

CHAPTER 110

[Engrossed Substitute Senate Bill No. 3329]

THERMAL POWER PLANT SITE STUDIES—
ENVIRONMENTAL IMPACT STATEMENTS

AN ACT Relating to studies of sites for thermal power plants and associated transmission lines; adding new sections to chapter 45, Laws of 1970 ex. sess. and to chapter 80.50 RCW; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 45, Laws of 1970 ex. sess. and to chapter 80.50 RCW a new section to read as follows:

It is the intent of section 2 of this 1974 act to expedite the certification of sites for thermal power plants and associated transmission lines, to minimize duplication of effort in conducting studies of and preparing environmental impact statements relating to such sites, to authorize and encourage cooperation between the council and counties, other governmental agencies, and municipal or public corporations in connection with such sites, and to provide for a single detailed statement in accordance with RCW 43.21C.030 (c) where any proposed thermal power plants and associated transmission lines are subject to certification pursuant to chapter 80.50 RCW, and to further the development of power generation facilities to meet pressing needs: PROVIDED, That it is the intent of the Legislature that appropriate consideration will be given to protecting and preserving the quality of the environment.

NEW SECTION. Sec. 2. There is added to chapter 45, Laws of 1970 ex. sess. and to chapter 80.50 RCW, a new section to read as follows:

(1) In addition to all other powers conferred on the council under this chapter, the council shall have the powers set forth in this section.

(2) The council, upon request of any potential applicant, is authorized, as provided in this section, to conduct a study of any potential site prior to receipt of an application for site certification. A fee of ten thousand dollars for each potential site, to be applied toward the cost of any study agreed upon pursuant to subsection (3) of this section, shall accompany the request and shall be a condition precedent to any action on the request by the council.

(3) After receiving a request to study a potential site, the council shall commission its own independent consultant to study matters relative to the potential site. The study shall include, but

need not be limited to, the preparation and analysis of environmental impact information for the proposed thermal power plant and associated transmission lines at the potential site and any other matter the council and the potential applicant deem essential to an adequate appraisal of the potential site. In conducting the study, the council is authorized to cooperate and work jointly with the county or counties in which the potential site is located, any federal, state, or local governmental agency that might be requested to comment upon the potential site, and any municipal or public corporation having an interest in the matter. The full cost of the study shall be paid by the potential applicant: PROVIDED, That such costs exceeding a total of ten thousand dollars shall be payable subject to the potential applicant giving prior approval to such excess amount.

(4) Any study prepared by the council pursuant to subsection (3) of this section shall be used in place of the "detailed statement" required by RCW 43.21C.030 (c) by any branch of government except the thermal power plant site evaluation council created pursuant to chapter 80.50 RCW. Except for actions of the thermal power plant site evaluation council under chapter 80.50 RCW, all proposals for legislation and other actions of any branch of government of this state, including state agencies, municipal and public corporations, and counties, to the extent the legislation or other action involved approves, authorizes, permits, or establishes procedures solely for approving, authorizing or permitting, the location, financing or construction of one or more thermal power plants or associated transmission lines subject to certification under chapter 80.50 RCW, shall be exempt from the "detailed statement" required by RCW 43.21C.030. Nothing in this subsection shall be construed as exempting any action of the thermal power plant site evaluation council from any provision of chapter 43.21C RCW.

(5) All payments required of the potential applicant under this section are to be made to the state treasurer, who in turn shall pay the consultant as instructed by the council. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the potential applicant.

(6) Nothing in this section shall change the requirements for an application for thermal power plant site certification or the requirement of payment of a fee as provided in RCW 80.50.070, or change the time for disposition of an application for certification as provided in RCW 80.50.100.

(7) Nothing in this section shall be construed as preventing a city or county from requiring any information it deems appropriate to make a decision approving a particular location.

NEW SECTION. Sec. 3. If any provision of this 1974 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected.

NEW SECTION. Sec. 4. This 1974 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 11, 1974.
Passed the House February 7, 1974.
Approved by the Governor February 16, 1974.
Filed in Office of Secretary of State February 16, 1974.

CHAPTER 111

[Engrossed Senate Bill No. 3354]
PUBLIC INDEBTEDNESS--REFUNDING BONDS

AN ACT Relating to financing by the state, its agencies, institutions, political subdivisions, and municipal and quasi-municipal corporations; amending section 8, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.080; amending section 3, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.020; amending section 6, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.050; amending section 7, chapter 25, Laws of 1973 1st ex. sess. and RCW 39.53.140; and declaring an emergency.

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

Section 1. Section 8, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.080 are each amended to read as follows:

The foregoing limitation on the aggregate amount of indebtedness of the state shall not prevent:

(1) The issuance of obligations to refund or replace any such indebtedness existing at any time in an amount not exceeding ((such existing indebtedness)) 1.05 times the amount which, taking into account earnings from the investment of the proceeds of the issue, is required to pay the principal thereof, interest thereon, and any premium payable with respect thereto, ((including the refunding of any indebtedness incurred or authorized prior to the effective date of this act by the Washington state building authority)) and the costs incurred in accomplishing such refunding, as provided in chapter 39.53 RCW, as now or hereafter amended: PROVIDED, That any proceeds of the refunding, bonds in excess of those acquired to accomplish such refunding or any obligations acquired with such excess proceeds, shall be applied exclusively for the payment of