
SUBSTITUTE SENATE BILL 5910

State of Washington

61st Legislature

2009 Regular Session

By Senate Environment, Water & Energy (originally sponsored by Senators Jarrett, Delvin, Sheldon, Tom, and Shin)

READ FIRST TIME 02/11/09.

1 AN ACT Relating to the authority of a watershed management
2 partnership to exercise powers of its forming governments; and adding
3 a new section to chapter 39.34 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.34 RCW
6 to read as follows:

7 (1) As limited in subsection (3) of this section, a watershed
8 management partnership formed or qualified under the authority of RCW
9 39.34.200 and 39.34.210, including the separate legal entity
10 established by such a partnership under RCW 39.34.030(3)(b) to conduct
11 the cooperative undertaking of the partnership under the same statutory
12 authority, may exercise the power of eminent domain as provided in
13 chapter 8.12 RCW.

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

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

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

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

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

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

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

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

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

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