

one or more other cooperative for the designation of the boundaries of adjoining service areas which each such public utility or each such cooperative shall observe, for the establishment of procedures for orderly extension of service in adjoining areas not currently served by any such public utility or any such cooperative and for the acquisition or disposal by purchase or sale by any such public utility or any such cooperative of duplicating utility facilities, which agreements shall be for a reasonable period of time not in excess of twenty-five years: PROVIDED, That the participation in such agreement of any public utility which is an electrical company under RCW 80.04.010, excepting cities and towns, shall be approved by the Washington utilities and transportation commission.

NEW SECTION. Sec. 4. Nothing herein shall be construed to classify a cooperative having authority to engage in the electric business as a public utility or to include cooperatives under the authority of the Washington utilities and transportation commission.

Passed the House March 7, 1969.
 Passed the Senate March 10, 1969.
 Approved by the Governor March 25, 1969.
 Filed in office of Secretary of State March 25, 1969.

CHAPTER 103
 [House Bill No. 124]
 PRISONERS--TIME AND
 CUSTODY PENDING APPEAL

AN ACT Relating to the custody of prisoners; amending section 2, chapter 42, Laws of 1955 and RCW 9.95.062; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.63 RCW.
 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 2, chapter 42, Laws of 1955 and RCW 9-.95.062 are each amended to read as follows:

An appeal by a defendant in a criminal action shall stay the execution of the judgment of conviction.

In case the defendant has been convicted of a felony, and has been unable to furnish ((the)) a bail bond ((required-by-RCW 10-73-040)) pending the appeal, the time ((during-which-he-remains in-the-jail-of-the-county-from-which-the-appeal-is-taken)) he has

been imprisoned pending the appeal shall be deducted from the term for which he was theretofore sentenced to the penitentiary, if the judgment against him be affirmed.

NEW SECTION. Sec. 2. There is added to chapter 4, Laws of 1963 and to chapter 36.63 RCW a new section to read as follows:

Any person imprisoned in a county jail pending the appeal of his conviction of a felony and who has not obtained bail bond pending his appeal shall be transferred after thirty days but within forty days from the date judgment was entered against him to a state institution for felons designated by the director of the department of institutions: PROVIDED, That when good cause is shown, a superior court judge may order the prisoner detained in the county jail beyond said forty days for an additional period not to exceed ten days.

Passed the House March 3, 1969
 Passed the Senate March 11, 1969
 Approved by the Governor March 25, 1969
 Filed in office of Secretary of State March 25, 1969

CHAPTER 104
 [Engrossed House Bill No. 208]
 INSURANCE--VARIABLE
 CONTRACT ACT

AN ACT Relating to variable contracts; adding a new chapter to Title 48 RCW; repealing sections 14 through 18, chapter 70, Laws of 1965 ex. sess. and RCW 48.13.370 through 48.13.410; and providing an effective date.

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

NEW SECTION. Section 1. This act shall be known as the "Variable Contract Act" and is intended to authorize the sale of both individual and group variable contracts.

NEW SECTION. Sec. 2. A domestic life insurer may, by or pursuant to resolution of its board of directors, establish one or more separate accounts, and may allocate thereto amounts to provide for annuities and other benefits payable in fixed or variable amounts or both, subject to the following:

- (1) The income, gains and losses, realized or unrealized, from