

SSB 5086 - S AMD 141
By Senator Fraser

NOT ADOPTED 03/13/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The water rights disputes task force
4 created by section 302(21), chapter 371, Laws of 2002, shall include in
5 its report a consideration of the following alternatives to the current
6 jurisdiction of the pollution control hearings board over appeals taken
7 from water-related decisions of the department of ecology:

8 (1) At the option of the appealing party, review by either the
9 board or by the superior court where the land is located upon which the
10 water is or would be used; and

11 (2) Review by the superior court where the land is located upon
12 which the water is or would be used.

13 For both alternatives the task force shall include a consideration
14 of such direct review in the superior court to be conducted de novo.

15 The task force shall also consider the alternative of an appeal
16 from a board decision being taken directly to the court of appeals."

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17 On page 1, line 2 of the title, after "ecology;" strike the
18 remainder of the title and insert "; and creating a new section."

EFFECT: Water Rights Disputes Task Force would include in its

report consideration of alternative appeal processes for water-related
Dept. of Ecology decisions.

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