

in RCW 43.131.010 through 43.131.110 as now existing or hereafter amended.

Passed the House March 14, 1983.

Passed the Senate April 15, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 140

[House Bill No. 183]

EMINENT DOMAIN—VALUATION DATE—CASES HAVE COURT PRIORITY

AN ACT Relating to eminent domain; amending section 2, chapter 177, Laws of 1951 as amended by section 1, chapter 155, Laws of 1955 and RCW 8.04.092; and adding a new section to chapter 47.12 RCW.

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

Sec. 1. Section 2, chapter 177, Laws of 1951 as amended by section 1, chapter 155, Laws of 1955 and RCW 8.04.092 are each amended to read as follows:

The amount paid into court shall constitute just compensation paid for the taking of such property: PROVIDED, That respondents may, in the same action, request a trial for the purpose of assessing the amount of compensation to be made and the amount of damages arising from the taking. ~~((In the event that))~~ At the trial, the date of valuation of the property shall be the date of entry of the order granting to the state immediate possession and use of the property. If, pursuant to such hearing, the verdict of the jury, unless a jury ~~((be))~~ is waived by all parties, or decision of the court, ~~((shall))~~ awards respondents an amount in excess of the tender, the court shall order ~~((such))~~ the excess paid to respondents with interest thereon from the time of the entry of the order of immediate possession, and shall charge the costs of the action to the state. ~~((In the event that))~~ If, pursuant to ~~((such))~~ the trial, the verdict of the jury or decision of the court ~~((shall))~~ awards respondents an amount equal to the tender, the costs of the action shall be charged to the state, and if ~~((such))~~ the verdict or decision ~~((shall))~~ awards an amount less than the amount of the tender, the state shall be taxed for costs and the state, if respondents have accepted the tender and withdrawn the amount paid into court, shall be entitled to a judgment for the difference; otherwise, the excess on deposit shall be returned to the state.

NEW SECTION. Sec. 2. There is added to chapter 47.12 RCW a new section to read as follows:

Court proceedings necessary to acquire property or property rights for highway purposes pursuant to RCW 47.12.010 take precedence over all other causes not involving the public interest in all courts in cases where the

state is unable to secure an order granting it immediate possession and use of the property or property rights pursuant to RCW 8.04.090 through 8.04.094.

Passed the House February 7, 1983.

Passed the Senate April 15, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 141

[Engrossed House Bill No. 208]

STATE PURCHASING—EMERGENCIES—CONTRACT LIMITS

AN ACT Relating to state purchasing; and amending section 43.19.1906, chapter 8, Laws of 1965 as last amended by section 2, chapter 103, Laws of 1980 and RCW 43.19.1906.

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

Sec. 1. Section 43.19.1906, chapter 8, Laws of 1965 as last amended by section 2, chapter 103, Laws of 1980 and RCW 43.19.1906 are each amended to read as follows:

Insofar as practicable, all purchases and sales shall be based on competitive bids, and a formal sealed bid procedure shall be used as standard procedure for all purchases and contracts for purchases and sales executed by the state purchasing and material control director and under the powers granted by RCW 43.19.190 through 43.19.1939, as now or hereafter amended. This requirement ~~((shall))~~ also ~~((apply))~~ applies to purchases and contracts for purchases and sales executed by agencies, including educational institutions, under delegated authority granted in accordance with provisions of RCW 43.19.190 as now or hereafter amended. However, formal sealed bidding ~~((shall))~~ is not ~~((be))~~ necessary for:

(1) Emergency purchases if ~~((such))~~ the sealed bidding procedure would prevent or hinder the emergency from being met appropriately;

(2) Purchases not exceeding twenty-five hundred dollars: PROVIDED, That the state director of general administration shall establish procedures to assure that purchases made by or on behalf of the various state agencies shall not be made so as to avoid the twenty-five hundred dollar bid limitation: PROVIDED FURTHER, That the state purchasing and material control director is authorized to reduce this formal sealed bid limit of twenty-five hundred dollars to a lower dollar amount for purchases by individual state agencies, including purchases of specialized equipment, instructional, and research materials by colleges and universities, if considered necessary to maintain full disclosure of competitive procurement or otherwise to achieve overall state efficiency and economy in purchasing and material control. Quotations from ~~((two))~~ four hundred dollars to twenty-five hundred dollars shall be secured from enough vendors to assure establishment