

be for application to the area of jurisdiction of such authority, or the state as a whole or to any designated area within the jurisdiction, and shall be made with special reference to effects on health, economic and social factors, and physical effects on property.

(2) Any person operating or responsible for the operation of air contaminant sources of any class for which the ordinances, resolutions, rules or regulations of the state board or board of the authority, require registration and reporting shall register therewith and make reports containing information as may be required by such state board or board concerning location, size and height of contaminant outlets, processes employed, nature of the contaminant emission and such other information as is relevant to air pollution and available or reasonably capable of being assembled. The state board or board may require that such registration be accompanied by a fee and may determine the amount of such fee for such class or classes: PROVIDED, That the amount of the fee shall only be to compensate for the costs of administering such registration program which shall be defined as initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution registration, on-site inspections necessary to verify compliance with registration requirements, data storage and retrieval systems necessary for support of the registration program, emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration program requirements, staff review, including engineering analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements, clerical and other office support provided in direct furtherance of the registration program, and administrative support provided in directly carrying out the registration program: PROVIDED FURTHER, That any such registration made with either the board or the state board shall preclude a further registration with any other board or the state board.

Passed the Senate February 5, 1984.

Passed the House February 23, 1984.

Approved by the Governor March 2, 1984.

Filed in Office of Secretary of State March 2, 1984.

CHAPTER 89

[Substitute Senate Bill No. 4220]

THEATRICAL ENTERPRISES—PROMOTERS TO DEPOSIT BOND TO COVER WAGES

AN ACT Relating to theatrical enterprise; adding a new chapter to Title 49 RCW; and prescribing penalties.

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

NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) Department means the department of labor and industries.

(2) Theatrical enterprise means the production of any circus, vaudeville, carnival, revue, variety show, musical comedy, operetta, opera, drama, endurance contest, marathon, walkathon, or any other entertainment event where persons are a part of the enterprise's presentation. Theatrical enterprise does not include a program of a radio or television station operating pursuant to a license issued by the federal communications commission or any event produced by a nonprofit cultural or artistic organization that has been located in a community for at least two years.

NEW SECTION. Sec. 2. (1) Any person engaged in the business of promoting a theatrical enterprise in this state shall deposit with the department the cash or a bond issued by a surety company authorized to do business in this state in an amount determined sufficient by the department to pay the wages of every person involved in the production of the theatrical enterprise for the period for which a single payment of wages is made, but not to exceed one week.

(2) The deposit required under subsection (1) of this section shall be on file with the department seven calendar days before the commencement of the theatrical enterprise.

NEW SECTION. Sec. 3. If a person engaged in the business of promoting a theatrical enterprise fails to deposit cash or the bond required under section 2 of this act, the department may bring an action in the superior court to compel such person to deposit the cash or bond or cease doing business until he or she has done so.

NEW SECTION. Sec. 4. Any person having a claim for wages against a person engaged in the business of promoting a theatrical enterprise may bring an action against the bond or cash deposit in the district or superior court of the county in which the theatrical enterprise is produced or any county in which the principal on the bond resides or conducts business. An action against the bond may be brought against the named surety without joining the principal named in the bond. The liability of the surety shall not exceed the amount named in the bond. Any action brought under this chapter shall be commenced within one year after the completion of the work for which wages are alleged to be due and owing under this chapter. If a cash deposit has been made in lieu of a surety bond and if judgment is entered against the depositor and deposit, then the department shall upon receipt of a certified copy of a final judgment within one year of the date of entry of such judgment pay the judgment from the deposit. The priority of payment by the department shall be the order of receipt by the department, but the department shall have no liability for payment in excess of the amount of the deposit.

NEW SECTION. Sec. 5. In an action brought pursuant to section 4 of this act, the prevailing party is entitled to reasonable attorney's fees and costs.

NEW SECTION. Sec. 6. Any person who violates this chapter is guilty of a gross misdemeanor.

NEW SECTION. Sec. 7. The department may adopt rules under chapter 34.04 RCW to carry out the provisions of this chapter.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Sections 1 through 7 of this act shall constitute a new chapter in Title 49 RCW.

Passed the Senate February 7, 1984.

Passed the House February 24, 1984.

Approved by the Governor March 2, 1984.

Filed in Office of Secretary of State March 2, 1984.

CHAPTER 90

[Engrossed Substitute Senate Bill No. 4423]

AGRICULTURAL MARKET DEVELOPMENT TASK FORCE

AN ACT Relating to the creation of an agricultural market development task force; creating new sections; making an appropriation; and declaring an emergency.

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

NEW SECTION. Sec. 1. The legislature finds that:

(1) The export of agricultural commodities produced in Washington state contributes substantial benefits to the economic base of the state, provides a large number of jobs and sizeable tax revenues to state and local governments, and provides an important stabilizing effect on prices received by agricultural producers;

(2) The gross state farm income recently experienced its first drop in over twenty years which is creating hardship and concern for many agricultural producers and related industries;

(3) Several state agricultural commodities have been restricted from markets in foreign countries as a result of trade barriers and tariffs;

(4) Efforts by agricultural commodity commissions, the department of agriculture, the department of commerce and economic development, and Washington state university to expand markets¹ for state-produced agricultural commodities have been frustrated by the erection of trade barriers and tariffs by foreign countries; and