
HOUSE BILL 1889

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Hansen, Morton, Pruitt and Jones

Read first time 02/15/93. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to water rights; adding a new section to chapter
2 43.30 RCW; adding a new section to chapter 90.03 RCW; adding a new
3 section to chapter 90.08 RCW; adding a new section to chapter 90.14
4 RCW; adding a new section to chapter 90.16 RCW; adding a new section to
5 chapter 90.22 RCW; adding a new section to chapter 90.24 RCW; adding a
6 new section to chapter 90.28 RCW; adding a new section to chapter 90.36
7 RCW; adding a new section to chapter 90.38 RCW; adding a new section to
8 chapter 90.40 RCW; adding a new section to chapter 90.42 RCW; adding a
9 new section to chapter 90.44 RCW; adding a new section to chapter 90.46
10 RCW; adding a new section to chapter 90.58 RCW; adding a new section to
11 chapter 90.66 RCW; and creating new sections.

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

13 NEW SECTION. **Sec. 1.** The state of Washington, having an abundance
14 of natural resources, has the responsibility to its citizens to manage,
15 maintain, and develop its resources. All waters, both on the surface
16 and under ground, are inherent assets of this state and should be
17 managed by an independent agency, the department of natural resources.
18 Public policy is established:

1 (1) That allows the commissioner of public lands to conduct land
2 inspection, establish extensive underground research projects, and map
3 public lands for the entire state, all services for the public good;
4 and

5 (2) To manage shorelines and miscellaneous duties pertaining to the
6 administration of water as a natural resource.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.30 RCW
8 to read as follows:

9 All powers, duties, and functions of the department of ecology
10 pertaining to water rights under chapters 90.03, 90.08, 90.14, 90.16,
11 90.22, 90.24, 90.28, 90.36, 90.38, 90.40, 90.42, 90.44, 90.46, 90.58,
12 and 90.66 RCW are transferred to the department of natural resources.
13 All references to the director or department of ecology in the Revised
14 Code of Washington shall be construed to mean the commissioner or
15 department of natural resources when referring to the functions
16 transferred in this section.

17 NEW SECTION. **Sec. 3.** All reports, documents, surveys, books,
18 records, files, papers, or written material in the possession of the
19 department of ecology pertaining to the powers, functions, and duties
20 transferred shall be delivered to the custody of the department of
21 natural resources. All cabinets, furniture, office equipment, motor
22 vehicles, and other tangible property employed by the department of
23 ecology in carrying out the powers, functions, and duties transferred
24 shall be made available to the department of natural resources. All
25 funds, credits, or other assets held in connection with the powers,
26 functions, and duties transferred shall be assigned to the department
27 of natural resources.

28 Any appropriations made to the department of ecology for carrying
29 out the powers, functions, and duties transferred shall, on the
30 effective date of this section, be transferred and credited to the
31 department of natural resources.

32 Whenever any question arises as to the transfer of any personnel,
33 funds, books, documents, records, papers, files, equipment, or other
34 tangible property used or held in the exercise of the powers and the
35 performance of the duties and functions transferred, the director of
36 financial management shall make a determination as to the proper
37 allocation and certify the same to the state agencies concerned.

1 NEW SECTION. **Sec. 4.** All employees of the department of ecology
2 engaged in performing the powers, functions, and duties transferred are
3 transferred to the jurisdiction of the department of natural resources.
4 All employees classified under chapter 41.06 RCW, the state civil
5 service law, are assigned to the department of natural resources to
6 perform their usual duties upon the same terms as formerly, without any
7 loss of rights, subject to any action that may be appropriate
8 thereafter in accordance with the laws and rules governing state civil
9 service.

10 NEW SECTION. **Sec. 5.** All rules and all pending business before
11 the department of ecology pertaining to the powers, functions, and
12 duties transferred shall be continued and acted upon by the department
13 of natural resources. All existing contracts and obligations shall
14 remain in full force and shall be performed by the department of
15 natural resources.

16 NEW SECTION. **Sec. 6.** The transfer of the powers, duties,
17 functions, and personnel of the department of ecology shall not affect
18 the validity of any act performed prior to the effective date of this
19 section.

20 NEW SECTION. **Sec. 7.** If apportionments of budgeted funds are
21 required because of the transfers directed by sections 3 through 6 of
22 this act, the director of financial management shall certify the
23 apportionments to the agencies affected, the state auditor, and the
24 state treasurer. Each of these shall make the appropriate transfer and
25 adjustments in funds and appropriation accounts and equipment records
26 in accordance with the certification.

27 NEW SECTION. **Sec. 8.** Nothing contained in sections 2 through 7 of
28 this act may be construed to alter any existing collective bargaining
29 unit or the provisions of any existing collective bargaining agreement
30 until the agreement has expired or until the bargaining unit has been
31 modified by action of the personnel board as provided by law.

32 NEW SECTION. **Sec. 9.** A new section is added to chapter 90.03 RCW
33 to read as follows:

1 The powers and duties of the department of ecology under this
2 chapter shall be performed by the department of natural resources.

3 NEW SECTION. **Sec. 10.** A new section is added to chapter 90.08 RCW
4 to read as follows:

5 The powers and duties of the department of ecology under this
6 chapter shall be performed by the department of natural resources.

7 NEW SECTION. **Sec. 11.** A new section is added to chapter 90.14 RCW
8 to read as follows:

9 The powers and duties of the department of ecology under this
10 chapter shall be performed by the department of natural resources.

11 NEW SECTION. **Sec. 12.** A new section is added to chapter 90.16 RCW
12 to read as follows:

13 The powers and duties of the department of ecology under this
14 chapter shall be performed by the department of natural resources.

15 NEW SECTION. **Sec. 13.** A new section is added to chapter 90.22 RCW
16 to read as follows:

17 The powers and duties of the department of ecology under this
18 chapter shall be performed by the department of natural resources.

19 NEW SECTION. **Sec. 14.** A new section is added to chapter 90.24 RCW
20 to read as follows:

21 The powers and duties of the department of ecology under this
22 chapter shall be performed by the department of natural resources.

23 NEW SECTION. **Sec. 15.** A new section is added to chapter 90.28 RCW
24 to read as follows:

25 The powers and duties of the department of ecology under this
26 chapter shall be performed by the department of natural resources.

27 NEW SECTION. **Sec. 16.** A new section is added to chapter 90.36 RCW
28 to read as follows:

29 The powers and duties of the department of ecology under this
30 chapter shall be performed by the department of natural resources.

1 NEW SECTION. **Sec. 17.** A new section is added to chapter 90.38 RCW
2 to read as follows:

3 The powers and duties of the department of ecology under this
4 chapter shall be performed by the department of natural resources.

5 NEW SECTION. **Sec. 18.** A new section is added to chapter 90.40 RCW
6 to read as follows:

7 The powers and duties of the department of ecology under this
8 chapter shall be performed by the department of natural resources.

9 NEW SECTION. **Sec. 19.** A new section is added to chapter 90.42 RCW
10 to read as follows:

11 The powers and duties of the department of ecology under this
12 chapter shall be performed by the department of natural resources.

13 NEW SECTION. **Sec. 20.** A new section is added to chapter 90.44 RCW
14 to read as follows:

15 The powers and duties of the department of ecology under this
16 chapter shall be performed by the department of natural resources.

17 NEW SECTION. **Sec. 21.** A new section is added to chapter 90.46 RCW
18 to read as follows:

19 The powers and duties of the department of ecology under this
20 chapter shall be performed by the department of natural resources.

21 NEW SECTION. **Sec. 22.** A new section is added to chapter 90.58 RCW
22 to read as follows:

23 The powers and duties of the department of ecology under this
24 chapter shall be performed by the department of natural resources.

25 NEW SECTION. **Sec. 23.** A new section is added to chapter 90.66 RCW
26 to read as follows:

27 The powers and duties of the department of ecology under this
28 chapter shall be performed by the department of natural resources.

--- END ---