

SENATE BILL REPORT

HJR 4209

As Reported By Senate Committee On:
Agriculture & Environment, March 26, 1997

Brief Description: Authorizing public money derived from the sale of stormwater or sewer services to be used in financing stormwater and sewer conservation and efficiency measures.

Sponsors: Representatives Chandler, Regala and Mulliken.

Brief History:

Committee Activity: Agriculture & Environment: 3/25/97, 3/26/97 [DP].

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: Do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Fraser, Newhouse, Oke and Rasmussen.

Staff: Kari Guy (786-7437)

Background: Article VIII, 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 that are engaged in the sale or distribution of energy to assist homeowners to 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 water quality permitting have resulted in greater limits being placed on stormwater discharge. In addition, if there is a problem with a homeowner's sewer connection or septic system, the homeowner is responsible for making the repairs. There is currently no authority for a local government to provide loans or assist people in making improvements to their stormwater or sewer services.

Summary of Bill: 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 property owners in financing stormwater or sewer system improvements.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: The constitutional change will allow homeowners and business to install improvements to their sewer and storm water system that they could not afford without a loan. This would allow utilities to provide loans projects such as septic system repair, storm water pretreatment, or side sewer upgrades. The bill is supported by local governments, the Department of Ecology, the Association of Washington Business, and the Independent Business Association.

Testimony Against: None.

Testified: Ed Thorpe, Coalition for Clean Water (pro); Karen Larkin, City of Tacoma (pro); Steve Carley, Ecology (pro).