

# HOUSE BILL REPORT

## SHB 1228

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### As Passed House:

March 8, 2005

**Title:** An act relating to the coordination of water and sewer system utilities.

**Brief Description:** Requiring local governments and public utilities to consult when relocating water/sewer facilities.

**Sponsors:** By House Committee on Local Government (originally sponsored by Representatives P. Sullivan, Schindler, Clibborn, Upthegrove, Simpson and Chase).

### Brief History:

#### Committee Activity:

Local Government: 2/21/05, 2/24/05 [DPS].

#### Floor Activity:

Passed House: 3/8/05, 97-0.

### Brief Summary of Substitute Bill

- Requires cities and counties to consult with public water/sewer system utilities in order to coordinate design during the pre-design phase of construction projects involving the relocation of sewer and/or water facilities.

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## HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan and Takko.

**Staff:** Thamas Osborn (786-7129).

### Background:

State law allows a county or the state to move the location of the facilities of a utility where reasonably necessary in order to construct, alter or improve a road or highway. As a general rule the costs associated with moving the utility's facilities are at the expense of the utility. However, the state may bear the expenses associated with the removal of a utility in certain instances where federal funding is available for the reimbursement of such expenses.

**Summary of Substitute Bill:**

Cities and counties are required to consult with public water/sewer system utilities in order to coordinate design during the pre-design phase of construction projects involving the relocation of sewer and/or water facilities.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) The intent of the bill is to ensure that local utilities are generally included in the planning and decision-making processes involved in the relocation of rights-of-way that affect the facilities owned by the utilities. If utilities were given the opportunity to provide input in advance of the project, this would make the process more efficient and often result in cost savings.

(With concerns) Although the original bill has some good ideas, it is too complex and prescriptive. It should be amended to create a simpler process whereby utilities are provided with advance notice and are otherwise allowed to have input into the process. The amended version should ensure that the parties engage in meaningful dialogue in advance of the project going forward.

**Testimony Against:** None.

**Persons Testifying:** (In support) Joe Daniels, Washington Association of Water and Sewer Districts.

(With concerns) Victoria Lincoln, Association of Washington Cities.

**Persons Signed In To Testify But Not Testifying:** None.