

ANALYSIS OF HJR 4209

*House Agriculture & Ecology Committee
1997*

February 12,

BACKGROUND:

Article 8, Section 7 of the Washington Constitution generally prohibits any county, city, town, or municipal corporation from lending its credit or making a gift of public funds to any individual, association, company, or corporation. This section exempts assistance necessary for the support of the poor or infirm.

In 1979, the voters approved an amendment to the Constitution to allow local governments which are engaged in the sale or distribution of energy to assist homeowners acquire and install equipment and material for energy conservation. This assistance was only authorized until January 1, 1990. In 1988, the voters approved an amendment to this constitutional provision to remove the sunset date for this assistance, and allow the assistance to be provided for more than residential structures. The most recent amendment to this section occurred in 1989 when the voters approved a change to allow local governments engaged in the sale or distribution of water to provide assistance for the conservation or more efficient use of water.

Recent changes in federal law have resulted in greater limits being placed upon what can be discharged into sanitary sewers. In addition, many times when there is a problem with a homeowner's sewer connection or septic system, it is the homeowner who is responsible for making the repairs. Even though these repairs can be quite costly, there is no authority for a local government to loan or assist in people making improvements to their stormwater or sewer services.

SUMMARY:

A constitutional amendment is submitted to the voters to allow local governments engaged in the sale or distribution of stormwater or sewer services, to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of those services.