

By January 1, 1995, the department shall report to the legislature on the findings of the program.

Passed the House March 14, 1989.

Passed the Senate April 11, 1989.

Approved by the Governor April 27, 1989.

Filed in Office of Secretary of State April 27, 1989.

CHAPTER 196

[Senate Bill No. 5592]

HIGHWAYS—LIABILITY OF STATE FOR DAMAGES TO FACILITIES LOCATED ON—LIMITATIONS

AN ACT Relating to damages to facilities located on state highways; and adding a new section to chapter 47.44 RCW.

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

NEW SECTION. Sec. 1. A new section is added to chapter 47.44 RCW to read as follows:

In any action for damages against the state of Washington, its agents, contractors, or employees by reason of damages to a utility or other facility located on a state highway, the damages are limited to the cost of repair of the utility or facility and are recoverable only in those instances where the utility or facility is authorized to be located on the state highway. However, the state is subject to the penalties provided in RCW 19.122.070 (1) and (2) only if the state has failed to give a notice meeting the requirements of RCW 19.122.030 to utilities or facilities that are authorized to be located on the state highway.

Passed the Senate March 14, 1989.

Passed the House April 13, 1989.

Approved by the Governor April 27, 1989.

Filed in Office of Secretary of State April 27, 1989.

CHAPTER 197

[House Bill No. 1231]

WILDLIFE DEPARTMENT—FURS AND SKINS—DISPOSAL

AN ACT Relating to wildlife management; and amending RCW 77.12.240.

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

Sec. 1. Section 77.12.240, chapter 36, Laws of 1955 as last amended by section 33, chapter 506, Laws of 1987 and RCW 77.12.240 are each amended to read as follows:

The director may authorize the removal or killing of wildlife that is destroying or injuring property, or when it is necessary for wildlife management or research.

The director or other employees of the department shall dispose of wildlife taken or possessed by them under this title in the manner determined by the director to be in the best interest of the state. (~~(Skins or furs shall be sold at public auction at a time and location determined by the director.)~~) Proceeds from ~~((the))~~ sales shall be deposited in the state treasury to be credited to the state wildlife fund.

Passed the House April 15, 1989.

Passed the Senate April 3, 1989.

Approved by the Governor April 27, 1989.

Filed in Office of Secretary of State April 27, 1989.

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## CHAPTER 198

[Substitute House Bill No. 1250]

### HEARING AID FITTERS AND DISPENSERS—LICENSING

AN ACT Relating to the fitting and dispensing of hearing aids; amending RCW 18.35.020, 18.35.040, 18.35.050, 18.35.080, 18.35.090, 18.35.105, 18.35.150, 18.35.190, 18.35.230, 18.35.240, and 18.35.250; and adding a new section to chapter 18.35 RCW.

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

Sec. 1. Section 2, chapter 106, Laws of 1973 1st ex. sess. as amended by section 2, chapter 39, Laws of 1983 and RCW 18.35.020 are each amended to read as follows:

No person shall engage in the fitting and dispensing of hearing aids or imply or represent that he or she is engaged in the fitting and dispensing of hearing aids unless he or she holds a valid license issued by the department as provided in this chapter and is an owner or employee of an establishment that is bonded as provided by RCW 18.35.240. The owner or manager of a hearing aid establishment is responsible under this chapter for all transactions made in the establishment name or conducted on its premises by agents or employees of the establishment engaged in fitting and dispensing hearing aids. Every establishment shall have in its employ at least one licensed fitter-dispenser at all times, and shall annually submit proof that all audiometric equipment at that establishment has been properly calibrated.

Sec. 2. Section 4, chapter 106, Laws of 1973 1st ex. sess. as last amended by section 30, chapter 7, Laws of 1985 and RCW 18.35.040 are each amended to read as follows:

An applicant for license shall be at least eighteen years of age and shall pay a fee determined by the director as provided in RCW 43.24.086. An applicant shall not be issued a license under the provisions of this chapter unless the applicant:

(1) Satisfactorily completes the examination required by this chapter;  
or