

contractor, arbitration procedures may be commenced under the applicable terms of the construction contract, or, if the contract contains no such provision for arbitration, under the then obtaining rules of the American Arbitration Association.

If the delay caused by litigation exceeds six months, the contractor may then elect to terminate the contract and to delete the completion of the contract and receive payment in proportion to the amount of the work completed plus the cost of the delay. Amounts retained and accumulated under RCW 60.28.010 shall be held for a period of thirty days following the election of the contractor to terminate. Election not to terminate the contract by the contractor shall not affect the accumulation of costs incurred as a result of the delay provided above.

(2) This section shall not apply to any contract awarded pursuant to an invitation for bid issued on or before the effective date of this act.

NEW SECTION. Sec. 4. If any provision or part of this 1973 act shall be judged to be invalid or unconstitutional, such adjudication shall not affect the validity of any provision or part of this 1973 act not adjudged invalid or unconstitutional.

Passed the House April 14, 1973.

Passed the Senate April 12, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.

CHAPTER 63

[House Bill No. 628]

FISH CATCH FEES--FISH

FARMS EXEMPT

AN ACT Relating to food fish and shellfish; and amending section 75.32.070, chapter 12, Laws of 1955 as amended by section 2, chapter 10, Laws of 1963 ex. sess. and RCW 75.32.070.

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

Section 1. Section 75.32.070, chapter 12, Laws of 1955 as amended by section 2, chapter 10, Laws of 1963 ex. sess. and RCW 75.32.070 are each amended to read as follows:

A catch fee shall be paid by every person taking food fish or shellfish, or parts thereof, from the waters or beaches of this state for commercial purposes, and the fee shall be equal to two percent of the primary market value of all fresh or frozen chinook and silver salmon so taken, and one percent of the primary market value of all other species of food fish and shellfish, or parts thereof:

PROVIDED, That catch taxes shall not be paid by those taking shellfish from licensed oyster or clam farms or by those taking food fish or shellfish, or parts thereof, from fish farms licensed pursuant to RCW 75.16.110: PROVIDED FURTHER, That it is not the intent of the state of Washington to collect privilege fees or catch fees on fish and shellfish previously landed from the Columbia River district in Oregon, on which privilege fees have already been paid, and which are transshipped to this state. An official certification of payment of Oregon privilege fees must be furnished the Washington department of fisheries in these instances.

Passed the House March 9, 1973.

Passed the Senate April 8, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.

CHAPTER 64

[House Bill No. 685]

FIRE PROTECTION DISTRICTS--PUBLIC
PROPERTY--MANDATORY SERVICE CONTRACTS

AN ACT Relating to fire protection districts; amending section 1, chapter 139, Laws of 1941 and RCW 52.36.020; and prescribing an effective date.

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

Section 1. Section 1, chapter 139, Laws of 1941 and RCW 52.36.020 are each amended to read as follows:

Wherever a fire protection district has been organized which includes within its area or is adjacent to, ((state owned property)) buildings and equipment, except those leased to a nontax exempt person or organization, ((the director of finance, budget and business* is authorized to arrange for and to make contributions to such district; by payment to the county treasurer, of the county in which the district is located, such sum or sums as in his discretion may be equitable for the fire protection received by the state but in no event to exceed the amount such district would receive in revenue should such state property be on the tax rolls of such district)) owned by the legislative or administrative authority of a state agency or institution or a municipal corporation, the agency or institution or municipal corporation involved shall contract with such district for fire protection services necessary for the protection and safety of personnel and property pursuant to the provisions of chapter 39.34 RCW, as now or hereafter amended: PROVIDED, That nothing in this section shall be construed to require