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HOUSE BILL 2553

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Lekanoff, DeBolt, Shewmake, Peterson, Blake, Fitzgibbon, Senn, Rude, Doglio, Kloba, Pollet, and Santos

Read first time 01/15/20. Referred to Committee on Rural Development, Agriculture, & Natural Resources.

1 AN ACT Relating to creating a joint executive, legislative, and  
2 interagency work group on water resource policy for the purpose of  
3 developing a statewide water action plan; adding a new section to  
4 chapter 90.03 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that management  
7 of water resources throughout the state would be improved by aligning  
8 the state's laws, policies, and resources with current and forecast  
9 needs. Decades of statutory changes that respond to specific water  
10 resource issues and court decisions have resulted in a complex and  
11 confusing legal environment for water users and for water managers in  
12 the department of ecology. A lack of clarity in the state's water  
13 policy contributes to reduced certainty and efficiency in the use of  
14 public and private resources in water rights administration.

15 (2) The legislature intends to address this situation by creating  
16 a work group to develop a statewide water action plan. It is the  
17 intent of the legislature to provide state agencies and water users  
18 with a cohesive strategy to ensure that the state's water policies  
19 provide a clear and effective foundation on which to make sound  
20 decisions about allocations of water resources.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 90.03  
2    RCW to read as follows:

3        (1) A joint executive, legislative, and interagency work group on  
4    water resource policy is established for the purpose of developing a  
5    statewide water action plan that identifies areas of statute,  
6    administrative rule, policy, and practice that should be updated, and  
7    makes appropriate corresponding strategic policy recommendations, in  
8    order to ensure that water resources are appropriately allocated to  
9    address current and future statewide needs.

10       (2) The work group consists of the following members:

11       (a) Two members from each of the two largest caucuses of the  
12    senate, appointed by the president of the senate;

13       (b) Two members from each of the two largest caucuses of the  
14    house of representatives, appointed by the speaker of the house of  
15    representatives;

16       (c) A representative from the office of the governor, appointed  
17    by the governor;

18       (d) A representative from the department, appointed by the  
19    director of the department;

20       (e) A representative from the department of agriculture,  
21    appointed by the director of the department of agriculture;

22       (f) A representative from the department of health, appointed by  
23    the secretary of the department of health; and

24       (g) A representative from the department of fish and wildlife,  
25    appointed by the director of the department of fish and wildlife.

26       (3) There are two cochairs of the work group. One cochair of the  
27    work group must be a member of the majority caucus of one chamber of  
28    the legislature and one cochair must be a member of the minority  
29    caucus of the other chamber of the legislature, as those caucuses  
30    existed as of January 13, 2020.

31       (4) The work group shall, by a majority of the members, adopt  
32    rules to govern its conduct as may be necessary or appropriate,  
33    including reasonable procedures for calling and conducting meetings  
34    of the work group, ensuring reasonable advance notice of each  
35    meeting, and providing for the right of the public to attend each  
36    meeting.

37       (5) The work group shall convene from time to time at the call of  
38    one or both of the cochairs or upon the request of three or more  
39    members of the work group. The work group must meet at least three  
40    times each calendar year and the work group is encouraged to hold at

1 least one of its meetings each year at a location outside of Olympia.  
2 In even-numbered years, at least one meeting, which must take place  
3 no later than September 30th, must include a review of recent  
4 progress in the area of water policy and a consideration of water-  
5 related policy or budgetary matters to come before the legislature  
6 during the upcoming legislative session. Any meeting of the work  
7 group must include an opportunity for public comment.

8 (6) The work group has the following responsibilities:

9 (a) To conduct a comprehensive review of water policy, including  
10 statutes, case law, administrative rules, policies, and the laws and  
11 policies of other states, where appropriate;

12 (b) To engage stakeholders in the work group's deliberations  
13 through outreach conducted by the department and reports from the  
14 department to the work group;

15 (c) To produce and periodically update a statewide water action  
16 plan that identifies areas of statute, administrative rule, policy,  
17 and practice that should be updated in order to ensure that water  
18 resources are appropriately allocated to meet current and future  
19 statewide needs; and

20 (d) As part of the statewide water action plan, to make  
21 recommendations to the legislature on budgetary and policy actions  
22 related to water resource policy.

23 (7) Policy and budgetary recommendations of the work group must  
24 be made by a sixty percent majority of the appointed members of the  
25 work group. Minority recommendations that achieve the support of at  
26 least three of the appointed members of the work group may also be  
27 submitted to the legislature. The representatives of the office of  
28 the governor, and of the departments of ecology, agriculture, health,  
29 and fish and wildlife are not eligible to vote on the policy or  
30 budgetary recommendations. If a member has not been designated for a  
31 position set forth in subsection (2) of this section, that position  
32 may not be counted for purposes of determining a quorum.

33 (8) The expenses of the operations of the work group, including  
34 the expenses associated with the work group's meetings, must be paid  
35 by the department, except that the costs of attendance at work group  
36 meetings incurred by work group members, including representatives of  
37 other departments, of the house of representatives, and of the  
38 senate, must be borne by the individual department, the house of  
39 representatives, and the senate, respectively. Legislative members of

1 the task force are reimbursed for travel expenses in accordance with  
2 RCW 44.04.120.

3 (9) Staff support for the work group must be provided by the  
4 respective departments whose representatives serve on the work group,  
5 except that staff support for legislative members of the work group  
6 must be provided by the office of program research, for members of  
7 the house of representatives, and by senate committee services, for  
8 members of the senate.

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