

satisfaction of the department, such applicant shall be entitled to an oral examination in lieu of the written examination authorized herein.

~~((Licensees hereunder shall, in order to construct water wells, be exempt from the registration requirements of chapter 18.27 RCW.))~~

**NEW SECTION.** Sec. 3. A new section is added to chapter 18.104 RCW to read as follows:

To enable the department to monitor the construction, reconstruction, and abandonment of water wells more efficiently and effectively, water well contractors shall provide notification to the department of their intent to begin construction, reconstruction, or abandonment procedures at least seventy-two hours in advance of commencing work. The notification shall be submitted on forms provided by the department and shall contain the name of the owner of the well, location of the well, proposed use, approximate start date, driller's name and license number, drilling company's name, and other pertinent information as prescribed by rule of the department. Rules of the department shall also provide for prior telephonic notification by well drillers in exceptional situations.

Passed the House March 2, 1987.

Passed the Senate April 15, 1987.

Approved by the Governor May 15, 1987.

Filed in Office of Secretary of State May 15, 1987.

## CHAPTER 395

[Engrossed Senate Bill No. 5085]

### WAREHOUSEMAN LIENS

AN ACT Relating to warehousemen's liens; and amending RCW 62A.7-209.

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

Sec. 1. Section 7-209, chapter 157, Laws of 1965 ex. sess. and RCW 62A.7-209 are each amended to read as follows:

(1) A warehouseman has a lien against the bailor on the goods covered by a warehouse receipt or on the proceeds thereof in his possession for charges for storage or transportation (including demurrage and terminal charges), insurance, labor, or charges present or future in relation to the goods, and for expenses necessary for preservation of the goods or reasonably incurred in their sale pursuant to law. If the person on whose account the goods are held is liable for like charges or expenses in relation to other goods whenever deposited and it is stated in the receipt that a lien is claimed for charges and expenses in relation to other goods, the warehouseman also has a lien against him for such charges and expenses whether or not the other goods have been delivered by the warehouseman. But against a person to whom a negotiable warehouse receipt is duly negotiated a warehouseman's lien is limited to charges in an amount or at a rate specified on

the receipt or if no charges are so specified then to a reasonable charge for storage of the goods covered by the receipt subsequent to the date of the receipt. A warehouseman's lien as provided in this chapter takes priority over all other liens and perfected or unperfected security interests.

(2) The warehouseman may also reserve a security interest against the bailor for a maximum amount specified on the receipt for charges other than those specified in subsection (1), such as for money advanced and interest. Such a security interest is governed by the Article on Secured Transactions (Article 9).

(3) A warehouseman's lien for charges and expenses under subsection (1) or a security interest under subsection (2) is also effective against any person who so entrusted the bailor with possession of the goods that a pledge of them by him to a good faith purchaser for value would have been valid but is not effective against a person as to whom the document confers no right in the goods covered by it under RCW 62A.7-503.

(4) A warehouseman loses his lien on any goods which he voluntarily delivers or which he unjustifiably refuses to deliver.

Passed the Senate February 6, 1987.

Passed the House April 8, 1987.

Approved by the Governor May 15, 1987.

Filed in Office of Secretary of State May 15, 1987.

## CHAPTER 396

[Substitute House Bill No. 734]

### EROTIC MATERIALS—ACCESS OF MINORS

AN ACT Relating to minor access to erotic materials; adding new sections to chapter 9.68A RCW; and prescribing penalties.

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

NEW SECTION. Sec. 1. A new section is added to chapter 9.68A RCW to read as follows:

For the purposes of sections 1 through 3 of this act:

(1) "Minor" means any person under the age of eighteen years.

(2) "Erotic materials" means live performance:

(a) Which the average person, applying contemporary community standards, would find, when considered as a whole, appeals to the prurient interest of minors; and

(b) Which explicitly depicts or describes patently offensive representations or descriptions of sexually explicit conduct as defined in RCW 9.68A-.011; and

(c) Which, when considered as a whole, and in the context in which it is used, lacks serious literary, artistic, political, or scientific value for minors.