

a prior penalty for the same violation has been paid to a local authority, the penalty imposed under subsection (2) of this section shall be reduced by the amount of the payment. Notwithstanding any other provisions of this chapter, no penalty may be levied for the violation of any opacity standard in an amount exceeding four hundred dollars per day.

(5) To secure the penalty incurred under this section, the state or the authority shall have a lien on any vessel used or operated in violation of this chapter which shall be enforced as provided in RCW 60.36.050.

**NEW SECTION.** Sec. 2. A new section is added to chapter 70.94 RCW to read as follows:

A condominium owners' association or an association formed by residents of a multiple-family dwelling are not liable for violations of RCW 70.94.473 by a resident of a condominium or multiple-family dwelling. The associations shall cooperate with local air pollution control authorities to acquaint residents with the provisions of this section.

**NEW SECTION.** Sec. 3. Section 1, chapter 88, Laws of 1984 and RCW 70.94.0935 are each repealed.

Passed the Senate February 5, 1990.

Passed the House March 5, 1990.

Approved by the Governor March 23, 1990.

Filed in Office of Secretary of State March 23, 1990.

## CHAPTER 158

[Second Substitute Senate Bill No. 5996]

### WASTE MANAGEMENT EDUCATION AND TRAINING PROGRAM FEASIBILITY STUDY

AN ACT Relating to a study of the feasibility of a waste management education and training program; and creating new sections.

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

**NEW SECTION.** Sec. 1. The legislature finds that the management and safe disposal of hazardous and radioactive waste requires highly specialized skills. The technical and legal requirements for proper disposal of future wastes and environmental restoration of existing waste sites will require the training of a workforce skilled in waste management.

Existing research efforts and waste management in southeastern Washington may provide a unique opportunity for vocational, professional, and business training in waste management and disposal.

**NEW SECTION.** Sec. 2. Washington State University and Columbia Basin College are directed to study the feasibility of establishing programs for waste management and related technologies involving institutions of higher education, state waste management programs, and private industry.

**NEW SECTION.** Sec. 3. Washington State University and Columbia Basin College shall, by December 1, 1990, report to the legislature, the state board for community college education, and the higher education coordinating board on the study directed by this act. The report shall specifically consider the advisability of establishing an associate of applied sciences degree and preprofessional transfer programs at Columbia Basin College, and baccalaureate degree and graduate degree programs at the Tri-Cities branch campus of Washington State University by the 1991-92 school year.

Passed the Senate March 3, 1990.

Passed the House March 1, 1990.

Approved by the Governor March 23, 1990.

Filed in Office of Secretary of State March 23, 1990.

## CHAPTER 159

[Substitute House Bill No. 2378]

### EDUCATIONAL SERVICE DISTRICTS—ACQUISITION OF PROPERTY WITH BORROWED FUNDS

AN ACT Relating to educational service districts; and amending RCW 28A.21.090.

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

Sec. 1. Section 9, chapter 176, Laws of 1969 ex. sess. as last amended by section 3, chapter 65, Laws of 1988 and RCW 28A.21.090 are each amended to read as follows:

In addition to other powers and duties as provided by law, every educational service district board shall:

(1) Approve the budgets of the educational service district in accordance with the procedures provided for in this chapter.

(2) Meet regularly according to the schedule adopted at the organization meeting and in special session upon the call of the chairman or a majority of the board.

(3) Approve the selection of educational service district personnel and clerical staff as provided in RCW 28A.21.100, as now or hereafter amended.

(4) Fix the amount of and approve the bonds for those educational service district employees designated by the board as being in need of bonding.

(5) Keep in the educational service district office a full and correct transcript of the boundaries of each school district within the educational service district.

(6) Acquire by borrowing funds or by purchase, lease, devise, bequest, and gift and otherwise contract for real and personal property necessary for the operation of the educational service district and to the execution of the duties of the board and superintendent thereof and sell, lease, or otherwise