
SENATE BILL 6336

State of Washington 54th Legislature 1996 Regular Session

By Senators Rasmussen, Winsley, Haugen, Swecker, Morton and Sutherland

Read first time 01/11/96. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to the water resources board; adding new sections
2 to chapter 43.131 RCW; adding a new chapter to Title 43 RCW; and making
3 an appropriation.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that balanced
6 administration and management of the state water resources and water
7 quality is of paramount importance to the citizens of the state. The
8 legislature finds that regional differences in water resource
9 conditions require greater consideration in the development and
10 administration of water resource policy. The legislature finds that to
11 effectively take regional differences into consideration the decision-
12 making authority needs to be composed of persons from various regions
13 of the state.

14 It is the intent of the legislature to establish a state board on
15 water resources that consists of members representing all regions of
16 the state. Further, it is the direction of the legislature that the
17 board develop policies and implement programs that are balanced with
18 the interests of all sectors of the state's residents taken into
19 account.

1 NEW SECTION. **Sec. 2.** There is hereby created a state board to be
2 known as the Washington water resources board. The board shall have
3 five members.

4 (1) Members shall be appointed by the governor, with the consent of
5 the senate. Two of the members shall reside east of the crest of the
6 Cascade mountains and two shall reside west of the crest of the Cascade
7 mountains, and one member shall represent the state at large. No more
8 than one member may reside in any one county.

9 In making appointments to the board, the governor shall select
10 persons with recognized expertise in water-related issues, including
11 but not limited to, issues regarding agriculture, tribes, hydroelectric
12 production, fisheries, municipal and industrial supply, recreational
13 uses, and water quality, and who have demonstrated the ability to work
14 constructively in group settings. No state officer or state employee
15 may be appointed by the governor as a member of the board. If an
16 elective state official is appointed, the official must resign the
17 elected office if the official accepts the appointment.

18 (2) The members of the board shall serve four-year terms except for
19 one of the initial members from eastern Washington and one of the
20 initial members from western Washington as designated by the governor
21 who shall each serve two-year terms. The terms of the initial members
22 shall begin September 1, 1996. At the first meeting of the board, it
23 shall choose one of its members as chair.

24 (3) Each board member shall receive a salary as may be fixed by the
25 governor in accordance with RCW 43.03.040. A member may be dismissed
26 by the governor before the expiration of his or her term for cause.

27 NEW SECTION. **Sec. 3.** The board has the following powers and
28 duties:

29 (1) The board, by the adoption of rules, shall establish state-wide
30 water policy and guidelines consistent with statutory law regarding the
31 water resource and water quality programs and policies administered by
32 the departments of ecology and health. The initial policies and
33 procedures considered by the board shall include a process for the
34 development and approval of regional water resource plans, in-stream
35 flow levels, hydraulic continuity, augmentation of water supplies,
36 aquifer management, and water transfers.

37 (2) To assure consistency with state-wide policy, all state
38 agencies shall provide the board with copies of any proposed rules

1 affecting water resources or water quality issues. The board may
2 comment on any proposed rule within the regular comment period with
3 regard to any conflict between the proposed rule and state law, the
4 policies and guidelines of the board, or any other rule. The state
5 board of health and the department of ecology may not adopt a rule if
6 the board has filed a comment pursuant to this subsection that the
7 proposed rule would be in conflict with any rule of the board.

8 (3) When the board proposes to adopt a rule that is inconsistent
9 with any existing rule of the board of health or the department of
10 ecology, the board may, in concert with consideration of the proposed
11 rule, initiate a proposal to modify or repeal the inconsistent rule in
12 accordance with the provisions of the administrative procedure act.

13 (4) The board may employ staff necessary to carry on the
14 administrative work of the board.

15 (5) The board may appoint technical working groups and advisory
16 interest group committees to assist in carrying out its duties.

17 (6) The board may conduct inquiries and hearings as appropriate.

18 (7) Except for administrative matters, rules authorized under this
19 section that are adopted before December 15th of any year shall not
20 take effect before the end of the regular legislative session in the
21 next year and rules adopted after December 15th of any year shall not
22 take effect before the end of the regular legislative session in the
23 second year following.

24 (8) The board shall review the proposed budget for water resource-
25 related activities over which it has jurisdiction that are submitted by
26 the departments of ecology and health. The agencies shall provide the
27 proposed budget to the board forty working days before the due date for
28 submission to the office of financial management. The board may call
29 upon staff of either agency to make presentations to the board to
30 explain the proposed budget submittal, including both operating and
31 capital budget appropriations. The board may submit to the office of
32 financial management a proposed budget for the water resources program
33 that reflects the board's priorities.

34 NEW SECTION. **Sec. 4.** The department of ecology and the department
35 of health shall each provide staff support to the board and shall
36 cooperate fully in assuring the efficient functioning of the board.
37 The board's expenses shall be incorporated and separately identified in
38 departments' budgets. Other state agencies participating in providing

1 assistance to regional planning efforts or otherwise involved in water
2 resources-related matters shall also cooperate with the board.

3 NEW SECTION. **Sec. 5.** The board shall submit a biennial report to
4 the governor and the legislature containing a summary of the
5 transactions and proceedings of the board together with a summary of
6 any information gathered by the board and such other facts,
7 suggestions, and recommendations as the governor or the legislature
8 requests.

9 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.131 RCW
10 to read as follows:

11 The Washington water resources board and its powers and duties
12 shall be terminated June 30, 2003, as provided in section 7 of this
13 act.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.131 RCW
15 to read as follows:

16 The following acts or parts of acts, as now existing or hereafter
17 amended, are each repealed, effective June 30, 2004:

- 18 (1) Section 1 of this act;
- 19 (2) Section 2 of this act;
- 20 (3) Section 3 of this act;
- 21 (4) Section 4 of this act; and
- 22 (5) Section 5 of this act.

23 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act shall
24 constitute a new chapter in Title 43 RCW.

25 NEW SECTION. **Sec. 9.** The sum of three hundred fifty thousand
26 dollars, or as much thereof as may be necessary, is appropriated for
27 the biennium ending June 30, 1997, from the general fund to the water
28 resources board for the purposes of this act.

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