

CHAPTER 124.

[S. B. 225.]

P.U.D.'S—CONTRACTS—COMMISSIONERS.

AN ACT relating to public utility districts and amending section 8, chapter 1, Laws of 1931, section 6, chapter 245, Laws of 1941 as last amended by sections 2, 3 and 4, chapter 207, Laws of 1951, section 9, chapter 1, Laws of 1931 and RCW 54.04.070 through 54.04.090, 54.12.080, 54.12.090 and 54.24.010.

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

Amendment. SECTION 1. Section 8, chapter 1, Laws of 1931 and section 6, chapter 245, Laws of 1941 as last amended by sections 2, 3 and 4, chapter 207, Laws of 1951, section 9, chapter 1, Laws of 1931 (heretofore divided, combined and codified as RCW 54.04.070 through 54.04.090, 54.12.080, 54.12.090 and 54.24.010) are amended to read as set forth in sections 2 through 7 of this act.

Contracts for work and materials. Notice. SEC. 2. (RCW 54.04.070) All materials purchased and work ordered by a district commission, the estimated cost of which is in excess of five thousand dollars, shall be by contract, except that a district commission may have its own personnel perform work utilizing material of a worth not exceeding thirty thousand dollars in value without a contract. Before awarding such a contract, the commission shall publish a notice at least thirty days before the letting of the contract, inviting sealed proposals for the work; plans and specifications of which shall at the time of the publication be on file at the office of the district subject to public inspection. The commission may at the same time and as part of the same notice, invite tenders for the work or materials upon plans and specifications to be submitted by the bidders.

Whenever equipment or materials required by a district are held by a governmental agency and are

available for sale but such agency is unwilling to submit a proposal, the commission may ascertain the price of such items and file a statement of such price supported by the sworn affidavit of one member of the commission and may consider such price as a bid without a deposit or bond: *Provided*, That where an emergency arises endangering the public safety, the commission may purchase materials or order work performed in any amount necessary without calling for bids after having taken precautions to secure the lowest price practicable under the circumstances.

Purchase of
governmental
equipment
and materials.

SEC. 3. (RCW 54.04.080) The notice shall state generally the work to be done, and shall call for proposals for doing it, to be sealed and filed with the commission on or before the time named therein. Each bid shall be accompanied by a certified or cashier's check, payable to the order of the commission, for a sum not less than five percent of the amount of the bid, or accompanied by a bid bond in an amount not less than five percent of the bid with a corporate surety licensed to do business in the state, conditioned that the bidder will pay the district as liquidated damages the amount specified in the bond unless he enters into a contract in accordance with his bid and furnishes the performance bond herein mentioned within ten days from the date on which he is notified that he is the successful bidder. At the time and place named, the bids shall be publicly opened and read, and the commission shall canvass the bids, and may let the contract to the lowest responsible bidder upon the plans and specifications on file, or to the best bidder submitting his own plans and specifications: *Provided*, That no contract shall be let in excess of the estimated cost of the materials or work. The commission may reject all bids and readvertise, and in such case all checks shall be returned to the bidders. If the contract is

Bidding
procedure.

let, all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract is entered into and a bond to perform the work furnished, with sureties satisfactory to the commission, in an amount to be fixed by the commission, not less than twenty-five percent of the contract price, in accordance with the bid. If the bidder fails to enter into the contract and furnish the bond within ten days from the date at which he is notified that he is the successful bidder, his check and the amount thereof shall be forfeited to the district.

Minimum wages.

SEC. 4. (RCW 54.04.090) Each contractor and subcontractor performing work for a public utility district or a local utility district within a public utility district shall pay or cause to be paid to its employees on the work or under the contract or subcontract, not less than the minimum scale fixed by the resolution of the commission prior to the notice and call for bids on the work. The commission, in fixing the minimum scale of wages, shall fix them as nearly as possible to the current prevailing wages within the district for work of like character.

Compensation and expenses of district commissioners.

SEC. 5. (RCW 54.12.080) District commissioners shall serve without compensation, except that a district may provide by resolution for the payment of compensation to each of its commissioners at a rate not exceeding twenty-five dollars for each day or major part thereof devoted to the business of the district, and days upon which he attends meetings of the commission of his own district or meetings attended by one or more commissioners of two or more districts called to consider business common to them: *Provided*, That the total compensation paid to such commissioner during any one year shall not exceed two thousand five hundred dollars. Also, any district providing group insurance for its employees, covering them, their

immediate family and dependents, may provide insurance for its commissioners with the same coverage: *Provided further*, That commissioners may not be compensated for services performed of ministerial or professional nature. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence: *Provided*, That the expense, except for travel, will not exceed fifteen dollars per day and the travel eight cents per mile.

SEC. 6. (RCW 54.12.090) The commission shall elect from its members, a president and secretary, and shall, by resolution, adopt rules governing the transaction of district business, and adopt an official seal. All proceedings of the commission shall be by motion or resolution, recorded in its minute books, which shall be public records.

Organization
of commission.

A majority of the members shall constitute a quorum of the commission for the transaction of business. The concurrence of a majority of the whole commission in office at the time shall be necessary for the passage of any resolution, and no business shall be transacted, except in usual and ordinary course, unless there are in office at least a majority of the full number of commissioners as fixed by law.

Quorum.

The commission may create and fill such positions and fix salaries and bonds thereof as it may provide by resolution.

Filling positions,
and fixing salaries
and bonds.

SEC. 7. (RCW 54.24.010) The treasurer of the county in which a utility district is located shall be ex officio treasurer of the district and all district funds shall be paid to him, and shall be disbursed by him only on warrants issued by an auditor appointed by the commission, upon orders or vouchers approved by it. The treasurer shall establish a public utility district fund, into which shall be paid all

District
treasurer
and funds.

district funds, and he shall maintain such special funds as may be created by the commission, into which he shall place all money as the commission may, by resolution, direct.

All district funds shall be deposited with the county depositories under the same restrictions, contracts, and security as provided for county depositories, and all interest collected thereon shall belong to the district and be deposited to its credit in the proper district funds.

A district may provide and require a reasonable bond of the treasurer or any other person handling moneys or securities of the district: *Provided*, That the district pays the premium thereon.

Passed the Senate March 3, 1955.

Passed the House March 2, 1955.

Approved by the Governor March 14, 1955.

CHAPTER 125.

[S. B. 273.]

PUBLIC SERVICE COMPANIES—REPORTS, FEES.

AN ACT relating to public service companies; amending sections 1, 2 and 3, chapter 123, Laws of 1939, sections 1, 2, 3 and 4, chapter 158, Laws of 1937, and section 1, chapter 124, Laws of 1949, and RCW 80.24.010, 80.24.020, 81.24.010, 81.24.020, 81.24.030, 81.24.040, 81.24.050, 81.68.050 and 81.84.040, and declaring an emergency.

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

Amendment.

SECTION 1. Sections 1, 2 and 3, chapter 123, Laws of 1939, sections 1, 2, 3 and 4, chapter 158, Laws of 1937, as last amended by section 1, chapter 124, Laws of 1949 (heretofore divided, combined and codified as RCW 80.24.010, 80.24.020, 81.24.010, 81.24.020, 81.24.030, 81.24.040, 81.24.050, 81.68.050 and 81.84-.040) are amended as set forth in sections 2 through 10 of this act.