

# SENATE BILL REPORT

## SB 5307

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As of January 27, 1997

**Title:** An act relating to regulation of public water systems.

**Brief Description:** Regulating public water systems.

**Sponsors:** Senators Rasmussen, Swecker and Finkbeiner.

**Brief History:**

**Committee Activity:** Energy & Utilities: 1/28/97.

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### SENATE COMMITTEE ON ENERGY & UTILITIES

**Staff:** Phil Moeller (786-7445)

**Background:** A public water system in this state may range in size from serving a small number of customers to serving many customers, and may either be privately owned or owned by its consumers.

If a public water system falls into disrepair, the local or state health department may petition the court to put the system into receivership. If no qualified party steps forward to accept the responsibility for this water system, the court may appoint as receiver the county in which the system is located. The county may then designate a county agency to operate the system or may contract the management of the system. To pay for necessary investment in the system, the court may authorize the county or its contractor to impose assessments on the system's customers.

Within one year, the county and appropriate state and local health agencies are required to present to the court recommendations for the system's future operation. Based on the recommendations and subsequent hearings, the court is required to devise a plan and order its implementation, including a date for the termination of the receivership.

**Summary of Bill:** Assessments on customers of water systems in receivership may include the costs of assessing the condition of the system and the costs of developing a plan for the disposition of the system.

If a county has been appointed as the receiver of a water system, after three years it may petition the court to be relieved of being the receiver. The court is required to relieve the county as receiver if the county shows it has explored and facilitated alternatives for the long-term ownership and operation of the system. In showing it has met these requirements, the county must have held public hearings, conformed to regional water system plans and implemented physical connection requirements for new water systems.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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