

Sec. 1. Section 1, chapter 116, Laws of 1979 as amended by section 1, chapter 160, Laws of 1980 and RCW 74.38.070 are each amended to read as follows:

(1) Notwithstanding any other provision of law, any county, city, town, municipal corporation, or quasi municipal corporation providing utility services may provide such services at reduced rates for low income senior citizens or low income disabled citizens: PROVIDED, That, for the purposes of this section, "low income senior citizen" or "low income disabled citizen" shall be defined by appropriate ordinance or resolution adopted by the governing body of the county, city, town, municipal corporation, or quasi municipal corporation providing the utility services except as provided in subsection (2) of this section. Any reduction in rates granted in whatever manner to low income senior citizens or low income disabled citizens in one part of a service area shall be uniformly extended to low income senior citizens or low income disabled citizens in all other parts of the service area.

(2) For purposes of implementing this section by any public utility district, (a) "low income senior citizen" means a person who is sixty-two years of age or older and whose total income, including that of his or her spouse or cotenant, does not exceed the amount specified in RCW 84.36.381(5)(b), as now or hereafter amended and (b) "low income disabled citizen" means a person qualifying for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind person as defined in RCW 74.18.020 and whose income, including that of his or her spouse or cotenant, does not exceed the amount specified in RCW 70.164.020(4).

Passed the Senate February 5, 1988.

Passed the House March 2, 1988.

Approved by the Governor March 15, 1988.

Filed in Office of Secretary of State March 15, 1988.

CHAPTER 45

[Engrossed Substitute House Bill No. 1594]

WATER USE EFFICIENCY STUDY

AN ACT Relating to the water use efficiency study; amending RCW 43.83B.300; creating new sections; providing an expiration date; and declaring an emergency.

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

Sec. 1. Section 1, chapter 1, Laws of 1977 ex. sess. as last amended by section 1, chapter 343, Laws of 1987 and RCW 43.83B.300 are each amended to read as follows:

The legislature finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate

emergency water supply conditions arising from the drought forecast for the state of Washington during 1977 and during 1987.

The legislature further finds that there is a continuing agricultural water supply shortage in many areas of the state and that, in relation to the lessening of that unsatisfactory condition, there is an urgent need to both improve water supply facilities and replace other such facilities.

The legislature further finds that in addition to water storage facilities or other augmentation programs, improved efficiency of water use could provide an important new supply of water in many parts of the state with which to meet future water needs and that improved efficiency of water use should receive greater emphasis in the management of the state's water resources.

In order to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate unsatisfactory water supply conditions arising from droughts occurring from time to time in the state of Washington, and to carry out a comprehensive water use efficiency study for the state of Washington, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and RCW 43.83B.360 through 43.83B.375 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 2. A committee shall be charged with the task of carrying out a comprehensive study of water use efficiency in this state. The study, however, shall neither be considered a water conservation study, nor a comprehensive study encompassing the exclusive means of creating a new supply of water which limits or restricts the use of water storage facilities as an option in creating a new supply of water. The committee, in consultation with other interested agencies, organizations, and the public, shall investigate and evaluate opportunities and means for achieving water use efficiency improvements. The evaluation shall include but not be limited to the following:

- (1) Review and analysis of water use efficiency initiatives in other states;
- (2) Review of the water use efficiency recommendations of the western governors association;
- (3) Identification of existing institutional and economic disincentives to efficient water use;
- (4) Identification of existing and potential incentives that could bring about improved efficiency of use;
- (5) Identification of alternatives for improving efficiency of use;

(6) Estimation of potential water savings and public and private costs from implementing alternatives;

(7) Identification of a recommended approach for improving water use efficiency in municipal and industrial water supply uses, irrigated agriculture and other major out-of-stream uses, and in-stream uses;

(8) Evaluation of the terminology and development of definitions and methods relating to the efficient utilization of water in chapters 90.03, 90.14, 90.22, 90.44, and 90.54 RCW, and such other provisions of existing law as it finds appropriate;

(9) Recommendations for a public education program for efficient use of water; and

(10) Development of recommendations for any needed changes in laws, rules, policies, procedures, and programs to facilitate improved water use efficiency.

NEW SECTION. Sec. 3. (1) The committee created in section 2 of this act shall consist of the following voting members:

(a) Four members of the house of representatives, appointed by the speaker, two from each major political party;

(b) Four members of the senate, appointed by the president of the senate, two from each major political party;

(c) One individual representing the interests of local government;

(d) One individual representing producers of irrigated agricultural products;

(e) One individual representing environmental interests;

(f) One individual representing the interests of the timber industry;

(g) One individual representing the interests of industries' use of water;

(h) One individual representing Indian tribes;

(i) One individual representing the interests of public water utilities;

(j) One individual representing owners and operators of cattle farms;

(k) One individual representing the state-wide water resources association created under chapter 87.76 RCW;

(l) One individual representing hydro power utilities;

(m) One individual representing the recreational or commercial fishing interest; and

(n) One individual representing the interests of water-oriented recreationists.

(2) An individual from each of the following departments shall be appointed by the director of the department as a nonvoting member of the committee: Ecology, agriculture, social and health services, fisheries, wildlife, and natural resources.

(3) An individual representing the office of the governor shall also be a nonvoting member of the committee. This individual shall convene the initial meeting of the committee and act as the presiding officer of the committee until the committee elects a chair as provided in subsection (6) of this section.

(4) The governor shall appoint the members of the committee listed in subsections (1) (c) through (n) of this section. Wherever possible, the various interest groups listed in each of subsections (1) (c) through (n) of this section shall attempt to identify one nominee in common to represent the interest groups listed in that subsection. Any nominations for appointments to fill positions on the committee listed in subsections (1) (c) through (n) of this section shall be submitted to the director of ecology not later than ten business days after the effective date of this section. The director shall forward such nominations to the governor immediately thereafter for the governor's consideration in appointing the members of the committee.

(5) Members of the committee shall serve without compensation. A member representing a state agency or the office of the governor shall be reimbursed, by his or her employing agency or office, for travel expenses in accordance with RCW 43.03.050 and 43.03.060. Members of the committee who are members of the legislature shall be reimbursed as provided in chapter 44.04 RCW. All other members of the committee shall be reimbursed by the department of ecology for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(6) At the initial meeting of the committee, the voting members of the committee shall elect a chair from among themselves. The chair shall preside over the meetings of the committee. The committee shall expire December 31, 1988.

(7) The committee shall consult on a regular and frequent basis with interested organizations and individuals. The committee shall hold public meetings to inform the public about the study, and to receive public comments on a draft report of its study findings and its recommendations.

(8) The committee shall document public comments and the committee's recommendations in a final water use efficiency report. The final report shall also include an estimate of staffing and funding needed to carry out the recommended approach.

NEW SECTION. Sec. 4. It shall be the responsibility of the department of ecology to provide staff support to the committee and to identify water use efficiency options for the tasks identified in section 2 of this act. For the purposes of this section, the department of ecology shall consult with the water research center at Washington State University.

NEW SECTION. Sec. 5. The committee shall report its findings and recommendations to the legislature no later than December 31, 1988. The

department shall not implement such recommendations by rule or regulation except upon the enactment of enabling legislation based upon the committee's recommendations.

NEW SECTION. Sec. 6. No aspect of the study authorized by sections 1 through 3 of this act may authorize any interference whatsoever with existing water rights. The study shall in all respects be subject to the provisions of RCW 43.83B.325 to the same extent as any provision of RCW 43.83B.300 through 43.83B.345.

NEW SECTION. Sec. 7. Sections 2 through 6 of this act shall expire June 30, 1989.

NEW SECTION. Sec. 8. This 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 House March 10, 1988.

Passed the Senate March 10, 1988.

Approved by the Governor March 15, 1988.

Filed in Office of Secretary of State March 15, 1988.

CHAPTER 46

[Second Substitute Senate Bill No. 6513]
EMERGENCY DROUGHT RELIEF

AN ACT Relating to emergency drought relief; amending RCW 43.83B.210, 43.83B.300, 43.83B.310, 43.83B.342, and 43.83B.344; and declaring an emergency.

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

Sec. 1. Section 3, chapter 295, Laws of 1975 1st ex. sess. as last amended by section 4, chapter 343, Laws of 1987 and RCW 43.83B.210 are each amended to read as follows:

The department of ecology is authorized to make loans or grants or combinations thereof: (1) From funds under RCW 43.83B.010 through 43.83B.110 to eligible public bodies as defined in RCW 43.83B.050 for rehabilitation or betterment of agricultural water supply facilities, and/or construction of agricultural water supply facilities required to develop new irrigated lands; or(;) (2) from emergency agricultural water supply funds under RCW 43.83B.300 when required ((because of emergency drought conditions;)) to provide water ((to previously irrigated lands)) to alleviate emergency drought conditions to assure the survival of irrigated crops and the state's fisheries. The department of ecology may make such loans or grants or combinations thereof as matching funds in any case where federal, local, or other funds have been made available on a matching basis. A loan or combination loan and grant shall not exceed fifty percent of the approved eligible project costs for any single proposed project: PROVIDED, That for