

# SENATE BILL REPORT

## SSB 6208

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As Passed Senate, February 17, 2004

**Title:** An act relating to temporary water-sewer connections.

**Brief Description:** Regarding temporary water-sewer connections.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Kastama and McCaslin).

**Brief History:**

**Committee Activity:** Government Operations & Elections: 1/27/04 [DPS].

Passed Senate: 2/17/04, 48-0.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 6208 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Stevens, Vice Chair; Berkey, Fairley, Horn, Kastama and McCaslin.

**Staff:** Diane Smith (786-7410)

**Background:** One of the powers granted to water-sewer districts is the power to fix rates and charges for the service they supply and to charge property owners who wish to connect to the district's system a connection charge in addition to the cost of connection. The connection charge is set by the water-sewer district commissioners so that the connecting property owners bear their equitable share of the cost of the system. The calculation of the connection charge must be a pro rata share of the sum of three cost centers, as follows: the cost of existing facilities; the cost of facilities planned, in an adopted comprehensive plan, to be constructed within the next ten years; and other costs the district must pay that are directly attributable to the improvements required by the property owners seeking to connect.

**Summary of Bill:** In the case of requiring the installation of permanent local facilities that the district is not planning to construct, the district is given an alternative. This alternative is to permit connection to its system by means of temporary facilities and to collect from the property owners seeking this connection by means of temporary facilities, a proportionate share of the cost of future local facilities needed to serve the property. The amount collected is held, together with interest, to be used for contribution towards the costs of construction of permanent local facilities by other developers. If these permanent facilities are not constructed within 15 years of the date of payment, the amount collected, including accrued interest, is returned to the property owner.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This is the reverse of a late-comer's fee. It allows service for the first developer that needs to be connected in remote areas. That person pays for their own temporary connection to a water-sewer district's facilities and for a proportionate share of a future permanent facility. If no permanent facility is built by the district in the next 15 years, then the payment is returned to the lot with the temporary facility.

**Testimony Against:** None.

**Testified:** Phil Watkins, Bert Ross, Lakehaven Utility District (pro).

**House Amendment(s):** The amendment allows the option to a water-sewer district to allow a temporary connection to be installed at the property owner's expense with the agreement to connect to permanent facilities when they are installed. Other changes clarify the intent of the underlying bill.

The amendment also concerns a city's assumption of water-sewer districts in cities having populations less than 5,000 residents and water-sewer districts serving populations greater than 1,000 residents with two or more cities or one city and unincorporated territory within their boundaries. In those cases either the board of commissioners of the water-sewer district must agree to the assumption or the voters of the entire water-sewer district must vote to authorize the assumption. The city pays for the election.

Once a city passes a resolution to assume all or part of a water-sewer district and the district's commissioners do not agree with the resolution, a jointly funded feasibility study must be conducted. If approved by the voters, the Boundary Review Board does not have jurisdiction of the assumption when no more than one city is involved.

Any assumptions pending as of the effective date of the act are subject to the act. There is an emergency clause.