
SENATE BILL 5712

State of Washington

62nd Legislature

2011 Regular Session

By Senators Honeyford and Schoesler

Read first time 02/08/11. Referred to Committee on Natural Resources & Marine Waters.

1 AN ACT Relating to consolidating the Puget Sound partnership into
2 the Washington state conservation commission; adding new sections to
3 chapter 89.08 RCW; adding a new section to chapter 90.71 RCW; creating
4 new sections; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the mission of
7 the Washington state conservation commission is: To provide for the
8 conservation of the renewable resources of this state; for the control
9 and prevention of soil erosion; for the prevention of flood water and
10 sediment damages; and for furthering agricultural and nonagricultural
11 phases of conservation, development, utilization, and disposal of
12 water, and thereby to preserve natural resources, control floods,
13 prevent impairment of dams and reservoirs, assist in maintaining
14 navigability of rivers and harbors, preserve wildlife, protect the tax
15 bases, protect public lands, and protect and promote the health,
16 safety, and general welfare of the people of this state. The
17 legislature further finds that the state conservation commission is an
18 efficient agency that delivers on-the-ground improvements with low
19 overhead costs, modest staffing demands, and in a timely fashion. The

1 legislature finds that a consolidation of the Puget Sound partnership
2 into the Washington state conservation commission would be beneficial
3 to the citizens of the state by providing opportunities to increase
4 state government efficiency and improve the protection and conservation
5 of Puget Sound. Therefore, it is the intent of the legislature to
6 transfer the duties and personnel of the Puget Sound partnership to the
7 Washington state conservation commission.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 89.08 RCW
9 to read as follows:

10 (1) On July 1, 2012, the Washington state conservation commission
11 assumes the authority and responsibility to enforce the provisions of
12 chapter 90.71 RCW and the rules adopted thereunder.

13 (2) On July 1, 2012, all Puget Sound partnership personnel are
14 transferred to and become employees of the Washington state
15 conservation commission.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.71 RCW
17 to read as follows:

18 (1) All Puget Sound partnership personnel are employed, supervised,
19 and controlled by the Washington state conservation commission.

20 (2) All references to the executive director or the council in this
21 chapter means the Washington state conservation commission.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 89.08 RCW
23 to read as follows:

24 (1) The Puget Sound partnership is hereby abolished and its powers,
25 duties, and functions are hereby transferred to the Washington state
26 conservation commission. All references to the executive director or
27 the Puget Sound partnership in the Revised Code of Washington shall be
28 construed to mean the chair or the Washington state conservation
29 commission.

30 (2)(a) All reports, documents, surveys, books, records, files,
31 papers, or written material in the possession of the Puget Sound
32 partnership shall be delivered to the custody of the Washington state
33 conservation commission. All cabinets, furniture, office equipment,
34 motor vehicles, and other tangible property employed by the Puget Sound
35 partnership shall be made available to the Washington state

1 conservation commission. All funds, credits, or other assets held by
2 the Puget Sound partnership shall be assigned to the Washington state
3 conservation commission.

4 (b) Any appropriations made to the Puget Sound partnership shall,
5 on the effective date of this section, be transferred and credited to
6 the Washington state conservation commission.

7 (c) If any question arises as to the transfer of any personnel,
8 funds, books, documents, records, papers, files, equipment, or other
9 tangible property used or held in the exercise of the powers and the
10 performance of the duties and functions transferred, the director of
11 financial management shall make a determination as to the proper
12 allocation and certify the same to the state agencies concerned.

13 (3) All employees of the Puget Sound partnership are transferred to
14 the jurisdiction of the Washington state conservation commission. All
15 employees classified under chapter 41.06 RCW, the state civil service
16 law, are assigned to the Washington state conservation commission to
17 perform their usual duties upon the same terms as formerly, without any
18 loss of rights, subject to any action that may be appropriate
19 thereafter in accordance with the laws and rules governing state civil
20 service.

21 (4) All rules and all pending business before the Puget Sound
22 partnership shall be continued and acted upon by the Washington state
23 conservation commission. All existing contracts and obligations shall
24 remain in full force and shall be performed by the Washington state
25 conservation commission.

26 (5) The transfer of the powers, duties, functions, and personnel of
27 the Puget Sound partnership shall not affect the validity of any act
28 performed before the effective date of this section.

29 (6) If apportionments of budgeted funds are required because of the
30 transfers directed by this section, the director of financial
31 management shall certify the apportionments to the agencies affected,
32 the state auditor, and the state treasurer. Each of these shall make
33 the appropriate transfer and adjustments in funds and appropriation
34 accounts and equipment records in accordance with the certification.

35 (7) Nothing contained in this section may be construed to alter any
36 existing collective bargaining unit or the provisions of any existing
37 collective bargaining agreement until the agreement has expired or

1 until the bargaining unit has been modified by action of the personnel
2 resources board as provided by law.

3 NEW SECTION. **Sec. 5.** (1) The Washington state conservation
4 commission must:

5 (a) Establish a transition plan for the orderly implementation of
6 this act, including: Addressing personnel issues relating to the
7 transfer and facilitating the transfer of property and equipment,
8 records, contracts, and funding from the Puget Sound partnership to the
9 Washington state conservation commission. The Washington state
10 conservation commission must consult with the Puget Sound partnership,
11 department of personnel, and office of financial management in
12 developing the transition plan; and

13 (b) Present recommendations to the legislature, in the form of
14 draft legislation, regarding any statutory changes necessary to
15 implement this act.

16 (2) The transition plan and recommendations required by subsection
17 (1) of this section must be presented to the appropriate committees of
18 the legislature by November 1, 2011.

19 NEW SECTION. **Sec. 6.** Sections 2 through 4 of this act take effect
20 July 1, 2012.

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