

(8) Section 24, chapter 412, Laws of 1985 and RCW 16.59.900.

**NEW SECTION.** Sec. 28. Sections 15 and 27 of this act are 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 April 24, 1987.

Passed the Senate April 23, 1987.

Approved by the Governor May 15, 1987.

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

## CHAPTER 394

[Substitute House Bill No. 231]

### GROUND WATER MANAGEMENT—WATER WELL CONSTRUCTION

AN ACT Relating to ground water management; amending RCW 18.104.070; and adding new sections to chapter 18.104 RCW.

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

**NEW SECTION.** Sec. 1. A new section is added to chapter 18.104 RCW to read as follows:

The department of ecology may levy a civil penalty of up to one hundred dollars per day for violation of this chapter or rules or orders of the department adopted or issued pursuant to it. Procedures of RCW 90.48.144 shall be applicable to all phases of levying of such a penalty as well as review and appeal of them. For each notice regarding a violation, resulting from the improper construction of a well, that is sent to a water well contractor or water well construction operator, the department shall send a copy of the notice for information purposes only to the owner of the land on which the improperly constructed well is located.

Sec. 2. Section 7, chapter 212, Laws of 1971 ex. sess. and RCW 18.104.070 are each amended to read as follows:

Except as provided in RCW 18.104.180, no person may contract to engage in the construction of a water well and no person may act as an operator without first obtaining a license by applying to the department.

A person shall be qualified to receive a water well construction operators license if he:

(1) Has made application therefor to the department and has paid to the department an application fee of twenty-five dollars; and

(2) Has at least two years of field experience with a licensed well driller or one year of field experience and an equivalent of at least one school year of qualifying educational training that satisfies the criteria established by department rule; and

(3) Has passed a written examination as provided for in RCW 18.104.080: PROVIDED, That should any applicant establish his illiteracy to the

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.

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## 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