

## Local Government Committee

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### BILL ANALYSIS HB 1425

**TITLE OF THE BILL:** Addressing municipal water or sewer utilities.

**WHAT THIS BILL DOES:** *Authorizes a city or town contiguous with Canada to contract with a Canadian corporation for water or sewer service.*

**SPONSORS:** Representatives Linville and Mulliken

**HEARING DATE:** Monday, February 8, 1999

**FISCAL NOTE:** Not requested.

**ANALYSIS PREPARED BY:** Caroleen Dineen (786-7106)

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### BACKGROUND:

The United States Constitution specifies [n]o state shall, without the consent of congress, ... enter into any agreement or compact with another state, or with a foreign power ....- While this constitutional provision was initially interpreted as an unqualified prohibition on any compacts or agreements without express congressional consent, later courts have upheld interstate compacts involving either minor matters or matters for which Congress later enacted a general authorization to compact.

Cities and towns are authorized under Washington law to operate utilities, including water and sewer facilities. Cities and towns also may acquire, maintain and operate out-of-state facilities for water service in cooperation with municipalities of bordering states which authorize such agreements.

Washington water-sewer districts contiguous to Canada are authorized by statute to contract with Canadian corporations for water service and facilities.

## **SUMMARY:**

Cities and towns contiguous with Canada are authorized to contract with Canadian corporations for water or sewer facilities.