

CHAPTER 44

[Engrossed House Bill No. 74]

MUNICIPAL PURCHASING

AN ACT Relating to municipal purchasing; and amending and reenacting section 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030.

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

Sec. 1. Section 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030 are each amended and reenacted to read as follows:

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

(1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;

(2) The designation of public depositaries for municipal funds;

(3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;

(4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;

(5) The employment of any person by a municipality, other than a county of the first class or higher, a city of the first or second class, an irrigation district encompassing in excess of fifty thousand acres, or a first class school district, for unskilled day labor at wages not exceeding one hundred dollars in any calendar month;

(6) The letting of any other contract (except a sale or lease as seller or lessor) by a municipality, other than a county of the first class or higher, a city of the first or second class, an irrigation district encompassing in excess of fifty thousand acres, or a first class school district: PROVIDED, That the total volume of business represented by such contract or contracts in which a particular officer is interested, singly or in the aggregate, as measured by the dollar amount of the municipality's liability thereunder, shall not exceed ~~((two))~~ seven hundred fifty dollars in any calendar month: PROVIDED FURTHER, That in the case of a particular officer of a city or town of the third, or fourth class, or a noncharter optional code city, or a member of

any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total volume of such contract or contracts authorized in this subsection may exceed ((two)) seven hundred fifty dollars in any calendar month but shall not exceed ((thirty-six hundred)) nine thousand dollars in any calendar year: PROVIDED FURTHER, That there shall be public disclosure by having an available list of such purchases or contracts, and if the supplier or contractor is an official of the municipality, he or she shall not vote on the authorization;

(7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers, who shall be appointed from members of the American institute of real estate appraisers by the presiding judge of the superior court in the county where the property is situated, shall find and the court finds that all terms and conditions of such lease are fair to the port district and are in the public interest;

(8) The letting of any contract for the driving of a school bus in a second class school district: PROVIDED, That the terms of such contract shall be commensurate with the pay plan or collective bargaining agreement operating in the district;

(9) The letting of any contract to the spouse of an officer of a second class school district in which less than two hundred full time equivalent students are enrolled at the start of the school year as defined in RCW 28A.01.020, when such contract is solely for employment as a certificated or classified employee of the school district.

Passed the House May 11, 1983.

Passed the Senate May 10, 1983.

Approved by the Governor May 20, 1983.

Filed in Office of Secretary of State May 20, 1983.

CHAPTER 45

[Engrossed House Bill No. 428]

COURT PROCEDURES—REVISIONS—WRIT OF EXECUTION— DISSOLUTION—HOMESTEAD EXEMPTION INCREASED—REAL ESTATE CONTRACTS

AN ACT Relating to courts; amending section 5, chapter 25, Laws of 1929 and RCW 6.04-.050; amending section 2, chapter 157, Laws of 1973 1st ex. sess. as amended by section 1, chapter 23, Laws of 1973 2nd ex. sess. and RCW 26.09.020; amending section 12, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.120; amending section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12-.050; amending section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190; amending section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010; amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010; amending section 253, page 178, Laws of 1854 as last amended by section