

(iii) on which any assistance provided with respect to the project under section 8 of the United States housing act of 1937 terminates. For purposes of this subsection, the term "qualified number of days" means fifty percent of the total number of days comprising the term of the bond with the longest maturity in the bond issue used to finance the loans. In the case of a refunding of such a bond issue, the longest maturity is equal to the sum of the period the prior issue was outstanding and the longest term of any refunding bonds.

(18) To contract with a public authority or corporation, created by a county, city, or town under RCW 35.21.730 through 35.21.755, to act as the developer for new housing projects or improvement of existing housing projects.

Passed the Senate April 23, 1985.

Passed the House April 15, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

CHAPTER 387

[Engrossed Substitute Senate Bill No. 4209]

ASBESTOS

AN ACT Relating to the regulation of persons removing or encapsulating asbestos; adding new sections to chapter 49.26 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 sections 1 through 5 of this act.

(1) "Asbestos project" means the construction, demolition, repair maintenance, or renovation of any public or private building or mechanical piping equipment or systems involving the demolition, removal, encapsulation, salvage, or disposal of material releasing or likely to release asbestos fibers into the air.

(2) "Department" means the department of labor and industries.

(3) "Person" means any partnership, firm, association, corporation, sole proprietorship, or the state of Washington or its political subdivisions.

(4) "Qualified asbestos worker" means an individual who is certified by the department to undertake an asbestos project.

(5) "Contractor" means any partnership, firm, association, corporation or sole proprietorship that contracts to perform the removal or encapsulation of asbestos for another.

NEW SECTION. Sec. 2. No contractor, employee, or other individual is eligible to work on an asbestos project unless issued a certificate by the department except, in the case of an asbestos project undertaken by any

partnership, firm, corporation or sole proprietorship in its own facility and by its own employees under the direct, on-site supervision of a qualified asbestos worker. In cases excepted under this section, the partnership, firm, corporation or sole proprietorship shall submit a written description to the department of the kinds of asbestos projects expected to be undertaken and the procedures to be used in undertaking asbestos projects, which description shall demonstrate competence in performing the work in compliance with the requirements of this chapter, rules adopted under this chapter, and any other requirements of law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos. To qualify for a certificate, the contractor, employee, or other individual must have successfully completed a basic course of at least thirty hours, provided or approved by the department, on the health and safety aspects of the removal and encapsulation of asbestos including but not limited to the federal and state standards regarding protective clothing, respirator use, disposal, air monitoring, cleaning, and decontamination. This training is intended to represent the minimum training and education requirement for certification and shall not preclude contractors or employers from providing additional training.

The department may suspend or revoke a certificate, in accordance with chapter 34.04 RCW for failure of the holder to comply with applicable health and safety standards and regulations.

NEW SECTION. Sec. 3. (1) The department shall administer sections 2 through 5 of this act.

(2) The director of the department shall adopt, in accordance with chapter 34.04 RCW, rules necessary to carry out sections 2 through 5 of this act.

(3) The department may prescribe fees for the issuance and renewal of certificates.

NEW SECTION. Sec. 4. No person may assign any employee, contract with, or permit any individual or person to remove or encapsulate asbestos in any facility unless performed by a qualified asbestos worker except, in the case of an asbestos project undertaken by any partnership, firm, corporation or sole proprietorship in its own facility and by its own employees under the direct, on-site supervision of a qualified asbestos worker. In cases excepted under this section, the partnership, firm, corporation or sole proprietorship shall submit a written description to the department of the kinds of asbestos projects expected to be undertaken and the procedures to be used in undertaking asbestos projects, which description shall demonstrate competence in performing the work in compliance with the requirements of this chapter, rules adopted under this chapter, and any other requirements of law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos. The department may require persons undertaking asbestos projects to provide notice to the department before the commencement of the project.

NEW SECTION. Sec. 5. (1) The department may assess a civil penalty, not to exceed five thousand dollars for each violation, against any person or individual who knowingly violates a provision of sections 2 through 4 of this act.

(2) A person or individual who previously has been assessed a civil penalty under this section, and who knowingly violates a provision of sections 2 through 4 of this act or a rule adopted pursuant to sections 2 through 4 of this act is guilty of a misdemeanor.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act are each added to chapter 49.26 RCW.

Passed the Senate April 25, 1985.

Passed the House April 26, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

CHAPTER 388

[Engrossed Substitute Senate Bill No. 4399]

LOCAL GOVERNANCE STUDY COMMISSION

AN ACT Relating to creating a local governance study commission; adding new sections to chapter 43.63A RCW; adding a new section to chapter 82.44 RCW; creating a new section; making an appropriation; providing an expiration date; and declaring an emergency.

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

NEW SECTION. Sec. 1. The legislature finds state statutes allocating governmental powers, duties, and relationships were first enacted nearly a century ago and reflect ideas of their time. The legislature further finds that Washington state was a rural, agrarian society at that time, and that cities were relatively small, surrounded by rural areas, and served as a commercial and social center for those areas.

The legislature finds that the state created counties as political and administrative subdivisions of itself, and allowed for the creation of cities by the local citizenry to provide such additional municipal services as might be desired in areas of greater population density. The legislature further finds that in order to forestall imprudent or hasty creation of local governments, the process was deliberately made somewhat difficult. The legislature also finds that cities and counties were provided with differing tax structures, reflective of their differing governmental and service roles.

The legislature finds that, contrary to expectation, urban development has occurred not only within cities, but around cities and in clusters remote from any city, and that, in 1985, nearly half of the state's population lives in unincorporated, but largely urbanized areas. The legislature further finds that while this situation is the result of a number of factors, the unintended