CERTIFICATION OF ENROLLMENT

**SENATE BILL 5119**

Chapter 314, Laws of 2017

65th Legislature

2017 Regular Session

WATER-SEWER DISTRICTS--WARRANTS--CONTRACTING--POLLUTION CONTROL FACILITIES

EFFECTIVE DATE: 7/23/2017

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| Passed by the Senate April 17, 2017  Yeas 47 Nays 2  CYRUS HABIB  **President of the Senate**  Passed by the House April 10, 2017  Yeas 98 Nays 0  FRANK CHOPP  **Speaker of the House of Representatives** | CERTIFICATE  I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5119** as passed by Senate and the House of Representatives on the dates hereon set forth.  HUNTER G. GOODMAN  **Chief Clerk** |
| Approved May 16, 2017 11:10 AM | May 16, 2017 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SENATE BILL 5119**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2017 Regular Session

**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Takko, Dansel, Sheldon, Angel, Chase, Palumbo, and Wellman

AN ACT Relating to water-sewer districts; amending RCW 70.95A.020; adding a new section to chapter 57.20 RCW; and adding a new section to chapter 57.08 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 57.20 RCW to read as follows:

(1) The board of commissioners of a district with revenues of five million dollars or more in each of the preceding three years that were audited in accordance with RCW 43.09.260 may by resolution adopt a policy to issue its own warrants for payment of claims or other obligations of the district. The board of commissioners, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president of the board of commissioners, authorizing the county treasurer to pay all the warrants specified by date, number, name, and amount, and the accounting funds on which the warrants are drawn. The district may then issue the warrants specified in the general certificate.

(2) The board of commissioners of a district with revenues greater than two hundred fifty thousand dollars and less than five million dollars in each of the preceding three years that were audited in accordance with RCW 43.09.260 may upon agreement between the county treasurer and the district commission, with approval of the district commission by resolution, adopt a policy to issue its own warrants for payment of claims or other obligations of the district. The board of commissioners, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president of the board of commissioners, authorizing the county treasurer to pay all the warrants specified by date, number, name, and amount, and the accounting funds on which the warrants are drawn. The district may then issue the warrants specified in the general certificate.

NEW SECTION. **Sec.**  A new section is added to chapter 57.08 RCW to read as follows:

(1) Any water-sewer district may elect to contract for asset management service of its water storage assets in accordance with this section. If a water-sewer district elects to contract under this subsection for all, some, or one component of water storage asset management services for its water storage assets, each water-sewer district shall publish notice of its requirements to procure asset management service of its water storage assets. The announcement must concisely state the scope and nature of the water storage asset management service for which a contract is required and encourage firms to submit proposals to meet these requirements. If a water-sewer district chooses to negotiate a water storage asset management service contract under this section, no otherwise applicable statutory procurement requirement applies.

(2) The water-sewer district may negotiate a fair and reasonable water storage asset management service contract with the firm that submits the best proposal based on criteria that is established by the water-sewer district.

(3) If the water-sewer district is unable to negotiate a satisfactory water storage asset management service contract with the firm that submits the best proposal, negotiations with that firm must formally be terminated and the water-sewer district may select another firm in accordance with this section and continue negotiation until a water storage asset management service contract is reached or the selection process is terminated.

(4) For the purposes of this section:

(a) "Water storage asset management services" means the financing, designing, improving, operating, maintaining, repairing, testing, inspecting, cleaning, administering, or managing, or any combination thereof, of a water storage asset.

(b) "Water storage asset" means water storage structures and associated distribution systems, such as the water tank, tower, well, meter, or water filter.

**Sec.**  RCW 70.95A.020 and 1973 c 132 s 3 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires:

(1) "Municipality" shall mean any city, town, county, ((~~or~~)) port district, or water-sewer district in the state;

(2) "Facility" or "facilities" shall mean any land, building, structure, machinery, system, fixture, appurtenance, equipment or any combination thereof, or any interest therein, and all real and personal properties deemed necessary in connection therewith whether or not now in existence, which is used or to be used by any person, corporation or municipality in furtherance of the purpose of abating, controlling or preventing pollution;

(3) "Pollution" shall mean any form of environmental pollution, including but not limited to water pollution, air pollution, land pollution, solid waste disposal, thermal pollution, radiation contamination, or noise pollution;

(4) "Governing body" shall mean the body or bodies in which the legislative powers of the municipality are vested;

(5) "Mortgage" shall mean a mortgage or a mortgage and deed of trust or other security device; and

(6) "Department" shall mean the state department of ecology.

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Passed by the Senate April 17, 2017.

Passed by the House April 10, 2017.

Approved by the Governor May 16, 2017.

Filed in Office of Secretary of State May 16, 2017.