

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2116

56th Legislature  
1999 Regular Session

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

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**Speaker of the House of Representatives**

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**Speaker of the House of Representatives**

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

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**President of the Senate**

Approved

\_\_\_\_\_  
**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.

\_\_\_\_\_  
**Chief Clerk**

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 2116

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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.

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