

SENATE BILL REPORT

SB 5110

**AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,
FEBRUARY 10, 1993**

Brief Description: Acquiring property by eminent domain.

SPONSORS: Senators Haugen, Drew and Winsley

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 5110 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Oke, Owen, and Winsley.

Staff: Rod McAulay (786-7754)

Hearing Dates: February 3, 1993; February 10, 1993

BACKGROUND:

Water districts and sewer districts each have extensive authority to acquire property to build water and sewer systems, including the authority to acquire property through condemnation. It is not clear that the authority to condemn extends to the acquisition of buildings and other necessary facilities.

When considering competitive bids for contracts for work and material, water districts and sewer districts may reject bids that are "unsatisfactory." It is not clear that this standard would include consideration of the past performance record of a contractor or changed circumstances since the advertisement for bids.

SUMMARY:

Water districts and sewer districts may condemn buildings and other necessary district facilities.

Water districts and sewer districts may reject bids "for good cause."

Archaic terminology is corrected and gender inclusive terms are added.

EFFECT OF PROPOSED SUBSTITUTE:

Language is simplified and sections are added allowing sewer and water districts to solicit voluntary contributions from customers to be paid with regular billing to assist indigent customers.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The bill clarifies ambiguous language regarding the scope of eminent domain powers and regarding the basis for rejecting competitive bids for contracts.

TESTIMONY AGAINST: None

TESTIFIED: Joe Daniels, Washington Association of Water/Wastewater Districts