

# SENATE BILL REPORT

## SB 5543

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As Reported by Senate Committee On:  
Local Government, February 9, 2017

**Title:** An act relating to a reexamination of the classification of land in flood control districts.

**Brief Description:** Concerning a reexamination of the classification of land in flood control districts.

**Sponsors:** Senators Padden and Baumgartner.

**Brief History:**

**Committee Activity:** Local Government: 2/02/17, 2/09/17 [DP].

**Brief Summary of Bill**

- Adds that a petition to appoint a board of appraisers may be signed by landowners representing 25 percent of the value of a flood control district's assessments.
- Allows the board of directors to reexamine the classification and relative benefit percentages of land in certain circumstances.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass.

Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

**Staff:** Bonnie Kim (786-7316)

**Background:** Flood control districts provide flood control and drainage services and facilities. A flood control district's board of directors may, with the written consent of the county legislative authority of the county within which the major portion of the district is situated, and on petition signed by landowners representing 25 percent of the acreage of the lands in the district, appoint a board of three appraisers to determine the ratio of benefits the lands in the district receive with respect to each other from the district.

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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.*

To determine the ratios of benefits, the board of appraisers must divide the lands within the district into classes. The board of appraisers has discretion to set the number of classes to fairly represent the manifest degrees of benefits, including benefits from better sanitation, easier accessibility, promotion of land development, minimization of flood damages, and flood protection. Land receiving the most benefit is placed in Class No. 1.

The board of appraisers must determine the percentage of benefits the lands in each class has with respect to the lands in Class No. 1. Those lands falling in Class No. 1 have the ratio or percentage of one hundred. Assessments are based on the relative ratios of benefits arising from a land's location in its class.

**Summary of Bill:** The petition to appoint a board of appraisers may also be signed by landowners representing 25 percent of the value of the assessments of the district.

When there is any subdivision, lot-line adjustment, or other change in the land use characteristics of any tract of land in the district, the board of directors may, with the written consent of the county legislative authority of the county within which the major portion of the district is situated, and without a landowner petition or formation of a board of appraisers, reconsider and/or reaffirm the classification and relative percentages assigned to each tract. The board must conduct any reexamination in the same manner used to make the determination originally. Reexamination has no legal effect on any assessment regularly levied before the order of appraisal by the reexamining board of directors and may not occur more than once per calendar year.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill addresses an issue that affects the Newman Lake area where parcel segregations and land use changes since the land use maps were created have resulted in unfair assessments. There are large discrepancies between assessments of primary and secondary lots. This is an issue that has concerned our county for many years. The flood control district for Newman Lake was created decades ago when it made sense that only 5 percent of property owners bore the costs of the entire district. Since then, water quality control has been added to the district's works but the costs are still borne by that small percentage. This is a fairness issue every year when we do assessments in the budgets. This bill will allow our district to make corrections recognizing changes in land use over the last 30 years. Although we knew that moving to the Newman Lake area would involve some cost, we did not know of the assessment inequities in the flood control district. Ten percent of the assessment is paid by secondary homes. This bill will create a fair and equitable assessment system for flood control and water quality control. These assessments have been increasing every year. My assessment is over \$4,000 for an 1100 square foot home.

**Persons Testifying:** PRO: Senator Mike Padden, Prime Sponsor; Dennis Rewinkel, NLFCZD Advisory Board, NL Property Owners Assn., ACTION for NL.; Bob Roberts, citizen; Lee Tate, citizen; Staci Lehman, citizen; Josh Kerns, Spokane County Commissioner; Todd Mielke, Former Spokane County Commissioner; Shelly O'Quinn, Spokane County Commissioner.

**Persons Signed In To Testify But Not Testifying:** No one.