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HOUSE BILL 2841

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Blake, Hatfield, Schindler and Romero

Read first time 01/21/2004. Referred to Committee on Local Government.

1            AN ACT Relating to administering flood control zone districts; and  
2 amending RCW 86.15.080 and 86.15.060.

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

4            **Sec. 1.** RCW 86.15.080 and 1983 c 315 s 13 are each amended to read  
5 as follows:

6            A zone or participating zone may:

7            (1) Exercise all the powers and duties vested in a county for flood  
8 water or storm water control purposes under the provisions of RCW  
9 86.09.268 and chapters 86.12, 86.13, 36.89, and 36.94 RCW: PROVIDED,  
10 That in exercising such powers, all actions shall be taken in the name  
11 of the zone and title to all property or property rights shall vest in  
12 the zone;

13            (2) Plan, construct, acquire, repair, maintain, and operate all  
14 necessary equipment, facilities, improvements, and works to control,  
15 conserve, and remove flood waters and storm waters and to otherwise  
16 carry out the purposes of this chapter including, but not limited to,  
17 protection of the quality of water sources;

18            (3) Take action necessary to protect life and property within the  
19 district from flood water damage;

1 (4) Control, conserve, retain, reclaim, and remove flood waters and  
2 storm waters, including waters of lakes and ponds within the district,  
3 and dispose of the same for beneficial or useful purposes under such  
4 terms and conditions as the board may deem appropriate, subject to the  
5 acquisition by the board of appropriate water rights in accordance with  
6 the statutes;

7 (5) Acquire necessary property, property rights, facilities, and  
8 equipment necessary to the purposes of the zone by purchase, gift, or  
9 condemnation: PROVIDED, That property of municipal corporations may  
10 not be acquired without the consent of such municipal corporation;

11 (6) Sue and be sued in the name of the zone;

12 (7) Acquire or reclaim lands when incidental to the purposes of the  
13 zone and dispose of such lands as are surplus to the needs of the zone  
14 in the manner provided for the disposal of county property in chapter  
15 36.34 RCW;

16 (8) Cooperate with or join with the state of Washington, United  
17 States, another state, any agency, corporation or political subdivision  
18 of the United States or any state, Canada, or any private corporation  
19 or individual for the purposes of this chapter;

20 (9) Accept funds or property by loan, grant, gift or otherwise from  
21 the United States, the state of Washington, or any other public or  
22 private source;

23 (10) Remove debris, logs, or other material which may impede the  
24 orderly flow of waters in streams or water courses: PROVIDED, That  
25 such material shall become property of the zone and may be sold for the  
26 purpose of recovering the cost of removal: PROVIDED FURTHER, That  
27 valuable material or minerals removed from public lands shall remain  
28 the property of the state.

29 **Sec. 2.** RCW 86.15.060 and 1961 c 153 s 6 are each amended to read  
30 as follows:

31 Administration of the affairs of zones without elected supervisors  
32 shall be in the county engineer. The engineer may appoint such  
33 deputies and engage such employees, specialists and technicians as may  
34 be required by the zone and as are authorized by the zone's budget.  
35 Subject to the approval of the board, the engineer may organize, or  
36 reorganize as required, the zone into such departments, divisions or

1 other administrative relationships as he deems necessary to its  
2 efficient operation.

3 In flood control zone districts with elected supervisors, the  
4 supervisors may appoint the county engineer to administer the affairs  
5 of the district.

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