

SENATE BILL REPORT

SJR 8214

As of February 20, 1995

Brief Description: Amending the Constitution to promote water conservation.

Sponsors: Senators Fraser, C. Anderson and Rasmussen.

Brief History:

Committee Activity: Ecology & Parks: 2/21/95.

SENATE COMMITTEE ON ECOLOGY & PARKS

Staff: David Danner (786-7784)

Background: Article VIII, Section 5 of the Washington State Constitution prohibits the state from making gifts or loans to individuals, associations, companies, or corporations. Article VIII, Section 7 prohibits cities, counties, towns, and other municipal corporations from making such gifts or loans, except to aid the poor or infirm or to purchase stock or bonds.

The Supreme Court has interpreted Sections 5 and 7 as barring loans of state money regardless of whether the money is used to further a public purpose.

Article VIII, Section 10 makes an exception to the lending of credit prohibitions by allowing public money to be used to assist individuals and companies in water and energy conservation efforts. However, this exception is limited to use of public money or credit "derived from the operating revenues from the sale of water or energy...." Thus, it would not by its terms apply to water conservation programs proposing to use general funds.

Summary of Bill: The voters are asked to approve a constitutional amendment allowing the state or a political subdivision, upon legislative authorization, to use public money from any source to assist individuals, associations, companies, and corporations in developing and implementing water conservation plans, and in financing the development, construction, acquisition, installation, maintenance and use of materials and equipment for water conservation or efficiency.

Appropriation: None.

Fiscal Note: Not requested.