

"Prearrangement trust fund" means all funds required to be maintained in one or more funds for the benefit of beneficiaries by either this chapter or by the terms of a prearrangement contract, as herein defined.

"Depository" means a qualified public depository as defined by RCW (~~(39.58-.050)~~) 39.58.010, a credit union as governed by chapter 31.12 RCW, a mutual savings bank as governed by Title 32 RCW, ~~((and))~~ a savings and loan association as governed by Title 33 RCW, and a federal credit union or a federal savings and loan association organized, operated, and governed by any act of congress, in which prearrangement funds are deposited by any cemetery authority.

Passed the Senate March 24, 1975.

Passed the House May 13, 1975.

Approved by the Governor May 21, 1975.

Filed in Office of Secretary of State May 21, 1975.

CHAPTER 56

[Engrossed Senate Bill No. 2143]

FIRST CLASS CITIES—PUBLIC WORKS CONTRACTS— COMPETITIVE BIDDING—MINORITY BIDDERS

AN ACT Relating to first class cities; and adding new sections to chapter 35.22 RCW.

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

NEW SECTION. Section 1. Any public work or improvement of a first class city shall be done by contract pursuant to public notice and call for competitive bids, whenever the estimated cost of such work or improvement, including the cost of materials, supplies, and equipment will exceed the sum of ten thousand dollars: PROVIDED, That whenever this public work or improvement is for construction of water mains, such sum shall be fifteen thousand dollars. When any emergency shall require the immediate execution of such public work, upon the finding of the existence of such emergency by the authority having power to direct such public work to be done and duly entered of record, publication of description and estimate may be made within seven days after the commencement of the work.

NEW SECTION. Sec. 2. The cost of any public work or improvement for the purposes of sections 1 and 3 of this act shall be the aggregate of all amounts to be paid for labor, material, and equipment on one continuous or interrelated project where work is to be performed simultaneously or in close sequence: PROVIDED, That the cost of water services and metering equipment furnished by any first class city in the course of a water service installation from the utility-owned main to and including the meter box assembly shall not be included as part of the aggregate cost as provided herein. The breaking down of any public work or improvement into units or accomplishing any public work or improvement by phases for the purpose of avoiding the minimum dollar amount prescribed in section 1 of this act is contrary to public policy and is prohibited.

NEW SECTION. Sec. 3. Cities of the first class are relieved from complying with the provisions of section 1 of this act with respect to any public work or improvement relating solely to electrical distribution and generating systems on

public rights of way or on municipally owned property: PROVIDED, That nothing herein shall prevent any first class city from operating a solid waste department utilizing its own personnel.

NEW SECTION. Sec. 4. All contracts by and between a first class city and contractors for any public work or improvement exceeding the sum of ten thousand dollars, or fifteen thousand dollars for construction of water mains, shall contain the following clause:

"Contractor agrees that he shall actively solicit the employment of minority group members. Contractor further agrees that he shall actively solicit bids for the subcontracting of goods or services from qualified minority businesses. Contractor shall furnish evidence of his compliance with these requirements of minority employment and solicitation. Contractor further agrees to consider the grant of subcontracts to said minority bidders on the basis of substantially equal proposals in the light most favorable to said minority businesses. The contractor shall be required to submit evidence of compliance with this section as part of the bid."

As used in this section, the term "minority business" means a business at least fifty-one percent of which is owned by minority group members. Minority group members include, but are not limited to, Blacks, women, Native Americans, Orientals, Eskimos, Aleuts, and Spanish Americans.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall be added to chapter 35.22 RCW.

Passed the Senate April 14, 1975.

Passed the House May 13, 1975.

Approved by the Governor May 21, 1975.

Filed in Office of Secretary of State May 21, 1975.

CHAPTER 57

[Second Substitute Senate Bill No. 2235]

PUBLIC UTILITY DISTRICTS—SEWAGE SYSTEMS

AN ACT Relating to public utility districts; and adding new sections to chapter 54.16 RCW.

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

NEW SECTION. Section 1. A public utility district may acquire, construct, operate, maintain, and add to sewage systems, subject to and in compliance with the county comprehensive plan, under the general powers of Title 54 RCW or through the formation of local utility districts as provided in RCW 54.16.120 through 54.16.170: PROVIDED, That prior to engaging in any sewage system works as authorized by this section, the voters of the public utility district shall first approve by majority vote a referendum proposition authorizing such district to exercise the powers set forth in this section, which proposition shall be presented at a general election.

NEW SECTION. Sec. 2. The commission of a public utility district, by resolution may, or on petition in the same manner as provided for the creation of a