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SENATE BILL 5046

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State of Washington

54th Legislature

1995 Regular Session

By Senator Haugen

Read first time 01/09/95. Referred to Committee on Government Operations.

1 AN ACT Relating to filing requirements for interlocal agreements;  
2 amending RCW 39.34.040; and repealing RCW 39.34.120.

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

4 **Sec. 1.** RCW 39.34.040 and 1992 c 161 s 5 are each amended to read  
5 as follows:

6 Prior to its entry into force, an agreement made pursuant to this  
7 chapter shall be filed with the county auditor (~~and with the secretary~~  
8 ~~of state~~). In the event that an agreement entered into pursuant to  
9 this chapter is between or among one or more public agencies of this  
10 state and one or more public agencies of another state or of the United  
11 States the agreement shall have the status of an interstate compact,  
12 but in any case or controversy involving performance or interpretation  
13 thereof or liability thereunder, the public agencies party thereto  
14 shall be real parties in interest and the state may maintain an action  
15 to recoup or otherwise make itself whole for any damages or liability  
16 which it may incur by reason of being joined as a party therein. Such  
17 action shall be maintainable against any public agency or agencies  
18 whose default, failure of performance, or other conduct caused or  
19 contributed to the incurring of damage or liability by the state.

1        NEW SECTION.   **Sec. 2.**   RCW 39.34.120 and 1967 c 239 s 13 are each  
2 repealed.

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