
ENGROSSED SUBSTITUTE HOUSE BILL 1561

State of Washington

60th Legislature

2008 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Jarrett, Clibborn, Goodman, Springer, Eddy, Rodne and P. Sullivan)

READ FIRST TIME 02/16/07.

1 AN ACT Relating to the authority of a watershed management
2 partnership to exercise powers of its forming governments; and adding
3 a new section to chapter 39.34 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.34 RCW
6 to read as follows:

7 (1) As limited in subsection (3) of this section, a watershed
8 management partnership formed or qualified under the authority of RCW
9 39.34.200 and 39.34.210, including a separate legal entity established
10 by such a partnership to conduct the cooperative undertaking of the
11 partnership under the same statutory authority, may exercise the power
12 of eminent domain as provided in chapter 8.12 RCW.

13 (2) The eminent domain authority granted under subsection (1) of
14 this section may be exercised only for those utility purposes for which
15 the watershed partnership was formed.

16 (3) Subsection (1) of this section applies only to a watershed
17 management partnership that:

18 (a) Was formed or qualified before July 1, 2006, under the
19 authority of RCW 39.34.200 and 39.34.210;

1 (b) Is not engaged in planning or in implementing a plan for a
2 water resource inventory area under the terms of chapter 90.82 RCW;

3 (c) Is composed entirely of cities and water-sewer districts
4 authorized to exercise the power of eminent domain in the manner
5 provided by chapter 8.12 RCW; and

6 (d) Is governed by a board of directors consisting entirely of
7 elected officials from the cities and water-sewer districts that
8 constitute the watershed management partnership.

9 (4) A watershed management partnership exercising authority under
10 this section shall report to the relevant legislative committees by
11 July 1, 2010. The report shall address the status of the water
12 system's project or projects, and the use, if any, of the authority
13 granted in this section, including any use of the authority for the
14 siting and construction of the system. The report shall also inform
15 the legislature of efforts to inform and involve the public of the
16 affected areas regarding siting and construction of system facilities.

17 (5) A watershed management partnership exercising authority under
18 this section shall:

19 (a) Comply with the notice requirements of RCW 8.25.290; and

20 (b) Provide notice to the city, town, or county with jurisdiction
21 over the subject property by certified mail thirty days prior to the
22 partnership board authorizing condemnation.

--- END ---