

HOUSE BILL REPORT

HB 1327

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to water-sewer district general comprehensive plans.

Brief Description: Revising procedures for approval of water-sewer district general comprehensive plans.

Sponsors: Representatives Miloscia, Mulliken, Dunshee, Schoesler and Doumit.

Brief History:

Committee Activity:

Local Government & Housing: 1/29/01, 2/26/01 [DPS].

Brief Summary of Substitute Bill

- Water-sewer comprehensive plans that require review by a state agency are considered approved if the agency fails to reject or conditionally approve the plan within 90 days of submittal, with an additional 90 days if insufficient time exists to adequately review the plan.
- Requires the district to provide a copy of the plan to every state and local entity that approved the plan within 30 days.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Dunshee, Democratic Co-Chair; Mulliken, Republican Co-Chair; Edwards, Democratic Vice Chair; Mielke, Republican Vice Chair; Berkey, Crouse, DeBolt, Dunn, Edmonds, Hatfield, Jarrett and Kirby.

Staff: Scott MacColl (786-7106).

Background:

Water-sewer district commissioners are required to adopt a comprehensive plan prior to ordering any improvements or submitting any proposition to a vote to incur indebtedness. The district must adopt a comprehensive plan for the type of facilities the district

proposes to provide, and may either combine all services into a single comprehensive general plan or prepare a separate comprehensive plan for each of these services.

Prior to the plan becoming effective, the general comprehensive plan must be approved by any state agency whose approval may be required by applicable law. Also, amendments to, alterations of, or additions to the general comprehensive plan requires the same approval process. This approval process applies to a city or town legislative authority only when an amendment, alteration, or addition to the general comprehensive plan affects a particular city or town.

Summary of Substitute Bill:

A water-sewer general comprehensive plan submitted to a state agency for review is considered approved if the state agency fails to reject or conditionally approved the plan 90 days after submittal. This time line may be extended another 90 days if insufficient time exists to adequately review the plan within these limitations. The commissioners and any state agency that has to review the comprehensive plan may mutually agree to an extension of the deadline.

The standard as to whether or not an amendment, alteration, or addition affects a particular city or town is changed to require that the amendment, alteration, or addition materially impacts– the particular city or town.

The district is required to provide a copy of the general comprehensive plan, or any amendment, alteration, or addition to the plan to every state agency, county, city, or town from which approval was required within 30 days after the effective date.

Substitute Bill Compared to Original Bill:

Increases the state agency review time line to 90 days, with an additional 90 days if insufficient time exists to review the plan. In addition, the commissioners and any state agency that has to review the comprehensive plan may mutually agree to an extension of the deadline.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: This bill is intended to adjust the amount of time for state agencies to

review comprehensive plans for water-sewer districts. The agencies need time limits, whether processing permits or approvals for another agency, or for outside businesses. Comprehensive plans must be reviewed, and districts have had problems with plans and the amount of time agencies take to review the plans. For the districts, no approved plan means no service for customers.

Testimony Against: (Concerns) The Department of Health deals only with water plans. The department has an internal 90 day turn around time goal, with an extra 90 days if necessary, with a 90 percent rate of return currently. The problem is that if the department is only allowed 60 days to review a water district plan, that would mean that private water companies would be forced out of line. The department works cooperatively with the districts, and has never rejected a plan. Currently the time line can be extended with mutual consent, and the department doesn't want to reject a plan simply due to the time limit.

Testified: (In support) Rep. Miloscia, prime sponsor; and Joe Daniels, Association of Water-Sewer Districts.

(Concerns) Bill White, Department of Health.