

number of vehicles in a fleet will create a significantly increased workload for the Department and the County Auditors, particularly because all fleet vehicles must be registered in December of each year and no funds were provided for the increased workload.

With the exception of the second sentence of section 2, Senate Bill No. 4675 is approved."

CHAPTER 281

[Engrossed House Bill No. 134]

COMMERCIAL TELEPHONE SOLICITATION VIA AUTOMATIC DIALING AND ANNOUNCING DEVICES PROHIBITED

AN ACT Relating to automatic dialing and announcing devices; adding a new section to chapter 80.36 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. Sec. 1. The legislature finds that the use of automatic dialing and announcing devices for purposes of commercial solicitation: (1) Deprives consumers of the opportunity to immediately question a seller about the veracity of their claims; (2) subjects consumers to unwarranted invasions of their privacy; and (3) encourages inefficient and potentially harmful use of the telephone network. The legislature further finds that it is in the public interest to prohibit the use of automatic dialing and announcing devices for purposes of commercial solicitation.

NEW SECTION. Sec. 2. A new section is added to chapter 80.36 RCW to read as follows:

(1) As used in this section:

(a) An automatic dialing and announcing device is a device which automatically dials telephone numbers and plays a recorded message once a connection is made.

(b) Commercial solicitation means the unsolicited initiation of a telephone conversation for the purpose of encouraging a person to purchase property, goods, or services.

(2) No person may use an automatic dialing and announcing device for purposes of commercial solicitation. This section applies to all commercial solicitation intended to be received by telephone customers within the state.

(3) A violation of this section is a violation of chapter 19.86 RCW. It shall be presumed that damages to the recipient of commercial solicitations made using an automatic dialing and announcing device are five hundred dollars.

(4) Nothing in this section shall be construed to prevent the Washington utilities and transportation commission from adopting additional rules regulating automatic dialing and announcing devices.

Passed the House March 8, 1986.

Passed the Senate March 1, 1986.

Approved by the Governor April 4, 1986.

Filed in Office of Secretary of State April 4, 1986.

CHAPTER 282

[Engrossed Substitute House Bill No. 1447]

PUBLIC WORKS CONTRACTS—SMALL WORKS ROSTER—ESTIMATES—
BUDGETING, ACCOUNTING, AND REPORTING—TAX ON REFUSE
COLLECTION BUSINESSES—SOLID WASTE HANDLING

AN ACT Relating to public works contracts; amending RCW 39.04.010, 39.04.020, 39.04.050, 39.04.070, 82.16.020, 35.21.120, and 36.58.040; adding a new section to chapter 35.92 RCW; adding a new section to chapter 36.58 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 39.04.090; and prescribing penalties.

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

Sec. 1. Section 1, chapter 183, Laws of 1923 as last amended by section 1, chapter 98, Laws of 1982 and RCW 39.04.010 are each amended to read as follows:

The term state shall include the state of Washington and all departments, supervisors, commissioners and agencies thereof.

The term municipality shall include every city, county, town, district or other public agency thereof which is authorized by law to require the execution of public work, except drainage districts, diking districts, diking and drainage improvement districts, drainage improvement districts, diking improvement districts, consolidated diking and drainage improvement districts, consolidated drainage improvement districts, consolidated diking improvement districts, irrigation districts or any such other districts as shall from time to time be authorized by law for the reclamation or development of waste or undeveloped lands.

The term public work shall include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein, but nothing herein shall apply to the construction, alteration, repair, or improvement of any municipal street railway system. All public works, including maintenance when performed by contract shall comply with the provisions of RCW 39.12.020.

The term contract shall mean a contract in writing for the execution of public work for a fixed or determinable amount duly awarded after advertisement and competitive bid. However, a contract which is awarded from a