

SENATE BILL REPORT

SB 6190

As Passed Senate, February 9, 2000

Title: An act relating to the expeditious resolution of public use disputes in eminent domain proceedings.

Brief Description: Promoting expeditious resolution of public use disputes in eminent domain proceedings.

Sponsors: Senators Patterson, Horn, Haugen, Johnson, Costa, Goings, McCaslin and Winsley.

Brief History:

Committee Activity: Judiciary: 1/17/2000; 1/24/2000 [DP].
Passed Senate, 2/9/2000, 47-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Long and McCaslin.

Staff: Karen Lundahl (786-7421)

Background: Counties, like other state and municipal jurisdictions, have the authority to acquire land for public use through eminent domain or condemnation procedures. There is a two-step process involved in which issue of public use is initially determined by the superior court, and then a trial is held, with a jury if requested, on the issue of just compensation for the property. Because of court congestion, it is now very difficult to get a court date for the compensation trial, and county eminent domain proceedings often are delayed for up to three years, resulting in additional costs to the counties due to inflation and changing permit requirements.

The laws governing eminent domain proceedings for cities and for state highway purposes have long given precedence to these cases over other court cases not involving criminal prosecutions or other public interests.

Summary of Bill: County eminent domain proceedings are given precedence over all other court cases except criminal cases.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Counties need to have the same precedence in eminent domain actions as cities and other agencies.

Testimony Against: None.

Testified: George Walk, Pierce County Government Relations Director (pro).

House Amendment(s): No changes are made in the body of the bill passed by the Senate. A new section is added creating a joint legislative study group consisting of two members from each caucus of the Senate and House of Representatives. The group is to study the use of eminent domain and ways to expedite resolution of public use disputes in eminent domain proceedings. The section expires December 31, 2000.