

SHB 1561 - S AMD 486
By Senator Tom

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 39.34 RCW
4 to read as follows:

5 (1) The legislature finds that regional water resource planning and
6 coordinated municipal water supply transmission and delivery systems
7 benefit the people of the state and advance state water policies.
8 Municipalities should encourage voluntary and cooperative efforts and
9 public involvement in the planning and location of such systems,
10 consistent with the water policies of the state. It is the intent of
11 the legislature to clarify certain authority of an existing watershed
12 management partnership to execute the specific goals for which it was
13 constituted. A pilot project is created with the intent that the
14 legislature will, at a certain date, be informed of the use of the
15 authority specified in this section as well as the efforts to involve
16 the public in siting and construction of the water system facilities.

17 (2) As limited in subsection (3) of this section, a watershed
18 management partnership formed or qualified under the authority of RCW
19 39.34.200 and 39.34.210, and a separate legal entity established by
20 such a partnership to conduct the cooperative undertaking of the
21 partnership under the same statutory authority, may exercise the power
22 of eminent domain as provided in chapter 8.12 RCW only for:

23 (a) Those utility purposes for which the watershed management
24 partnership was formed; or

25 (b) On upland properties designated by WAC 173-20-570(3) abutting
26 a lake whose water may be permitted as a municipal water supply
27 pursuant to chapter 90.03 RCW, water transmission, conveyance, storage,
28 treatment, and other water utility facilities and buildings.

29 (3) Subsection (2) of this section applies only to a watershed
30 management partnership that:

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

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

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

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

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

22 (5) This section expires July 1, 2011."

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23 On page 1, line 2 of the title, after "governments;" strike the
24 remainder of the title and insert "adding a new section to chapter
25 39.34 RCW; and providing an expiration date."

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