

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2116

Chapter 69, Laws of 1999

56th Legislature
1999 Regular Session

PUBLIC UTILITY DISTRICTS--DISPOSITION OF PROPERTY

EFFECTIVE DATE: 7/25/99

Passed by the House March 15, 1999
Yeas 96 Nays 0

CLYDE BALLARD
Speaker of the House of
Representatives

FRANK CHOPP
Speaker of the House of
Representatives

Passed by the Senate April 6, 1999
Yeas 41 Nays 0

BRAD OWEN
President of the Senate

Approved April 21, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2116** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 21, 1999 - 3:17 p.m.

Secretary of State
State of Washington

HOUSE BILL 2116

Passed Legislature - 1999 Regular Session

State of Washington

56th Legislature

1999 Regular Session

By Representatives Scott, Mielke, Mulliken, Edwards, Fortunato, Cooper and Reardon

Read first time 02/16/1999. Referred to Committee on Local Government.

1 AN ACT Relating to public utility district disposition of property;
2 and amending RCW 54.16.180.

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

4 **Sec. 1.** RCW 54.16.180 and 1994 c 81 s 78 are each amended to read
5 as follows:

6 A district may sell and convey, lease, or otherwise dispose of all
7 or any part of its works, plants, systems, utilities and properties,
8 after proceedings and approval by the voters of the district, as
9 provided for the lease or disposition of like properties and facilities
10 owned by cities and towns: PROVIDED, That the affirmative vote of
11 three-fifths of the voters voting at an election on the question of
12 approval of a proposed sale, shall be necessary to authorize such sale:
13 PROVIDED FURTHER, That a district may sell, convey, lease or otherwise
14 dispose of all or any part of the property owned by it, located outside
15 its boundaries, to another public utility district, city, town or other
16 municipal corporation without the approval of the voters; or may sell,
17 convey, lease, or otherwise dispose of to any person or public body,
18 any part, either within or without its boundaries, which has become
19 unserviceable, inadequate, obsolete, worn out or unfit to be used in

1 the operations of the system and which is no longer necessary, material
2 to, and useful in such operations, without the approval of the voters:
3 PROVIDED FURTHER, That a district may sell, convey, lease or otherwise
4 dispose of items of equipment or materials to any other district, to
5 any cooperative, mutual, consumer-owned or investor-owned utility, to
6 any federal, state, or local government agency, to any contractor
7 employed by the district or any other district, utility, or agency, or
8 any customer of the district or of any other district or utility, from
9 the district's stores without voter approval or resolution of the
10 district's board, if such items of equipment or materials cannot
11 practicably be obtained on a timely basis from any other source, and
12 the amount received by the district in consideration for any such sale,
13 conveyance, lease, or other disposal of such items of equipment or
14 materials is not less than the district's cost to purchase such items
15 or the reasonable market value of equipment or materials: PROVIDED
16 FURTHER, That a public utility district located within a county with a
17 population of from one hundred twenty-five thousand to less than two
18 hundred ten thousand may sell and convey to a city of the first class,
19 which owns its own water system, all or any part of a water system
20 owned by said public utility district where a portion of it is located
21 within the boundaries of such city, without approval of the voters upon
22 such terms and conditions as the district shall determine: PROVIDED
23 FURTHER, That a public utility district located in a county with a
24 population of from twelve thousand to less than eighteen thousand and
25 bordered by the Columbia river may, separately or in connection with
26 the operation of a water system, or as part of a plan for acquiring or
27 constructing and operating a water system, or in connection with the
28 creation of another or subsidiary local utility district, may provide
29 for the acquisition or construction, additions or improvements to, or
30 extensions of, and operation of a sewage system within the same service
31 area as in the judgment of the district commission is necessary or
32 advisable in order to eliminate or avoid any existing or potential
33 danger to the public health by reason of the lack of sewerage
34 facilities or by reason of the inadequacy of existing facilities: AND
35 PROVIDED FURTHER, That a public utility district located within a
36 county with a population of from one hundred twenty-five thousand to
37 less than two hundred ten thousand bordering on Puget Sound may sell
38 and convey to any city ((of)) or town ((~~city or town~~)) with a
39 population of less than ten thousand all or any part of a water system

1 owned by said public utility district without approval of the voters
2 upon such terms and conditions as the district shall determine. Public
3 utility districts are municipal corporations for the purposes of this
4 section and the commission shall be held to be the legislative body and
5 the president and secretary shall have the same powers and perform the
6 same duties as the mayor and city clerk and the resolutions of the
7 districts shall be held to be ordinances within the meaning of the
8 statutes governing the sale, lease, or other disposal of public
9 utilities owned by cities and towns.

Passed the House March 15, 1999.

Passed the Senate April 6, 1999.

Approved by the Governor April 21, 1999.

Filed in Office of Secretary of State April 21, 1999.