

insurance contributions act, and to deduct the amount of such contribution from his wages as and when paid. Contributions so collected shall be paid into the OASI contribution fund in partial discharge of the liability of such political subdivision or instrumentality under paragraph (a) of this subsection. Failure to deduct such contribution shall not relieve the employee or employer of liability therefor.

(4) Delinquent payments due under paragraph (a) of subsection (3) may, with interest at the rate of six percent per annum, be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may, at the request of the governor, be deducted from any other moneys payable to such subdivision by any department or agency of the state.

NEW SECTION. Sec. 21. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 22. If any provision of this 1971 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate May 7, 1971.

Passed the House May 6, 1971.

Approved by the Governor May 21, 1971.

Filed in Office of Secretary of State May 21, 1971.

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CHAPTER 258

[Engrossed Senate Bill No. 373]

PUBLIC WORKS--

PUBLIC BIDS

AN ACT Relating to bidding on certain public works; amending section 3, chapter 348, Laws of 1955 and RCW 53.08.120 and 53.08.130; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

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

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

When the cost to any state college or state university of any building, construction, renovation, remodeling or demolition other than ordinary maintenance or equipment repairs will equal or exceed the sum of ten thousand dollars, complete plans and specifications

for such work shall be prepared and such work shall be put out for public bids in accordance with the provisions of chapter 39.19 RCW: PROVIDED, That when the estimated cost of such building, construction, renovation, remodeling or demolition equals or exceeds the sum of ten thousand dollars, such project shall be deemed a public works and "the prevailing rate of wage", under chapter 39.12 RCW shall be applicable thereto.

In the event of any emergency when the public interest or property of the state college or state university would suffer material injury or damage by delay, the president of such college or university may declare the existence of such an emergency and reciting the facts constituting the same may waive the requirements of this section with reference to any contract in order to correct the condition causing the emergency: PROVIDED, That an "emergency", for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the state college or institution of higher education in the absence of prompt remedial action or a condition which immediately impairs the institution's ability to perform its educational obligations.

Sec. 2. Section 3, chapter 348, Laws of 1955 and RCW 53.08.130 are each amended to read as follows:

The notice shall state generally the nature of the work to be done and require that bids be sealed and filed with the commission at a time specified therein. Each bid shall be accompanied by a bid proposal deposit in the form of a cashier's check, money order, or surety bid bond to the commission for a sum not less than five percent of the amount of the bid, and no bid shall be considered unless accompanied by such bid proposal deposit. At the time and place named the bids shall be publicly opened and read and the commission shall proceed to canvass the bids and ~~((may))~~, except as otherwise in this section provided, shall let the contract to the lowest responsible bidder upon plans and specifications on file, or to the best bidder submitting his own plans and specifications. If, in the opinion of the commission, all bids are unsatisfactory, they may reject all of them and readvertise, and in such case all such bid proposal deposits shall be returned to the bidders; but if the contract is let, then all bid proposal deposits shall be returned to the bidders, except that of the successful bidder which shall be retained until a contract is entered into for the purchase of such materials or doing such work, and a bond given to the port district for the performance of the contract and otherwise conditioned as required by law, with sureties satisfactory to the commission, in an amount to be fixed by the commission, but not in any event less than twenty-five percent of the contract price. If said bidder fails to enter into the contract in accordance with his bid and furnish such

bond within ten days from the date at which he is notified that he is the successful bidder, the check or money order and the amount thereof shall be forfeited to the port district or the port district shall recover the amount of the surety bid bond.

NEW SECTION. Sec. 3. If any provision of this 1971 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 28, 1971.

Passed the House May 7, 1971.

Approved by the Governor May 21, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 259

[Engrossed Senate Bill No. 17]

WASHINGTON LIFE AND DISABILITY INSURANCE GUARANTY ASSOCIATION ACT

AN ACT Relating to insurance; creating the Washington Life and Disability Insurance Guaranty Association; providing for a board of directors thereof; setting out certain powers, duties, and functions; providing for certain assessments and funds; providing for the termination of the association and for the disposition of funds thereupon; exempting the association from certain taxes; adding certain sections as a new chapter to Title 48 RCW; providing penalties; and declaring an emergency.

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

NEW SECTION. Section 1. PURPOSE. The purpose of this act is the creation of funds arising from assessments upon all insurers authorized to transact life or disability insurance business in the state of Washington, to be used to assure to the extent prescribed herein the performance of the insurance contractual obligations of insurers becoming insolvent to residents of this state and, in the case of domestic insurers, to residents of other jurisdictions as well; and to promote thereby the stability of domestic insurers. In the judgment of the legislature, the foregoing purpose not being capable of accomplishment by a corporation created under general laws, the creation of the nonprofit association hereinafter in this act described is deemed essential for the protection of the general welfare.

NEW SECTION. Sec. 2. SCOPE, PERSONAL INSURANCES. This act shall apply as follows to life insurance policies, disability insurance policies, and annuity contracts of liquidating insurers,