

# SENATE BILL REPORT

## HB 1146

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As Reported by Senate Committee On:  
Agriculture, Water & Rural Economic Development, March 21, 2013

**Title:** An act relating to certified water right examiner bonding requirements.

**Brief Description:** Concerning certified water right examiner bonding requirements.

**Sponsors:** Representatives Nealey, Blake, Chandler, Lytton, Warnick, Schmick, Walsh, Ryu and Haler.

**Brief History:** Passed House: 3/04/13, 98-0.

**Committee Activity:** Agriculture, Water & Rural Economic Development: 3/19/13, 3/21/13 [DP].

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

**Majority Report:** Do pass.

Signed by Senators Hatfield, Chair; Honeyford, Ranking Member; Brown, Eide, Hobbs, Schoesler and Shin.

**Staff:** Diane Smith (786-7410)

**Background:** The Department of Ecology (Department) must establish and maintain a list of certified water right examiners. In order to qualify as a water right examiner, an individual must be registered as a professional engineer, professional land surveyor, hydrogeologist, must demonstrate at least five years of applicable experience to the Department, or be a member of a water conservancy board. Qualified individuals must also pass a written examination in order to become certified.

Certified water right examiners must complete eight hours of qualifying continuing education in the water resources field each year, and must be bonded for at least \$50,000. The Department has the authority to suspend or revoke certifications based on poor performance, malfeasance, failure to acquire continuing education credits, or excessive complaints from examiner's customers.

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*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:** Certified water right examiners must furnish evidence of insurance or financial responsibility in a form acceptable to the Department. This replaces the former requirement that each certified water right examiner be bonded for at least \$50,000.

**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:** PRO: This bill will help cure the backlog in water right processing. A bond is unnecessarily expensive and difficult to get. General liability insurance would be acceptable.

**Persons Testifying:** PRO: Representative Nealey, prime sponsor; Evan Sheffels, Dept. of Ecology.