

SENATE BILL REPORT

SB 5900

As of February 22, 2001

Title: An act relating to beneficial use of municipal water supplies.

Brief Description: Changing public water system water right certification provisions.

Sponsors: Senators T. Sheldon, Morton, Oke, B. Sheldon, Honeyford and Eide.

Brief History:

Committee Activity: Environment, Energy & Water: 2/23/01.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Staff: Genevieve Pisarski (786-7488)

Background: State law requires a showing satisfactory to the Department of Ecology that any appropriation of water has been perfected, before a water right certificate can be issued. The department has issued numerous water right certificates for municipal water supply on the basis of a showing that a delivery system was in place. The state Supreme Court has ruled, in the case of a public water system which was not a municipal corporation, that having a delivery system did not mean the appropriation was perfected, unless the water was actually being used.

Summary of Bill: A certificate issued to a municipal water supplier is valid, if the water has actually been used or is needed for reasonably anticipated future need. A municipal water supplier is a purveyor, as defined by law, that has an approved water system plan, and also, is either a municipal corporation or the owner or operator of an expanding public water system that is entitled or obligated to serve existing and additional customers and uses within approved water service areas and consistent with applicable land use plans.

Appropriation: None.

Fiscal Note: Not requested.

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