

SHB 1561 - H AMD 1001

By Representative Jarrett

ADOPTED 02/14/2008

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) As limited in subsection (3) of this section, a watershed
6 management partnership formed or qualified under the authority of RCW
7 39.34.200 and 39.34.210, including a separate legal entity established
8 by such a partnership to conduct the cooperative undertaking of the
9 partnership under the same statutory authority, may exercise the power
10 of eminent domain as provided in chapter 8.12 RCW.

11 (2) The eminent domain authority granted under subsection (1) of
12 this section may be exercised only for those utility purposes for which
13 the watershed partnership was formed.

14 (3) Subsection (1) of this section applies only to a watershed
15 management partnership that:

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

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

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

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

26 (4) A watershed management partnership exercising authority under
27 this section shall report to the relevant legislative committees by
28 July 1, 2010. The report shall address the status of the water
29 system's project or projects, and the use, if any, of the authority
30 granted in this section, including any use of the authority for the

1 siting and construction of the system. The report shall also inform
2 the legislature of efforts to inform and involve the public of the
3 affected areas regarding siting and construction of system facilities.

4 (5) A watershed management partnership exercising authority under
5 this section shall:

6 (a) Comply with the notice requirements of RCW 8.25.290; and

7 (b) Provide notice to the city, town, or county with jurisdiction
8 over the subject property by certified mail thirty days prior to the
9 partnership board authorizing condemnation."

10 Correct the title.

--- END ---