

# HOUSE BILL REPORT

## HJR 4209

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**As Passed House**

March 12, 1997

**Brief Description:** Authorizing public money derived from the sale of stormwater or sewer services to be used in financing stormwater and sewer conservation and efficiency measures.

**Sponsors:** By House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler, Regala and Mulliken).

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 2/12/97, 2/13/97 [DP].

**Floor Activity:**

Passed House: 3/12/97, 97-0.

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

**Staff:** Bill Lynch (786-7092).

**Background:** Article 8, Section 7 of the Washington Constitution generally prohibits any county, city, town, or municipal corporation from lending its credit or making a gift of public funds to any individual, association, company, or corporation. This section exempts assistance necessary for the support of the poor or infirm.

In 1979, the voters approved an amendment to the Constitution to allow local governments which are engaged in the sale or distribution of energy to assist homeowners to acquire and install equipment and material for energy conservation. This assistance was only authorized until January 1, 1990. In 1988, the voters approved an amendment to this constitutional provision to remove the sunset date for this assistance, and allow the assistance to be provided for more than residential structures. The most recent amendment to this section occurred in 1989 when the voters approved a change to allow local governments engaged in the sale or distribution of water to provide assistance for the conservation or more efficient use of water.

Recent changes in federal law have resulted in greater limits being placed upon what can be discharged into sanitary sewers. In addition, many times when there is a problem with a homeowner's sewer connection or septic system, it is the homeowner who is responsible for making the repairs. Even though these repairs can be quite costly, there is no authority for a local government to provide loans or assist people in making improvements to their stormwater or sewer services.

**Summary of Bill:** A constitutional amendment is submitted to the voters to allow local governments engaged in the sale or distribution of stormwater or sewer services, to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of those services.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** The constitutional change will allow businesses and homeowners to install improvements to their sewer and stormwater systems that they otherwise could not afford. With more efficient systems, the utilities will gain more plant capacity. Federal money to make these types of improvements is drying up. This is supported by the Tacoma Chamber of Commerce, the Department of Ecology, and the State Public Works Board.

**Testimony Against:** None.

**Testified:** Ed Thorpe, Coalition for Clean Water; and Karen Larkin, City of Tacoma (in favor).