

# SENATE BILL REPORT

## HB 1425

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As Reported By Senate Committee On:  
State & Local Government, March 22, 1999

**Title:** An act relating to municipal water or sewer utilities.

**Brief Description:** Addressing municipal water or sewer utilities.

**Sponsors:** Representatives Linville, Mulliken, Ericksen and Scott.

**Brief History:**

**Committee Activity:** State & Local Government: 3/18/99, 3/22/99 [DP].

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### SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

**Majority Report:** Do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Hale, Haugen, Horn, Kline and McCaslin.

**Staff:** Eugene Green (786-7405)

**Background:** The United States Constitution specifies "No state shall, without the consent of Congress, ... enter into any agreement or compact with another state, or with a foreign power ...." While this constitutional provision was initially interpreted as an unqualified prohibition on any compacts or agreements without express congressional consent, later courts have upheld interstate compacts involving either minor matters or matters for which Congress later enacted a general authorization to compact.

Cities and towns are authorized under Washington law to operate utilities, including water and sewer facilities. Cities and towns also may acquire, maintain, and operate out-of-state facilities for water service in cooperation with municipalities of bordering states which authorize such agreements.

Washington water-sewer districts contiguous to Canada are authorized by statute to contract with Canadian corporations for water service and facilities.

**Summary of Bill:** Cities and towns contiguous to Canada are authorized to contract with Canadian corporations for water or sewer facilities.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This is a practical solution in face of economic and environmental factors. Our treatment plant is near capacity and the Sumas River is already impacted. This project has been going on for six years. Abbotsford is also willing to sell us water.

**Testimony Against:** None.

**Testified:** David Davidson, City of Sumas (pro).