

SSB 6656 - S AMD 80

By Senator Rockefeller

PULLED 02/15/2010

1 On page 3, beginning on line 13, after "(2)(a)" strike all material
2 through "35.92.070, a" on line 14 and insert "A"

3 Beginning on page 7, line 36, strike all of section 6 and insert
4 the following:

5 "Sec. 6. RCW 35.92.070 and 1987 c 145 s 1 are each amended to read
6 as follows:

7 When the governing body of a city or town deems it advisable that
8 the city or town purchase, acquire, or construct any such public
9 utility, or make any additions and betterments thereto or extensions
10 thereof, it shall provide therefor by ordinance, which shall specify
11 and adopt the system or plan proposed, and declare the estimated cost
12 thereof, as near as may be, and the ordinance shall be submitted for
13 ratification or rejection by majority vote of the voters of the city or
14 town at a general or special election.

15 (1) No submission shall be necessary:

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

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

23 (~~(c)~~)

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

1 (d) When the governing body of a city or town deems it advisable to
2 form an energy conservation services utility under chapter 35.-- RCW
3 (the new chapter created in section 7 of this act).

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

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

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

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

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

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

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

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

EFFECT: Removes the public vote requirement for establishing a
municipal conservation services utility.

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