

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1792 HB	<b>Title:</b> Water rights procedures
-----------------------------	---------------------------------------

## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

# Estimated Capital Budget Breakout

<b>Prepared by:</b> Lisa Borkowski, OFM	<b>Phone:</b> (360) 742-2239	<b>Date Published:</b> Final 2/15/2023
---	---------------------------------	---

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1792 HB	<b>Title:</b> Water rights procedures	<b>Agency:</b> 055-Administrative Office of the Courts
-----------------------------	---------------------------------------	--

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/07/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/10/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/10/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/14/2023

182,838.00

Form FN (Rev 1/00)

Request # 156-1

Bill # 1792 HB

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill would impact the upcoming Nooksack adjudication and Whatcom County Superior Court. The net effect is that it would restrain the court from making initial decisions about due dates of adjudication claims and submission of evidence. It would also require Ecology to publish their water rights adjudication form for comment.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts or the courts.

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

NONE

### III. B - Expenditure By Object or Purpose (County)

NONE

### III. C - Expenditure By Object or Purpose (City)

NONE

### III. D - FTE Detail

NONE

### III. E - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

None

182,838.00

Form FN (Rev 1/00)

2

Request # 156-1

Bill # 1792 HB

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1792 HB	<b>Title:</b> Water rights procedures	<b>Agency:</b> 461-Department of Ecology
-----------------------------	---------------------------------------	--

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/07/2023
Agency Preparation: Jim Skalski	Phone: 360-584-3805	Date: 02/09/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/09/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/13/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Under current law, chapter 90.03 RCW, the presiding court may issue orders to define schedules and timelines of a water right adjudication. Potential appellants to a water right adjudication may file claims as directed by the court.

This bill would amend chapter 90.03 RCW to make procedural changes to the process for a water right adjudication that apply specifically to adjudications filed in the Nooksack Basin/Water Resource Inventory Area (WRIA) 1 after June 1, 2023.

Section 1 would amend RCW 90.03.120 to require that, for a Nooksack Basin adjudication filed after June 1, 2023, the deadline to file claims in response to a summons issued pursuant to the adjudication must be at least one year after the filing date of the adjudication unless otherwise provided by the adjudicating court.

Section 2 would amend RCW 90.03.130 to require that any summons for the Nooksack Basin adjudication must state that claims must be filed within the timeframe defined in Section 1 of the bill unless otherwise established by the adjudicating court.

Section 3 would add a new subsection to RCW 90.03.140 to direct Ecology to publicly distribute the draft version of the Nooksack Basin adjudication claim form and allow a 60-day public comment period for review and feedback by potential claimants.

Section 4 would amend RCW 90.03.625 to authorize Ecology to file a motion for default against defendants who have been served but have failed to file a claim in a “timely” manner. This clarifies that motions for default may be served if defendants do not file their claim under the deadlines in this section.

This bill would have no fiscal impact to Ecology. The requirements and deadlines related to the filing period for the adjudication included in the bill reflect actions that the adjudicating court may itself take during the course of the adjudication. The longer timeframe required for the Nooksack Basin adjudication process specified in the bill, and the addition of a 60-day public comment period, would not require additional staff involved with the adjudication and would have no new fiscal impact to Ecology.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*