

to the public. The secretary shall provide public notice pursuant to the provisions of chapter 65.16 RCW. Such notice shall be given at least twenty days prior to the hearing. The hearing may be continued from time to time and, at the termination thereof, the secretary may restrict the expansion of service of any purveyor within the area if the secretary finds such restriction is necessary to provide the greatest protection of the public health and well-being.

NEW SECTION. Sec. 8. The secretary shall adopt performance standards relating to fire protection to be incorporated into the design and construction of public water systems. The standards shall be consistent with recognized national standards. The secretary shall adopt regulations pertaining to the application and enforcement of the standards: PROVIDED, That the regulations shall require the application of the standards for new and expanding systems only. The standards shall apply in critical water supply service areas unless the approved coordinated plan provides for nonfire flow systems.

NEW SECTION. Sec. 9. The assumption of jurisdiction or control of any public water system or systems by a city, town, or code city, shall be subject to the provisions of chapter 35.13A RCW, and the provisions of this act shall be superseded by the provisions of chapter 35.13A RCW regarding such an assumption of jurisdiction.

NEW SECTION. Sec. 10. Nothing in this chapter shall apply to water which is bottled or otherwise packaged in a container for human consumption or domestic use, or to the treatment, storage and transportation facilities used in the processing of the bottled water or the distribution of the bottles or containers of water.

NEW SECTION. Sec. 11. Nothing in this chapter shall be construed to alter in any way the existing authority of purveyors and municipal corporations to establish, administer and apply water rates and rate provisions.

NEW SECTION. Sec. 12. This chapter shall be known and may be cited as the "Public Water System Coordination Act of 1977".

NEW SECTION. Sec. 13. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. Sections 1 through 12 of this act shall constitute a new chapter to Title 70 RCW.

Passed the House May 24, 1977.

Passed the Senate May 20, 1977.

Approved by the Governor June 2, 1977.

Filed in Office of Secretary of State June 2, 1977.

CHAPTER 143

[House Bill No. 313]

BLOOD WITHDRAWAL PURSUANT TO IMPLIED CONSENT LAW—LIABILITY

AN ACT Relating to liability of persons withdrawing blood; and adding a new section to chapter 46.61 RCW.

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

NEW SECTION: Section 1. There is added to chapter 46.61 RCW a new section to read as follows:

No physician, registered nurse, qualified technician, or hospital, or duly licensed clinical laboratory employing or utilizing services of such physician, registered nurse, or qualified technician, shall incur any civil or criminal liability as a result of the act of withdrawing blood from any person when directed by a law enforcement officer to do so for the purpose of a blood test under the provisions of RCW 46.20-.308, as now or hereafter amended: PROVIDED, That nothing in this section shall relieve any physician, registered nurse, qualified technician, or hospital or duly licensed clinical laboratory from civil liability arising from the use of improper procedures or failing to exercise the required standard of care.

Passed the House March 11, 1977.

Passed the Senate May 24, 1977.

Approved by the Governor June 2, 1977.

Filed in Office of Secretary of State June 2, 1977.

CHAPTER 144

[Substitute House Bill No. 395]

CLAIMS BY AND AGAINST THE STATE

AN ACT Relating to state government; amending section 4, chapter 95, Laws of 1895 as amended by section 6, chapter 159, Laws of 1963 and RCW 4.92.040; amending section 3, chapter 159, Laws of 1963 as amended by section 2, chapter 164, Laws of 1967 and RCW 4.92.100; amending section 4, chapter 159, Laws of 1963 and RCW 4.92.110; amending section 2, chapter 4, Laws of 1973 as amended by section 1, chapter 4, Laws of 1975 2nd ex. sess. and RCW 29.13.047; amending section 2, chapter 82, Laws of 1973 and RCW 29.64.080 [29.64.090]; amending section 4, chapter 8, Laws of 1971 ex. sess. as amended by section 24, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.205; amending section 43.09.050, chapter 8, Laws of 1965 as amended by section 1, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.050; amending section 77.12.280, chapter 36, Laws of 1955 as amended by section 1, chapter 177, Laws of 1957 and RCW 77.12.280; adding a new section to chapter 43.10 RCW; adding new sections to chapter 43.41 RCW; repealing section 43.09-.160, chapter 8, Laws of 1965 and RCW 43.09.160; and repealing section 1, chapter 46, Laws of 1903 and RCW 44.18.010.

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

Section 1. Section 4, chapter 95, Laws of 1895 as amended by section 6, chapter 159, Laws of 1963 and RCW 4.92.040 are each amended to read as follows:

(1) No execution shall issue against the state on any judgment.

(2) Whenever a final judgment against the state shall have been obtained in an action on a claim arising out of tortious conduct, the clerk shall make and furnish to the ~~((budget director))~~ chief fiscal officer of the executive branch a duly certified copy of said judgment and the same shall be paid out of the tort claims revolving fund.

(3) Whenever a final judgment against the state shall have been obtained in any other action, the clerk of the court shall make and furnish to the ~~((auditor of state))~~ chief fiscal officer of the executive branch a duly certified copy of such judgment; the ~~((auditor of state))~~ chief fiscal officer of the executive branch shall thereupon audit the amount of damages and costs therein awarded, and the same shall be paid ~~((out of the state treasury))~~ from appropriations specifically provided for such purposes by law.