
Local Government Committee

HB 1228

Brief Description: Requiring notice to water and sewer districts of changes that require relocating facilities.

Sponsors: Representatives P. Sullivan, Schindler, Clibborn, Upthegrove, Simpson and Chase.

Brief Summary of Bill

- Requires cities, counties, and the state to give publicly owned water and sewer systems at least 180 days notice of changes to rights-of-way on roads and highways that will require relocation of a utility's facilities.
- Allows utilities 30 days to respond with any proposed changes to the construction/relocation plans that are designed to reduce the extent and/or cost of the relocation.
- Requires the relocation of a utility's right-of-way to be reasonably necessary and based on sound engineering practices.

Hearing Date: 2/21/05

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 Bill:

Cities, counties, and the state must give publicly owned water and sewer systems at least 180 days notice of changes to rights-of-way on roads and highways that will require relocation of a utility's facilities. Such notice must be accompanied by the construction plans relating to the proposed change of right-of-way.

Utilities are allowed 30 days to respond with any proposed changes to the construction plans that are designed to reduce the extent and/or cost of the relocation. Cities, counties, and the state must

give good faith consideration to a utility's proposed changes to the construction plans and, where reasonable, accommodate such requests for changes to the plans.

Proposed utility relocations must be reasonably necessary and based on sound engineering practices.

Appropriation: None.

Fiscal Note: Requested on January 21, 2005.

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