
SECOND SUBSTITUTE SENATE BILL 5024

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Honeyford and Hale)

READ FIRST TIME 03/10/03.

1 AN ACT Relating to public water systems; amending RCW 90.03.015 and
2 90.03.386; and creating new sections.

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

4 **Sec. 1.** RCW 90.03.015 and 1987 c 109 s 65 are each amended to read
5 as follows:

6 ~~((As used in this chapter*))~~ The definitions in this section apply
7 throughout this chapter unless the context clearly requires otherwise.

8 (1) "Department" means the department of ecology;

9 (2) "Director" means the director of ecology; ~~((and))~~

10 (3) "Municipal water supplier" means:

11 (a) A purveyor, as defined in RCW 70.116.030, that: (i) Owns or
12 operates a group A water system as defined in RCW 70.119.020 that is
13 entitled or obligated to serve existing or additional customers and
14 uses within one or more approved water service areas to the extent such
15 customers and uses are allowed under an applicable land use plan; and
16 (ii) has an approved water system plan under chapter 43.20 or 70.116
17 RCW;

18 (b) An irrigation district organized under chapter 87.03 RCW;

1 (c) A county appointed as the receiver of a failing water system
2 under RCW 43.70.195, approved as a satellite system management agency
3 under RCW 70.116.134, or that holds rights for use in its own
4 governmental or proprietary operations; or

5 (d) A city, town, or county that holds rights for use in its own
6 governmental or proprietary operations;

7 (4) "Municipal water supply purposes" means any beneficial use for
8 which water is or is anticipated to be provided by a municipal water
9 supplier; and

10 (5) "Person" means any firm, association, water users' association,
11 corporation, irrigation district, or municipal corporation, as well as
12 an individual.

13 **Sec. 2.** RCW 90.03.386 and 1991 c 350 s 2 are each amended to read
14 as follows:

15 (1) Within service areas established pursuant to chapters 43.20 and
16 70.116 RCW, the department of ecology and the department of health
17 shall coordinate approval procedures to ensure compliance and
18 consistency with the approved water system plan.

19 (2) For a municipal water supplier's public water system, the
20 maximum number of service connections, or maximum population to be
21 served, or size or location of the place of use, as described or
22 specified on a water right application, permit, certificate, or claim
23 or as described or specified in related supporting documents may not be
24 an attribute limiting exercise of the water right if an annual quantity
25 limit can be determined from the permit, certificate, or claim.
26 However, if a water system plan is required to be approved for the
27 municipal water supplier's public water system under chapter 43.20 RCW
28 or as part of a coordinated water system plan under chapter 70.116 RCW,
29 the number of service connections or population served under the water
30 right may be further expanded only during such time as the public water
31 system is in compliance with the requirements of its approved water
32 system plan.

33 (3) The place of use of water rights held by a municipal water
34 supplier for a public water system is the service area described in the
35 system's water system plan approved under chapter 43.20 RCW or approved
36 as part of a coordinated water system plan under chapter 70.116 RCW, as
37 either plan may be amended from time to time. The purpose of use of

1 water rights held by a municipal water supplier for a public water
2 system is municipal water supply purposes. The department must modify
3 water right records as necessary as individual records come up for
4 review.

5 NEW SECTION. Sec. 3. (1) The department of health shall, in
6 cooperation with the water supply advisory committee created pursuant
7 to RCW 70.119A.160, examine current and historical water conservation
8 efforts and evaluate the overall effectiveness, including cost-
9 effectiveness, of such efforts. The examination should review:

10 (a) Different approaches taken to conserve water;

11 (b) Efforts taken throughout the state by large and small public
12 water systems, as the term "public water system" is defined in RCW
13 70.116.030, that rely on either surface water, ground water, or both as
14 sources of supply;

15 (c) Costs of conservation and the impact of such costs on rates;
16 and

17 (d) Methods of recovering costs of conservation.

18 (2) The department of health shall report its findings and
19 recommendations to the legislature by December 1, 2003. The
20 recommendations may include legislation or administrative rule changes
21 that, if enacted or adopted, would encourage cost-effective water
22 conservation.

23 NEW SECTION. Sec. 4. If specific funding for the purposes of this
24 act, referencing this act by bill or chapter number, is not provided by
25 June 30, 2003, in the omnibus appropriations act, this act is null and
26 void.

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