

(1) Expand the definition and use of "life-cycle cost" and "life-cycle cost analysis" to include consideration of all operating costs, as opposed to only energy-related costs as addressed by chapter 39.35 RCW;

(2) Encourage the recognition, development, and use of life-cycle cost concepts and procedures by both the executive and legislative branches in the state's design development and capital budgeting processes;

(3) Ensure the dissemination and use of a common and realistic discount rate by all state agencies in the calculation of the present value of future costs;

(4) Allow and encourage the executive branch to develop specific techniques and procedures for the state government and its agencies, and state universities and community colleges to implement this policy; and

(5) Encourage cities, counties, and other governmental districts including special purpose districts to adopt programs and procedures to implement this policy.

**NEW SECTION.** Sec. 4. The principal executives of all state agencies are responsible for implementing the policy set forth in this chapter. The office of financial management in conjunction with the department of general administration may establish guidelines for compliance by the state government and its agencies, and state universities and community colleges. The office of financial management shall include within its biennial capital budget instructions:

(1) A discount rate for the use of all agencies in calculating the present value of future costs, and several examples of resultant trade-offs between annual operating costs eliminated and additional capital costs thereby justified; and

(2) Types of projects and building components that are particularly appropriate for life-cycle cost analysis.

**NEW SECTION.** Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 39 RCW.

Passed the Senate March 4, 1986.

Passed the House March 1, 1986.

Approved by the Governor March 22, 1986.

Filed in Office of Secretary of State March 22, 1986.

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## CHAPTER 128

[Engrossed Substitute Senate Bill No. 3416]

### DISHONORED CHECKS

AN ACT Relating to negotiable instruments; amending RCW 62A.3-515 and 62A.3-520; and providing penalties.

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

Sec. 1. Section 1, chapter 23, Laws of 1967 ex. sess. as last amended by section 1, chapter 254, Laws of 1981 and RCW 62A.3-515 are each amended to read as follows:

(1) Whenever a check as defined in RCW 62A.3-104 has been dishonored by nonacceptance or nonpayment the payee or holder of the check is entitled to collect a reasonable handling fee for each such instrument. When such check has not been paid within fifteen days and after the holder of such check sends such notice of dishonor as provided by RCW 62A.3-520 to the drawer at his last known address, then if the instrument does not provide for the payment of interest, or collection costs and attorneys fees, the drawer of such instrument shall also be liable for payment of interest at the rate of twelve percent per annum from the date of dishonor and cost of collection not to exceed forty dollars or the face amount of the check, whichever is the lesser. In addition, in the event of court action on the check the court, after such notice and the expiration of said fifteen days, shall award a reasonable attorneys fee, and three times the face amount of the check or one hundred dollars, whichever is less, as part of the damages payable to the holder of the check. This section shall not apply to any instrument which has been dishonored by reason of any justifiable stop payment order.

(2)(a) Subsequent to the commencement of the action but prior to the hearing, the defendant may tender to the plaintiff as satisfaction of the claim, an amount of money equal to the sum of the amount of the check, a reasonable handling fee, accrued interest, collection costs equal to the face amount of the check not to exceed forty dollars, and the incurred court and service costs.

(b) Nothing in this section precludes the right to commence action in any court under chapter 12.40 RCW for small claims.

Sec. 2. Section 2, chapter 62, Laws of 1969 as amended by section 2, chapter 254, Laws of 1981 and RCW 62A.3-520 are each amended to read as follows:

The notice of dishonor shall be sent by mail to the drawer at his or her last known address, and said notice shall be substantially in the following form:

#### NOTICE OF DISHONOR OF CHECK

A check drawn by you and made payable by you to . . . . . in the amount of . . . . . has not been accepted for payment by . . . . ., which is the drawee bank designated on your check. This check is dated . . . . ., and it is numbered, No. . . . .

You are CAUTIONED that unless you pay the amount of this check within fifteen days after the date this letter is postmarked, you may very well have to pay the following additional amounts:

- (1) Costs of collecting the amount of the check, including an attorney's fee which will be set by the court; (~~and~~)
- (2) Interest on the amount of the check which shall accrue at the rate of twelve percent per annum from the date of dishonor; and
- (3) One hundred dollars or three times the face amount of the check, whichever is less, by award of the court.

You are advised to make your payment to ..... at the following address: .....

Passed the Senate March 8, 1986.  
 Passed the House March 5, 1986.  
 Approved by the Governor March 22, 1986.  
 Filed in Office of Secretary of State March 22, 1986.

CHAPTER 129

[Substitute Senate Bill No. 4455]  
 ANATOMICAL DONATIONS

AN ACT Relating to anatomical donations; adding a new section to chapter 68.08 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. A new section is added to chapter 68.08 RCW to read as follows:

Each hospital shall develop procedures for identifying potential organ and tissue donors. The procedures shall require that any deceased individual's next of kin or other individual, as set forth in RCW 68.08.510, at or near the time of notification of death be asked whether the deceased was an organ donor. If not, the family shall be informed of the option to donate organs and tissues pursuant to the uniform anatomical gift act. With the approval of the designated next of kin or other individual, as set forth in RCW 68.08.510, the hospital shall then notify an established eye bank, tissue bank, or organ procurement agency including those organ procurement agencies associated with a national organ procurement transportation network or other eligible donee, as specified in RCW 68.08.520, and cooperate in the procurement of the anatomical gift or gifts. The procedures shall encourage reasonable discretion and sensitivity to the family circumstances in all discussions regarding donations of tissue or organs. The procedures may take into account the deceased individual's religious beliefs or obvious nonsuitability for organ and tissue donation. Laws pertaining to the jurisdiction of the coroner shall be complied with in all cases of reportable deaths pursuant to RCW 68.08.010.

NEW SECTION. Sec. 2. No act or omission of a hospital in developing or implementing the provisions of section 1 of this act, when performed