

HOUSE BILL REPORT

ESHB 1031

As Passed Legislature

Title: An act relating to water and sewer districts.

Brief Description: Making various changes in sewer and water district law.

Sponsor(s): By House Committee on Local Government (originally sponsored by Representatives Wood, Haugen, Ferguson, Nelson, Horn, Roland, Paris and Nealey).

Brief History:

Reported by House Committee on:
Local Government, February 13, 1991, DPS;
Passed House, March 6, 1991, 97-0;
Amended by Senate;
House concurred;
Passed Legislature, 94-0.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *That Substitute House Bill No. 1031 be substituted therefor, and the substitute bill do pass.*
Signed by 15 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Staff: Steve Lundin (786-7127).

Background: No provisions of law exist concerning the provision of insurance benefits for sewer district or water district commissioners.

Sewer districts and water districts are authorized to hire staff and provide staff with compensation, as well as health care services, group insurance, and term life insurance.

Whenever a sewer district or water district leases its real property, the district is required to secure the lease by a performance bond with a penalty of an amount equal to the larger of "one-sixth of the term of the lease" or one year's rental.

In 1989, a statute relating to the general powers of water districts was amended twice in separate legislation.

Sewer districts and other local governments may impose utility charges for the availability of service, while water districts only may impose utility charges for actually providing service.

Summary of Bill: A sewer district, or water district, with 5,000 or more customers providing health, group, or life insurance benefits to its employees may provide its commissioners with the same coverage.

The board of commissioners of a sewer district or water district can require a reasonable security deposit, in lieu of a performance bond, whenever district property is leased.

The water district statute that was amended twice in 1989 is reenacted to remove any ambiguity about the effect of both of the changes that were made.

Water districts are authorized to adopt water conservation plans and emergency water use restrictions that are enforceable by the imposition of fines. The commissioners may provide by resolution that if the fines are not paid for a specified period of time, the fines become a separate item for inclusion in the billing provided to the property owner.

A sewer district or water district may operate and maintain park or recreational facilities on real property that it owns or has an interest in that is not immediately necessary for its purposes. If the park or facilities are operated by someone other than the district, the operator shall indemnify and hold the district harmless for any injury or damage caused by his or her actions.

A water district may charge for providing water service to an intermittent or transient customer that is connected to its facilities regardless of the amount of water, if any, that is used.

Fiscal Note: Not requested.

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

Testimony For: This is primarily the same bill as passed the House last year. These are primarily technical changes. The performance bond is difficult to obtain.

Testimony Against: None.

Witnesses: (Testified in favor of the original bill.) Joe Daniels, Bruce McNight, Ron Ricker and Bonnie Strode, Washington State Association of Water and Wastewater Districts.