

## CHAPTER 145

[House Bill No. 545]

## MUNICIPAL UTILITY EXPANSIONS—VOTER APPROVAL REVISIONS

AN ACT Relating to correcting the double amendment to RCW 35.92.070; and reenacting and amending RCW 35.92.070.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 35.92.070, chapter 7, Laws of 1965 as amended by section 3, chapter 444, Laws of 1985 and by section 11, chapter 445, Laws of 1985 and RCW 35.92.070 are each reenacted and amended to read as follows:

When the governing body of a city or town deems it advisable that the city or town purchase, acquire, or construct any such public utility, or make any additions and betterments thereto or ~~((make))~~ extensions thereof ~~((which would expand the previous service capacity by fifty percent or more, and where an amount of such increased service capacity equal to at least fifty percent of the previous service capacity is financed by the issuance of councilmanic general obligation bonds))~~, it shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and the ordinance shall be submitted for ratification or rejection by majority vote of the voters of the city or town at a general or special election ~~((except in the following cases where))~~.

(1) No submission shall be necessary:

~~((1))~~ (a) When the work proposed is an addition to, or betterment of, extension of, or an increased water supply for existing waterworks, or an addition, betterment, or extension of an existing system or plant of any other public utility;

(b) When in the charter of a city a provision has been adopted authorizing the corporate authorities thereof to provide by ordinance for acquiring, opening, or operating any of such public utilities; or

~~((2))~~ (c) When in the judgment of the corporate authority, the public health is being endangered by the discharge of raw or untreated sewage into any body of water and the danger to the public health may be abated by the construction and maintenance of a sewage disposal plant.

(2) Notwithstanding subsection (1) of this section, submission to the voters shall be necessary if:

(a) The project or work may produce electricity for sale in excess of present or future needs of the water system;

(b) The city or town does not own or operate an electric utility system;

(c) The work involves an ownership greater than twenty-five percent in a new water supply project combined with an electric generation facility;  
and

(d) The combined facility has an installed capacity in excess of five megawatts.

(3) Notwithstanding subsection (1) of this section, submission to the voters shall be necessary to make extensions to a public utility which would expand the previous service capacity by fifty percent or more, where such increased service capacity is financed by the issuance of general obligation bonds.

(4) Thirty days' notice of the election shall be given in the official newspaper ((doing)) of the city or town ((printing)), by publication at least once each week in the paper during such time.

(5) When a proposition has been adopted, or in the cases where no submission is necessary, the corporate authorities of the city or town may proceed forthwith to purchase, construct, and acquire the public utility or make additions, betterments, and extensions thereto and to make payment therefor.

Passed the House March 4, 1987.

Passed the Senate April 7, 1987.

Approved by the Governor April 22, 1987.

Filed in Office of Secretary of State April 22, 1987.

## CHAPTER 146

[House Bill No. 406]

### COMMITTEE, BOARD, OR COMMISSION MEMBERS WHO BELONG TO PUBLIC EMPLOYEES' RETIREMENT SYSTEM PLAN I—SERVICE CREDIT REVISED

AN ACT Relating to retirement service credit for members of committees, boards, and commissions; amending RCW 41.40.165; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 4, chapter 34, Laws of 1975-'76 2nd ex. sess. as amended by section 17, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.165 are each amended to read as follows:

(1) No person appointed to membership on any committee, board, or commission on or after July 1, 1976, who is compensated for service on such committee, board, or commission for ((less)) fewer than ten days or seventy hours in any month, whichever amount is less, shall receive service credit for such service for that month: PROVIDED, That on and after October 1, 1977, appointive and elective officials who receive monthly compensation earnable from an employer in an amount equal to or less than ninety times the state minimum hourly wage shall not receive any service credit for such employment.

(2) This section does not apply to any person serving on a committee, board, or commission on June 30, 1976, who continued such service until subsequently appointed by the governor to a different committee, board, or commission.