

CHAPTER 96.

[H. B. 152.]

MUNICIPAL PUBLIC UTILITIES.

AN ACT relating to cities of the fourth class, providing for the disposition of surplus earnings of public utilities, and amending section 1 of chapter 98, Laws of 1929.

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

SECTION 1. That section 1 of chapter 98, Laws of 1929 (section 9185-1 of Remington's Revised Statutes; section 837-3 of Pierce's Code) is amended to read as follows:

Amends
§ 9185-1 Rem.
Rev. Stat.;
§ 837-3 P. C.

Section 1. When any special fund of a public utility department of any municipal corporation of the fourth class shall have retired all bond and/or warrant indebtedness, and shall be on a cash basis, and a reserve or depreciation fund shall have been created in an amount satisfactory to the division of municipal corporations of the office of the State Auditor of this state, and the fixing of rates of such public utility is governed by contract with a corporation or person supplying the water, electrical energy or other use sold by said municipal corporation to its inhabitants and such rates are at the lowest possible figure, the council or other legislative body, of such municipal corporation shall be authorized, by appropriate legislative action, to set aside out of the net earnings of such public utility not to exceed fifty per cent (50%) thereof and to transfer the sums so set aside to the current expense fund of such municipal corporation: *Provided*, That any amount in excess of fifty per cent (50%) may be so set aside with the unanimous approval of such council or other legislative body and the mayor.

Retirement
of bonds or
warrants.

Excess
revenue.

Passed the House February 21, 1939.

Passed the Senate March 5, 1939.

Approved by the Governor March 11, 1939.