

# SENATE BILL REPORT

## SB 5078

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As Reported By Senate Committee On:  
Land Use & Planning, February 24, 2003

**Title:** An act relating to metropolitan municipal corporations; and amending RCW 35.58.320.

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

**Sponsors:** Senators Shin, Fairley, Schmidt, Reardon, Kastama and Stevens.

**Brief History:**

**Committee Activity:** Land Use & Planning: 2/13/03, 2/24/03 [DP].

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### SENATE COMMITTEE ON LAND USE & PLANNING

**Majority Report:** Do pass.

Signed by Senators Mulliken, Chair; McCaslin, Morton and T. Sheldon.

**Minority Report:** Do not pass.

Signed by Senator Kline.

**Staff:** Tim Watterson (786-7441)

**Background:** A "metropolitan municipal corporation" is a municipal corporation created by statute for any area containing two or more cities, at least one of which has a population of 10,000 or greater, for purposes of providing one or more functions, including water pollution abatement, water supply, public transportation, garbage disposal, parks and parkways, and comprehensive planning. Any county with a population of 210,000 or greater, in which a metropolitan municipal corporation has been established countywide, may assume the rights, powers, functions, and obligations of such metropolitan municipal corporation, as King County did with "Metro." Among other powers, metropolitan municipal corporations have the power to acquire land by purchase or condemnation both within and outside its boundaries for its lawful purposes. Condemnation follows procedures provided by statute for cities.

**Summary of Bill:** All rights and powers of metropolitan municipal corporations are retained, but metropolitan municipal corporations may not condemn land for an "essential public facility" as provided for in the Growth Management Act (GMA) at a location outside its boundaries without first completing the city or county siting process for an essential public facility that is required under the GMA.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Snohomish County citizens were effectively not represented in the siting process because of decisions made by King County. Governments should not be allowed to condemn property outside their boundaries for their facilities. King County should be required to go through the Snohomish County essential public facilities siting process now that such a process has been adopted.

**Testimony Against:** The proposed King County wastewater treatment plant is needed and will serve the surrounding Snohomish County area. The siting process and environmental review included extensive public involvement and mitigating conditions. If not sited at a selected site, then the expansion must occur elsewhere. Further delay harms property owners and threatens accommodation of growth in a fast-growing area.

**Testified:** Senator Shin, sponsor; Senator Kohl-Welles (con); Representative Sullivan (pro); Gary Nelson, Snohomish County Council (pro); John Quast (pro); Vern Chase (pro); Robert Kildall (con); Paul Thompson (con); Laurie Dressler (pro); Duane Bowman, City of Edmonds (pro); Peggy Pritchard Olson (pro); Calvin Hoggard, King County Executive's Office (con); Christie True, King County (con); Scott Hildebrand, King/Snohomish Master Builders (con).