

SENATE BILL REPORT

SB 6366

As of January 22, 2002

Title: An act relating to metropolitan municipal corporations.

Brief Description: Regulating the authority of metropolitan municipal corporations to acquire property.

Sponsors: Senators Shin, Fairley, Kastama, Rasmussen, Stevens, Costa and Gardner.

Brief History:

Committee Activity: State & Local Government: 1/24/02.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Staff: Diane Smith (786-7410)

Background: Essential public facilities are defined by the Growth Management Act (GMA) as those facilities that are typically difficult to site. Metropolitan municipal corporations are available in the law to provide the populous metropolitan areas in the state with a way of providing adequate essential services. The metropolitan municipal corporation can encompass the topography, land conditions, and population densities that may not conform to the boundaries of existing local governments, but that are necessary for efficient design of public facilities, such as sewage disposal.

The metropolitan municipal corporation has the right of eminent domain over lands both within and without its boundaries. Its boundaries are determined when it is formed through a public hearing process conducted by the county commissioners of the county containing the city with the largest population within the proposed boundaries. The county commissioners may adjust the boundaries before the vote of the people but may not exclude any land that may reasonably be expected to contribute to, in the case of the water pollution abatement function, pollution of any water in the proposed area.

When authorized to perform the water pollution abatement function, the metropolitan municipal corporation has powers in addition to its general powers. These additional powers include condemnation of facilities for sewage disposal within or without the metropolitan area including sewage treatment plants, with the consent of their owners if owned by a city, county or special purpose district. These local governments can also contract for the joint use of sewer facilities with the metropolitan municipal corporation without a vote of the voters of the local government.

Summary of Bill: A metropolitan municipal corporation may not condemn lands for an essential public facility at a location outside its legally established service area boundaries, unless the city and county legislative authorities of the land find that the location of the essential public facility is consistent with that city or county comprehensive plan.

Subsection 2 is applied retroactively.

Appropriation: None.

Fiscal Note: Not requested.

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