

such municipality after such date but before May 14, 1979, for authorized public transportation purposes.

Passed the Senate April 25, 1981.

Passed the House April 15, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.

CHAPTER 320

[Substitute Senate Bill No. 3309]

CIVIL IMMUNITY—BUILDING WARDENS—INSURERS, ARSON FIRE—CLAIMS

AN ACT Relating to special immunities; adding a new section to chapter 4.24 RCW; and adding a new section to chapter 48.50 RCW.

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

NEW SECTION. Section 1. There is added to chapter 4.24 RCW a new section to read as follows:

No building warden, who acts in good faith, with or without compensation, shall be personally liable for civil damages arising from his or her negligent acts or omissions during the course of assigned duties in assisting others to evacuate industrial, commercial, governmental or multi-unit residential buildings or in attempting to control or alleviate a hazard to the building or its occupants caused by fire, earthquake or other threat to life or limb. The term "building warden" means an individual who is assigned to take charge of the occupants on a floor or in an area of a building during an emergency in accordance with a predetermined fire safety or evacuation plan; and/or an individual selected by a municipal fire chief or the state fire marshal after an emergency is in progress to assist in evacuating the occupants of such a building or providing for their safety. This section shall not apply to any acts or omissions constituting gross negligence or wilful or wanton misconduct.

NEW SECTION. Sec. 2. There is added to chapter 48.50 RCW a new section to read as follows:

In denying a claim resulting from a fire, an insurer who relies upon a written opinion from an authorized agency specifically enumerated in (a) through (e) of RCW 48.50.020(1) that the fire was caused by arson, and that the insured was responsible for the fire, shall not be liable for bad faith or other noncontractual theory of damages as a result of this reliance.

Immunity under this section shall exist only so long as the incident for which the insured may be responsible is under active investigation or prosecution, or the authorized agency states its position that the claim is a result of arson for which the insured was responsible.

Passed the Senate April 25, 1981.

Passed the House April 25, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.

CHAPTER 321

[Substitute Senate Bill No. 3214]

EARLY MILK (COLOSTRUM)—USE

AN ACT Relating to early milk; and amending section 15.32.160, chapter 11, Laws of 1961 and RCW 15.32.160.

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

Section 1. Section 15.32.160, chapter 11, Laws of 1961 and RCW 15.32.160 are each amended to read as follows:

It is unlawful to sell, offer for sale, or deliver:

(1) Milk or products produced from milk from cows or goats affected with disease or of which the owner thereof has refused official examination and tests for disease; or

(2) Colostrum milk, meaning that produced within ten days before or seven days after parturition, except that colostrum milk from cows that have been tested for brucellosis within sixty days of parturition may be made available to persons having multiple sclerosis, or other persons acting on their behalf, who, at the time of the initial sale, present a form, signed by a licensed physician, certifying that the intended user has multiple sclerosis and that the user releases the provider of the milk from liability resulting from the consumption of the milk. Colostrum milk provided under this section is exempt from meeting the standards for grade A raw milk required by chapter 15.36 RCW.

(3) The department of agriculture shall adopt rules to carry out this section. The rules shall include but not be limited to establishing standards requiring hyper-immunization.

Passed the Senate April 24, 1981.

Passed the House April 15, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.