

- (1) The ability, capacity and skill of the bidder to perform the contract or provide the service required;
- (2) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- (3) Whether the bidder can perform the contract within the time specified;
- (4) The quality of performance of previous contracts or services;
- (5) The previous and existing compliance by the bidder with laws relating to the contract or services;
- (6) Such other information as may be secured having a bearing on the decision to award the contract: PROVIDED, That in considering bids for purchase, manufacture, or lease, and in determining the "lowest responsible bidder," whenever there is reason to believe that applying the "life cycle costing" technique to bid evaluation would result in lowest total cost to the state, first consideration shall be given by state purchasing activities to the bid with the lowest life cycle cost which complies with specifications. "Life cycle cost" means the total cost of an item to the state over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life. The "estimated useful life" of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner.

NEW SECTION. Sec. 9. Sections 3 through 6 of this act are each added to chapter 43.19 RCW.

NEW SECTION. Sec. 10. 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 immediately.

Passed the House March 13, 1980.

Passed the Senate March 12, 1980.

Approved by the Governor April 4, 1980.

Filed in Office of Secretary of State April 4, 1980.

CHAPTER 173

[Substitute House Bill No. 1763]

LEGISLATIVE BUILDING—WORKS OF ART

AN ACT Relating to works of art for the legislative building; adding a new chapter to Title 44 RCW; and providing an expiration date.

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

NEW SECTION. Section 1. The architectural plan for the state legislative building included spaces for works of art which have never been used

as originally intended. The purpose of this chapter is to facilitate the creation, acquisition, and installation of appropriate works of art for the legislative building by providing a joint legislative arts committee with overall authority and responsibility to establish and implement an arts acquisition plan, and by creating a special fund to assist in the financing of the art acquisitions.

NEW SECTION. Sec. 2. As used in this chapter, "person" means any individual or public or private corporation.

NEW SECTION. Sec. 3. There is created a joint legislative arts committee consisting of four members of the senate, to be appointed by the president of the senate, and four members from the house, to be appointed by the speaker of the house. Not more than two members from each house may be from the same political party. All appointments to the committee are subject to approval by the caucuses to which the appointed members belong.

Members shall be subject to reappointment at the beginning of each session of the legislature which convenes in an even-numbered year. No member shall serve on the committee unless he or she retains membership in the legislature. Vacancies shall be filled by the same appointing authority and in the same manner as for the member whose seat is vacated.

The president of the senate shall appoint the chairperson in even-numbered years, and the speaker of the house shall appoint the chairperson in odd-numbered years.

Five members of the committee constitute a quorum for the transaction of business. The committee may adopt rules to govern the conduct of its business.

Members are entitled to allowances provided for in RCW 44.04.120, as now existing or hereafter amended, for attendance at meetings or other official business of the committee during the interim.

NEW SECTION. Sec. 4. (1) There is established a special fund in the state treasury to be known as the capitol arts fund, which shall be used to help finance the creation, acquisition, and installation of works of art for the state legislative building in accordance with the provisions of section 5 of this 1980 act. Under the direction of the joint legislative arts committee, the state treasurer may receive moneys for this fund, including gifts, grants, donations, and bequests, from any person or persons interested in making a contribution or contributions for this purpose. The legislative arts committee may refuse to accept such contributions. The committee may accept or reject any donations of art objects or other personal property. Such objects, and other property if appropriate, shall be held in the custody of the state capitol historical museum. Donations of real property may be accepted or rejected by the committee. At the request of the committee, the department of general administration shall manage or sell any real property donated for

the purposes of this chapter. Proceeds from the sale or management of real property shall be deposited in the capitol arts fund, except that expenses of the department shall be reimbursed from the proceeds. No moneys may be expended from the fund without the approval of the joint legislative arts committee.

****(2) No moneys may be expended for works of art for the legislative building, including but not limited to moneys appropriated to the department of general administration by section 23, chapter 270, Laws of 1979 ex. sess., unless such expenditures are approved by the joint legislative arts committee.***

(3) The state treasurer shall report to the legislature no later than January 31st of each even-numbered year the status of funds and the expenditures for works of art during the previous two-year period.

(4) Any moneys remaining in the capitol arts fund after the works of art have been installed may be used in any way that the joint legislative arts committee and legislature deem appropriate to enhance the appearance of the legislative building and the state's art collection.

***Sec. 4. was partially vetoed, see message at end of chapter.**

NEW SECTION. Sec. 5. (1) The joint legislative arts committee shall have the following powers and duties:

(a) To do all things necessary to acquire works of art for the legislative building;

(b) To prepare a comprehensive plan for the acquisition of works of art for the legislative building, and submit the plan for review by the legislature on or before the commencement of the 1981 regular session;

(c) To contract for the services of a jury of professionals in the arts to be selected by the committee. The jury of professionals shall consist of persons of impeccable stature and qualifications and represent the various appropriate art media. The jury of professionals shall make recommendations to the committee regarding matters relating to the selection of works of art.

(2) At the request of the joint legislative arts committee, the Washington state arts commission, the department of general administration, the state capitol historical museum, and other agencies of the state shall provide support and assistance to the committee necessary to carry out the provisions of this chapter.

NEW SECTION. Sec. 6. This chapter shall expire and be of no further effect on January 1, 1990.

NEW SECTION. Sec. 7. Sections 1 through 5 of this 1980 act shall constitute a new chapter in Title 44 RCW.

Passed the House March 13, 1980.

Passed the Senate March 13, 1980.

Approved by the Governor April 4, 1980, with the exception of subsection (2) of Section 4, which is vetoed.

Filed in Office of Secretary of State April 4, 1980.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval a portion of [Substitute] House Bill No. 1763 entitled:

"AN ACT Relating to works of art for the legislative building . . ."

This bill establishes a program to acquire works of art for the legislative building. Section 4 creates the capitol arts fund as the account to support this program. Subsection 2 of section 4 contains a misreference which renders its provisions unintelligible.

For this reason I have determined to veto subsection 2 of section 4 of [Substitute] House Bill No. 1763."

CHAPTER 174

[Reengrossed Senate Bill No. 2433]

PUBLIC ASSISTANCE—SSI RECIPIENTS—UNEMPLOYABLE PERSONS

AN ACT Relating to unemployable persons; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.005; creating a new section; and declaring an emergency.

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

Section 1. Section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.005 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Public assistance" or "assistance"—Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) "Department"—The department of (~~(public assistance)~~) social and health services.

(3) "County office"—The administrative office for one or more counties.

(4) "Director" (~~((=The director of the state department of public assistance))~~) or "secretary" means the secretary of social and health services.

(5) "Federal-aid assistance"—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons, including old age assistance, medical assistance, aid to families with dependent children, aid to the permanently and totally disabled persons, aid to the blind, child welfare services, and any other programs of public assistance for which provision for federal funds or aid may from time to time be made.

(6) "General assistance"—Shall include aid to unemployable persons and unemployed employable persons who are not eligible to receive or are not receiving federal-aid assistance: PROVIDED, That general assistance