

chapter 9, Laws of 1965 and to chapter 29.36 RCW.

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

NEW SECTION. Section 1. There is added to chapter 9, Laws of 1965 and to chapter 29.36 RCW a new section to read as follows:

Each county auditor shall maintain in his office, open for public inspection, lists of the applications he has received for absentee ballots under the provisions of this chapter and of chapter 29.39 RCW.

Such applications shall be listed no later than twenty-four hours after their receipt and the lists thereof shall be available until the day of the election for which the absentee ballot application was made.

The lists shall be organized first according to the date of application, then by legislative district, if appropriate, and then by precinct. They shall also indicate the name of each applicant and the address to which the ballot is to be mailed.

The auditor shall make copies of such lists available to the public for the actual cost of copying such list.

Passed the House March 24, 1973.

Passed the Senate April 10, 1973.

Approved by the Governor April 20, 1973.

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

CHAPTER 62

[House Bill No. 621]

PUBLIC CONSTRUCTION CONTRACTS--ENVIRONMENTAL
PROTECTION REQUIREMENTS--DELAYS

AN ACT Relating to public contracts; adding new sections to Title 39 RCW; adding new sections to chapter 60.28 RCW; setting an effective date and declaring an emergency.

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

NEW SECTION. Section 1. There is added to Title 39 RCW a new section to read as follows:

All invitations for bid proposals for public construction projects issued by the state of Washington, its authorities or agencies, or any political subdivision of the state, shall set forth in the contract documents to the extent they are reasonably obtainable by the public awarding authority those provisions of federal, state and local statutes, ordinances and regulations dealing with the prevention of environmental pollution and the preservation of public natural resources that affect or are affected by the projects. If the successful bidder must undertake additional work

due to the enactment of new or the amendment of existing statutes, ordinances, rules or regulations occurring after the submission of the successful bid, the awarding agency shall issue a change order setting forth the additional work that must be undertaken, which shall not invalidate the contract. The cost of such a change order to the awarding agency shall be determined in accordance with the provisions of the contract for change orders or force accounts or, if no such provision is set forth in the contract, then the cost to the awarding agency shall be the contractor's costs for wages, labor costs other than wages, wage taxes, materials, equipment rentals, insurance, and subcontracts attributable to the additional activity plus a reasonable sum for overhead and profit: PROVIDED, That such additional costs to undertake work not specified in the contract documents shall not be approved unless written authorization is given the successful bidder prior to his undertaking such additional activity. In the event of a dispute between the awarding agency and the successful bidder, arbitration procedures may be commenced under the applicable terms of the construction contract, or, if the contract contains no such provision for arbitration, the then obtaining rules of the American arbitration association.

NEW SECTION. Sec. 2. There is added to Title 39 RCW a new section to read as follows:

Section 1 shall take effect in ninety days but shall not apply to any contract awarded pursuant to an invitation for bids issued on or before the date it takes effect, or to any persons or bonds in respect of any such contract.

NEW SECTION. Sec. 3. There is added to chapter 60.28 RCW a new section to read as follows:

(1) If any delay in issuance of notice to proceed or in construction following an award of any public construction contract is primarily caused by acts or omissions of persons or agencies other than the contractor and a preliminary, special or permanent restraining order of a court of competent jurisdiction is issued pursuant to litigation and the appropriate public contracting body does not elect to delete the completion of the contract or order funds reserved paid to the contractor as provided by RCW 60.28.010(3) and 60.28.070 respectively, the appropriate contracting body will issue a change order or force account directive to cover reasonable costs incurred by the contractor as a result of such delay. These costs shall include but not be limited to contractor's costs for wages, labor costs other than wages, wage taxes, materials, equipment rentals, insurance, bonds, professional fees, and subcontracts, attributable to such delay plus a reasonable sum for overhead and profit.

In the event of a dispute between the contracting body and the

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: