provided funds in the operating budget.

Summary of Bill: A new fee schedule is established for: (1) filing of water right applications; (2) processing water right applications; (3) issuance of water right certificates; and (4) examination of plans and specifications for certain types of dams.

Reclamation districts are required to pay these fees. The U.S. Bureau of Reclamation is required to pay fees for new water rights associated with the Grand Coulee water project.

The water right permit processing account is created. Revenue from most water right fees is deposited into the account. Expenditures from the account may be used only for activities related to water rights administration. The account may be used to support half the costs of the water right administration program.

The Department of Ecology is required to develop a budget process for the water rights administration program. The process must identify targets for permit processing, workload standards, and a budget that accomplishes these goals.

The Water Rights Program Review Task Force is directed to review the department's workload standards, program expenditures, and effectiveness. The task force reports to the Legislature annually on these measures. The task force expires in December 1998.

The department is expected to process simple applications in six months, and more difficult applications within one year. The department is required to report to the task force quarterly on the numbers of applications that are not processed within these timelines.

The Legislature may require an independent performance audit of the water right administration program to evaluate its effectiveness.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The bill will help restore funding for the water rights program. It includes important accountability and efficiency measures and will implement some of the recommendations of the Water Rights Fee Task Force.

Testimony Against: None.

Testified: Judy Turpin, WEC (pro); Kent Slattery, DOE.