

franchise may be granted in whole or in part, with or without hearing under such regulations and conditions as the ~~((commission))~~ department may prescribe, with or without compensation, but not in excess of the reasonable cost for investigating, handling, and granting the franchise. The ~~((commission or such persons as it may designate))~~ department may require that the utility and appurtenances be so placed on the highway that they will, in its opinion, least interfere with other uses of the highway.

If a hearing is held, it shall be conducted by the ~~((commission or such persons as it may designate))~~ department, and may be adjourned from time to time until completed. The applicant may be required to produce all facts pertaining to the franchise, and evidence may be taken for and against granting it.

The facility shall be made subject to removal when necessary for the construction, alteration, repair, or improvement of the highway and at the expense of the franchise holder, except that the state shall pay the cost of such removal whenever the state shall be entitled to receive proportionate reimbursement therefor from the United States in the cases and in the manner set forth in RCW 47.44.030. Renewal upon expiration of a franchise shall be by application ~~((and notice posted and published, and a hearing may or may not be conducted in the same manner as an original application))~~. A person constructing or operating such a utility on a state highway is liable to any person injured thereby for any damages incident to the work of installation or the continuation of the occupancy of the highway by the utility, and except as provided above, is liable to the state for all necessary expenses incurred in restoring the highway to a permanent suitable condition for travel. No franchise ~~((shall))~~ may be granted for a longer period than fifty years, and no exclusive franchise or privilege ~~((shall))~~ may be granted.

Passed the Senate February 1, 1980.

Passed the House February 15, 1980.

Approved by the Governor February 28, 1980.

Filed in Office of Secretary of State February 28, 1980.

CHAPTER 29

[Senate Bill No. 3245]

PUBLIC RETIREMENT SYSTEMS—DUAL MEMBERSHIP

AN ACT Relating to public retirement systems; amending section 1, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.04.270; repealing section 2, chapter 243, Laws of 1941 and RCW 41.36.010; repealing section 1, chapter 243, Laws of 1941 and RCW 41.36.020; repealing section 3, chapter 243, Laws of 1941 and RCW 41.36.030; repealing section 4, chapter 243, Laws of 1941 and RCW 41.36.040; repealing section 3, chapter 78; Laws of 1949, section 33, chapter 75, Laws of 1977 and RCW 41.04.060; repealing section 1, chapter 98, Laws of 1951 and RCW 41.04.070; repealing section 2, chapter 98, Laws of 1951 and RCW 41.04.080; repealing section 3, chapter 98, Laws of 1951 and RCW 41.04.090; and repealing section 4, chapter 98, Laws of 1951 and RCW 41.04.100.

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

Section 1. Section 1, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.04.270 are each amended to read as follows:

Notwithstanding any other provision of law to the contrary, on and after March 19, 1976, any member or former member who

(1) receives a retirement allowance earned by said former member as deferred compensation from any public retirement system authorized by the general laws of this state, or

(2) is eligible to receive a retirement allowance from any public retirement system listed in RCW 41.50.030, but chooses not to apply, or

(3) is the beneficiary of a disability allowance from any public retirement system listed in RCW 41.50.030 shall be estopped from becoming a member of or accruing any contractual rights whatsoever in any other public retirement system listed in RCW 41.50.030: PROVIDED, That subsections (1) and (2) of this section shall not apply to persons who have accumulated less than fifteen years service credit in any such system.

Nothing in this section is intended to apply to any retirement system except those listed in RCW 41.50.030 and the retirement systems of first class cities.

NEW SECTION. Sec. 2. (1) The following acts or parts of acts are hereby repealed:

- (a) Section 2, chapter 243, Laws of 1941 and RCW 41.36.010;
- (b) Section 1, chapter 243, Laws of 1941 and RCW 41.36.020;
- (c) Section 3, chapter 243, Laws of 1941 and RCW 41.36.030; and
- (d) Section 4, chapter 243, Laws of 1941 and RCW 41.36.040.

(2) These repeals shall not be construed as affecting any existing right acquired under the statutes repealed or under any rule, regulation, or order adopted pursuant thereto; nor as affecting any proceeding instituted thereunder.

NEW SECTION. Sec. 3. (1) The following acts or parts of acts are hereby repealed:

(a) Section 3, chapter 78, Laws of 1949, section 33, chapter 75, Laws of 1977 and RCW 41.04.060;

- (b) Section 1, chapter 98, Laws of 1951 and RCW 41.04.070;
- (c) Section 2, chapter 98, Laws of 1951 and RCW 41.04.080;
- (d) Section 3, chapter 98, Laws of 1951 and RCW 41.04.090; and
- (e) Section 4, chapter 98, Laws of 1951 and RCW 41.04.100.

(2) These repeals shall not be construed as affecting any existing right acquired under the statutes repealed or under any rule, regulation, or order

adopted pursuant thereto; nor as affecting any proceeding instituted thereunder.

Passed the Senate February 1, 1980.

Passed the House February 18, 1980.

Approved by the Governor February 28, 1980.

Filed in Office of Secretary of State February 28, 1980.

CHAPTER 30

[Engrossed Senate Bill No. 3253] ELECTRICIANS—LICENSING

AN ACT Relating to electricians; amending section 2, chapter 188, Laws of 1974 ex. sess. as last amended by section 1, chapter 79, Laws of 1977 ex. sess. and RCW 19.28.123; amending section 11, chapter 169, Laws of 1935 and RCW 19.28.200; amending section 14, chapter 169, Laws of 1935 and RCW 19.28.350; amending section 4, chapter 325, Laws of 1959 and RCW 19.28.370; amending section 35, chapter 170, Laws of 1965 ex. sess. and RCW 19.28.380; adding new sections to chapter 19.28 RCW; creating a new section; repealing section 1, chapter 206, Laws of 1973 1st ex. sess., section 1, chapter 70, Laws of 1975 1st ex. sess., section 1, chapter 39, Laws of 1975-'76 2nd ex. sess., section 1, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.010; repealing section 2, chapter 206, Laws of 1973 1st ex. sess., section 2, chapter 70, Laws of 1975 1st ex. sess., section 2, chapter 39, Laws of 1975-'76 2nd ex. sess., section 2, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.020; repealing section 3, chapter 206, Laws of 1973 1st ex. sess., section 3, chapter 39, Laws of 1975-'76 2nd ex. sess., section 3, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.030; repealing section 4, chapter 206, Laws of 1973 1st ex. sess., section 3, chapter 70, Laws of 1975 1st ex. sess., section 4, chapter 39, Laws of 1975-'76 2nd ex. sess., section 4, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.040; repealing section 5, chapter 206, Laws of 1973 1st ex. sess., section 5, chapter 39, Laws of 1975-'76 2nd ex. sess., section 5, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.050; repealing section 6, chapter 206, Laws of 1973 1st ex. sess., section 6, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.060; repealing section 7, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.070; repealing section 8, chapter 206, Laws of 1973 1st ex. sess., section 7, chapter 39, Laws of 1975-'76 2nd ex. sess., section 6, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.080; repealing section 9, chapter 206, Laws of 1973 1st ex. sess., section 8, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.090; repealing section 10, chapter 206, Laws of 1973 1st ex. sess., section 36, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.100; repealing section 12, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.120; repealing section 13, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.130; repealing section 14, chapter 206, Laws of 1973 1st ex. sess., section 7, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.140; and repealing section 15, chapter 206, Laws of 1973 1st ex. sess., section 8, chapter 156, Laws of 1979 ex. sess. and RCW 18.37.150.

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

NEW SECTION. Section 1. As used in sections 1 through 13 of this act, the following terms have the meanings indicated unless the context clearly requires otherwise.

- (1) "Board of electrical examiners" means the board of electrical examiners under RCW 19.28.123;
- (2) "Department" means the department of labor and industries;
- (3) "Director" means director of labor and industries;