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ENGROSSED SUBSTITUTE HOUSE BILL 1442

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State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives R. Johnson, Roland and J. Kohl)

Read first time 02/25/93.

1 AN ACT Relating to integrated and coordinated water resource  
2 management; creating new sections; providing an expiration date; and  
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** FINDINGS AND PURPOSE. The legislature finds  
6 that there is a need to comprehensively review the policies and  
7 institutional framework governing the management, protection, and  
8 enhancement of water resources in the state of Washington. As a result  
9 of the proliferation of water resource programs, planning requirements,  
10 and ever-increasing demands on the resource, the need for coordinated  
11 and efficient water resource is essential. In order to provide a  
12 consolidated approach to water resource management and to provide  
13 consistent and timely decision making, the legislature further finds  
14 that, to the extent possible, the executive and the legislative  
15 branches of state government should work together with the help of  
16 local governments and tribal governments on water resources issues that  
17 are state-wide in their significance.

18 It is therefore the purpose of this act to create a water resource  
19 commission to comprehensively review the water resource management

1 programs in the state and make recommendations for improvement and  
2 implementation of management decisions.

3 NEW SECTION. **Sec. 2.** COMMISSION CREATED. (1) There is created  
4 the Washington water resources policy commission. The commission shall  
5 be comprised as follows:

6 (a) The governor, or the governor's representative;

7 (b) Three members of the house of representatives: The chair of  
8 the house agriculture and rural development committee, the chair of the  
9 natural resources and parks committee, and the minority leader or his  
10 or her designee;

11 (c) Three members of the senate: The chair of the senate ecology  
12 and parks committee, the chair of the senate energy and utilities  
13 committee, and the minority leader or his or her designee;

14 (d) No more than three members, appointed by the governor, from  
15 federally recognized Indian tribes, who will not be expected to  
16 represent any Indian tribes other than their own;

17 (e) Three members, appointed by the governor, to represent general  
18 purpose local governments;

19 (f) No more than seven members, appointed by the governor, to  
20 represent the following interests:

21 (i) Agriculture, including one member from the east side of the  
22 Cascade Mountains and one member from the west side of the Cascade  
23 Mountains;

24 (ii) Environmental organizations;

25 (iii) Commercial timber landowners;

26 (iv) Nonindustrial small timber landowners of less than two hundred  
27 acres;

28 (v) Fisheries and wildlife; and

29 (vi) Utilities.

30 (2) The commission shall convene at the call of the governor under  
31 section 4 of this act, and the governor or his or her representative  
32 shall be the chair.

33 (3) The governor shall provide the staff for the commission.  
34 Whenever practicable, existing employees of state government shall be  
35 used on a temporary basis to assist in staffing the commission. The  
36 commissioner of public lands and the attorney general shall cooperate  
37 in assuring the assignment of staff having expertise in the matters  
38 under review by the commission.

1 (4) Commission members appointed under subsection (1) (d) and (f)  
2 of this section are entitled to reimbursement for reasonable expenses  
3 actually incurred in connection with official business, including  
4 subsistence and lodging while away from each member's place of  
5 residence, and mileage for use of a privately owned vehicle, in  
6 accordance with chapter 43.03 RCW.

7 (5) The governor shall make the appointments required under this  
8 section no later than sixty days following the effective date of this  
9 act.

10 (6) Except as specifically provided in this act, the commission  
11 shall determine the procedures for conducting its activities. In any  
12 report or recommendations to the governor and the legislature, the  
13 commission shall allow the inclusion of minority positions.

14 (7) The commission may enter into contracts for the performance of  
15 work necessary to assist the commission in its duties under this act.

16 NEW SECTION. **Sec. 3.** COMMISSION DUTIES. The commission shall  
17 conduct a comprehensive review of water resources management in  
18 Washington that includes:

19 (1) An identification of all programs governing flood and storm  
20 water management, water supply delivery, water quality protection,  
21 instream flow and riparian protection, and other water resource  
22 management needs;

23 (2) An assessment of the performance of existing programs in  
24 achieving coordinated water resource management, that identifies  
25 specific conflicting or inconsistent policies, strategies, standards,  
26 jurisdiction, or planning requirements;

27 (3) Recommendations for the coordination and integration of state  
28 water resource programs, emphasizing watershed-based strategies for  
29 water resource management, including an assessment of the need for an  
30 independent water resources agency;

31 (4) An identification of state and local water resources and water  
32 quality funding programs;

33 (5) Recommendations for consolidation and expansion of state water  
34 resources program funding and water quality program funding with  
35 specific attention given to a long-term consistent and stable funding  
36 structure;

1 (6) Recommendations for state and local government coordination of  
2 water quality and resource planning consistent with the programs and  
3 objectives of the growth management act.

4 NEW SECTION. **Sec. 4.** COMMISSION MEETINGS. Within ninety days  
5 following the effective date of this act, the governor shall convene  
6 the initial meeting of the commission. The commission shall determine  
7 the location and frequency of its meetings, but shall meet at least  
8 monthly. Commission meetings shall be open to the public. The  
9 commission shall endeavor to provide opportunities for public comment  
10 within its meeting schedule.

11 NEW SECTION. **Sec. 5.** COMMISSION REPORTS. The commission shall  
12 report to the legislature and the governor, with detail, on those  
13 subjects required to be reviewed in section 3 of this act, no later  
14 than November 1, 1994. The report shall describe current conditions  
15 and program effectiveness, and shall include specific recommendations  
16 for legislative and administrative action to meet the legislative  
17 purpose set forth in this act.

18 NEW SECTION. **Sec. 6.** FEDERALLY RECOGNIZED INDIAN TRIBES. The  
19 legislature recognizes that federally recognized tribes and the state  
20 of Washington have historical relationships and unique rights governed  
21 by federal and state constitutions, statutes, and treaties with the  
22 United States government and executive orders of the President of the  
23 United States. Federally recognized Indian tribes are independent  
24 sovereign governments. Tribal participation on the commission created  
25 in this act is intended to provide direct input and to enhance  
26 coordination between governments; however, participation does not imply  
27 formal representation individually or collectively of the federally  
28 recognized Indian tribes.

29 NEW SECTION. **Sec. 7.** The water resources policy commission  
30 created in this act shall recognize, and to the extent practicable  
31 coordinate with, the department of ecology water resources program and  
32 any advisory bodies to the department of ecology water resources  
33 program.

1        NEW SECTION.    **Sec. 8.**    This act is necessary for the immediate  
2 preservation of the public peace, health, or safety, or support of the  
3 state government and its existing public institutions, and shall take  
4 effect immediately.

5        NEW SECTION.    **Sec. 9.**    Captions as used in this act constitute no  
6 part of the law.

7        NEW SECTION.    **Sec. 10.**   Sections 1 through 9 of this act and the  
8 Washington water resources policy commission shall expire December 31,  
9 1996.

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