
SENATE BILL 6480

State of Washington

61st Legislature

2010 Regular Session

By Senators Morton, Schoesler, Holmquist, Hewitt, Parlette, Stevens, Delvin, King, Becker, and Swecker

Read first time 01/15/10. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to impact payments of a municipally owned
2 hydroelectric facility; amending RCW 35.21.420 and 35.21.425; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 35.21.420 and 1965 c 7 s 35.21.420 are each amended to
6 read as follows:

7 (1) Any city owning and operating a public utility and having
8 facilities for the generation of electricity located in a county other
9 than that in which the city is located, may provide for the public
10 peace, health, safety and welfare of such county as concerns the
11 facilities and the personnel employed in connection therewith, by
12 contributing to the support of the county government of any such county
13 and enter into contracts with any such county therefor.

14 (2) Any city with a population greater than five hundred thousand
15 people owning and operating a public utility and having facilities for
16 the generation of electricity located in a county other than that in
17 which the city is located, must provide for the impacts of lost revenue
18 and the public peace, health, safety, and welfare of such county as
19 concerns the facilities and the personnel employed in connection

1 therewith, by contributing to the support of the county, city, or town
2 government and school district of any such county and enter into
3 contracts with any such county therefor as specified in RCW 35.21.425.

4 **Sec. 2.** RCW 35.21.425 and 1965 c 7 s 35.21.425 are each amended to
5 read as follows:

6 (1) Except as provided in subsection (2) of this section, whenever
7 after March 17, 1955, any city shall construct hydroelectric generating
8 facilities or acquire land for the purpose of constructing the same in
9 a county other than the county in which such city is located, and by
10 reason of such construction or acquisition shall (1) cause loss of
11 revenue and/or place a financial burden in providing for the public
12 peace, health, safety, welfare, and added road maintenance in such
13 county, in addition to road construction or relocation as set forth in
14 RCW 90.28.010 and/or (2) shall cause any loss of revenues and/or
15 increase the financial burden of any school district affected by the
16 construction because of an increase in the number of pupils by reason
17 of the construction or the operation of said generating facilities, the
18 city shall enter into an agreement with said county and/or the
19 particular school district or districts affected for the payment of
20 moneys to recompense such losses or to provide for such increased
21 financial burden, upon such terms and conditions as may be mutually
22 agreeable to the city and the county and/or school district or
23 districts.

24 (2) Whenever after March 17, 1955, a municipal owned utility
25 located in a city with a population greater than five hundred thousand
26 people constructs or operates hydroelectric generating facilities or
27 acquires land for the purpose of constructing or operating the same in
28 a county other than the county in which the city is located must enter
29 into an agreement with the county affected for the annual payment of
30 moneys to recompense such losses or to provide for such increased
31 financial burden equivalent to seven percent of the annual utility
32 taxes paid by the municipal owned utility.

33 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

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