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HOUSE BILL 2902

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State of Washington                      53rd Legislature                      1994 Regular Session

By Representatives Wineberry, Dorn and Jones

Read first time 02/02/94. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to ensuring health and safety in housing and  
2 inhabited spaces as it relates to airborne and applied materials;  
3 amending RCW 49.17.210; adding a new section to chapter 49.17 RCW; and  
4 creating new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** It is the intent of the legislature that  
7 housing and inhabited spaces remain as free as possible of unnecessary  
8 pollutants that may be hazardous to the occupants and workers on the  
9 premises. The legislature recognizes that many commonly used airborne  
10 and applied materials can be harmful if misused or misapplied and that  
11 it is in the interest of the state and the general public to ensure the  
12 safe handling of potentially hazardous materials.

13            NEW SECTION.    **Sec. 2.** The director of the department of labor and  
14 industries shall create an advisory committee to consult with the  
15 department on matters relating to airborne and applied materials that  
16 may be hazardous to human health. The committee shall report back to  
17 the legislature prior to January 1, 1995, recommending necessary

1 legislation to ensure the safe handling and application of these  
2 materials.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.17 RCW  
4 to read as follows:

5 The department of labor and industries may receive gifts, grants,  
6 and endowments from public or private sources that may be made from  
7 time to time, in trust or otherwise, for the use and benefit of the  
8 purposes of this chapter, and spend the gifts, grants, endowments, or  
9 any income from the public or private sources according to their terms.

10 **Sec. 4.** RCW 49.17.210 and 1991 c 89 s 1 are each amended to read  
11 as follows:

12 The director is authorized to conduct, either directly or by grant  
13 or contract, research, experiments, and demonstrations as may be of aid  
14 and assistance in the furtherance of the objects and purposes of this  
15 chapter. Employer identity, employee identity, and personal  
16 identifiers of voluntary participants in research, experiments, and  
17 demonstrations shall be deemed confidential and shall ~~((not))~~ be open  
18 to public inspection only with the written permission of the voluntary  
19 participants. Information obtained from ~~((such))~~ voluntary activities  
20 shall not be deemed to be medical information for the purpose of RCW  
21 51.36.060 and shall be deemed confidential and shall not be open to  
22 public inspection. The director, in his or her discretion, is  
23 authorized to grant a variance from any rule or regulation or portion  
24 thereof, whenever he or she determines that such a variance is  
25 necessary to permit an employer to participate in an experiment  
26 approved by the director, and the experiment is designed to demonstrate  
27 or validate new and improved techniques to safeguard the health or  
28 safety of employees. Any ~~((such))~~ variance shall require that all due  
29 regard be given to the health and safety of all employees participating  
30 in any experiment.

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