

Sec. 1. Section 3, chapter 10, Laws of 1982 as amended by section 11, chapter 192, Laws of 1982 and RCW 9A.44.040 are each amended to read as follows:

(1) A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person (~~(not married to the perpetrator)~~) by forcible compulsion where the perpetrator or an accessory:

- (a) Uses or threatens to use a deadly weapon; or
- (b) Kidnaps the victim; or
- (c) Inflicts serious physical injury; or
- (d) Feloniously enters into the building or vehicle where the victim is situated.

(2) Rape in the first degree is a class A felony.

Sec. 2. Section 5, chapter 14, Laws of 1975 1st ex. sess. as amended by section 2, chapter 244, Laws of 1979 ex. sess. and RCW 9A.44.050 are each amended to read as follows:

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person(~~(, not married to the perpetrator)~~):

- (a) By forcible compulsion; or
- (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated.

(2) Rape in the second degree is a class B felony.

Passed the Senate March 30, 1983.

Passed the House April 17, 1983.

Approved by the Governor April 23, 1983.

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

CHAPTER 119

[House Bill No. 146]

ASIAN-AMERICAN AFFAIRS COMMISSION—SUNSET TERMINATION EXTENDED

AN ACT Relating to the Washington state Asian-American commission; amending section 1, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.010; amending section 14, chapter 140, Laws of 1974 ex. sess. as amended by section 1, chapter 297, Laws of 1977 ex. sess. and RCW 43.117.910; amending section 34, chapter 99, Laws of 1979 and RCW 43.131-.215; amending section 76, chapter 99, Laws of 1979 and RCW 43.131.216; providing an effective date; and declaring an emergency.

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

Sec. 1. Section 1, chapter 140, Laws of 1974 ex. sess. and RCW 43-.117.010 are each amended to read as follows:

The legislature declares that the public policy of this state is to insure equal opportunity for all of its citizens. The legislature finds that Asian-Americans have unique and special problems. It is the purpose of this

chapter to improve the well-being of Asian-Americans by insuring their access to participation in the fields of government, business, ((and)) education, and other areas. The legislature is particularly concerned with the plight of those Asian-Americans who, for economic, linguistic, or cultural reasons, find themselves disadvantaged or isolated from American society and the benefits of equal opportunity. The legislature further finds that it is necessary to aid Asian-Americans in obtaining governmental services in order to promote the health, safety, and welfare of all the residents of this state. Therefore the legislature deems it necessary to create a commission to carry out the purposes of this chapter.

Sec. 2. Section 14, chapter 140, Laws of 1974 ex. sess. as amended by section 1, chapter 297, Laws of 1977 ex. sess. and RCW 43.117.910 are each amended to read as follows:

This chapter shall expire automatically on June 30, ((+1983)) 1988, unless extended by law for an additional fixed period of the time.

Sec. 3. Section 34, chapter 99, Laws of 1979 and RCW 43.131.215 are each amended to read as follows:

The Washington state commission on Asian-American affairs and its powers and duties shall be terminated on June 30, ((+1983)) 1988, as provided in RCW 43.131.216.

Sec. 4. Section 76, chapter 99, Laws of 1979 and RCW 43.131.216 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ((+1984)) 1989:

(1) Section 1, chapter 140, Laws of 1974 ex. sess., section 1 of this 1983 act and RCW 43.117.010;

(2) Section 2, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.020;

(3) Section 3, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.030;

(4) Section 4, chapter 140, Laws of 1974 ex. sess., section 131, chapter 34, Laws of 1975-'76 2nd ex. sess., section 1, chapter 68, Laws of 1982 and RCW 43.117.040;

(5) Section 5, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.050;

(6) Section 6, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.060;

(7) Section 7, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.070;

(8) Section 8, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.080;

(9) Section 9, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.090;

(10) Section 10, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.100;

(11) Section 11, chapter 140, Laws of 1974 ex. sess. and RCW 43.117-.900; and

(12) Section 14, chapter 140, Laws of 1974 ex. sess., section 1, chapter 297, Laws of 1977 ex. sess., section 2 of this 1983 act and RCW 43.117.910.

NEW SECTION. Sec. 5. This 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 June 30, 1983.

Passed the House March 27, 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 120

[Engrossed Second Substitute Senate Bill No. 3230]

MINORITY AND WOMEN'S BUSINESS ENTERPRISE OFFICE CREATED

AN ACT Relating to minority and women's business enterprises; amending section 47.28.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 225, Laws of 1977 ex. sess. and RCW 47.28.030; amending section 47.28.050, chapter 13, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1979 ex. sess. and RCW 47.28.050; amending section 47.28.090, chapter 13, Laws of 1961 as amended by section 2, chapter 21, Laws of 1971 ex. sess. and RCW 47.28.090; adding a new chapter to Title 39 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 39.04 RCW; adding a new section to chapter 39.29 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 43.19 RCW; creating a new section; providing an effective date; and declaring an emergency.

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

NEW SECTION. Sec. 1. The legislature finds that minority and women-owned businesses are significantly under-represented and have been denied equitable competitive opportunities in contracting. It is the intent of this chapter to mitigate societal discrimination and other factors in participating in public works and in providing goods and services and to delineate a policy that an increased level of participation by minority and women-owned businesses is desirable at all levels of state government. The purpose and intent of this chapter are to provide the maximum practicable opportunity for increased participation by minority and women-owned businesses in participating in public works and the process by which goods and services are procured by state agencies and educational institutions from the private sector.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.