

2 SHB 1051 - S COMM AMD  
3 By Committee on Law & Justice

4 ADOPTED 4/12/93

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that a public agency  
8 incurs expenses in an emergency response. It is the intent of the  
9 legislature to allow a public agency to recover the expenses of an  
10 emergency response to an incident involving persons who operate a motor  
11 vehicle, boat or vessel, or a civil aircraft while under the influence  
12 of an alcoholic beverage or a drug, or the combined influence of an  
13 alcoholic beverage and a drug. It is the intent of the legislature  
14 that the recovery of expenses of an emergency response under this act  
15 shall supplement and shall not supplant other provisions of law  
16 relating to the recovery of those expenses.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 38.52 RCW  
18 to read as follows:

19 A person whose intoxication causes an incident resulting in an  
20 appropriate emergency response, and who, in connection with the  
21 incident, has been found guilty of or has had their prosecution  
22 deferred for (1) driving while under the influence of intoxicating  
23 liquor or any drug, RCW 46.61.502; (2) operating an aircraft under the  
24 influence of intoxicants or drugs, RCW 47.68.220; (3) use of a vessel  
25 while under the influence of alcohol or drugs, RCW 88.12.100; (4)  
26 vehicular homicide while under the influence of intoxicating liquor or  
27 any drug, RCW 46.61.520(1)(a); or (5) vehicular assault while under the  
28 influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), is  
29 liable for the expense of an emergency response by a public agency to  
30 the incident.

31 The expense of an emergency response is a charge against the person  
32 liable for expenses under this section. The charge constitutes a debt  
33 of that person and is collectible by the public agency incurring those  
34 costs in the same manner as in the case of an obligation under a  
35 contract, expressed or implied.

1 In no event shall a person's liability under this section for the  
2 expense of an emergency response exceed one thousand dollars for a  
3 particular incident.

4 If more than one public agency makes a claim for payment from an  
5 individual for an emergency response to a single incident under the  
6 provisions of this section, and the sum of the claims exceeds the  
7 amount recovered, the division of the amount recovered shall be  
8 determined by an interlocal agreement consistent with the requirements  
9 of chapter 39.34 RCW.

10 **Sec. 3.** RCW 9.95.210 and 1992 c 86 s 1 are each amended to read as  
11 follows:

12 In granting probation, the court may suspend the imposition or the  
13 execution of the sentence and may direct that the suspension may  
14 continue upon such conditions and for such time as it shall designate,  
15 not exceeding the maximum term of sentence or two years, whichever is  
16 longer.

17 In the order granting probation and as a condition thereof, the  
18 court may in its discretion imprison the defendant in the county jail  
19 for a period not exceeding one year and may fine the defendant any sum  
20 not exceeding the statutory limit for the offense committed, and court  
21 costs. As a condition of probation, the court shall require the  
22 payment of the penalty assessment required by RCW 7.68.035. The court  
23 may also require the defendant to make such monetary payments, on such  
24 terms as it deems appropriate under the circumstances, as are necessary  
25 (1) to comply with any order of the court for the payment of family  
26 support, (2) to make restitution to any person or persons who may have  
27 suffered loss or damage by reason of the commission of the crime in  
28 question or when the offender pleads guilty to a lesser offense or  
29 fewer offenses and agrees with the prosecutor's recommendation that the  
30 offender be required to pay restitution to a victim of an offense or  
31 offenses which are not prosecuted pursuant to a plea agreement, (3) to  
32 pay such fine as may be imposed and court costs, including  
33 reimbursement of the state for costs of extradition if return to this  
34 state by extradition was required, (4) following consideration of the  
35 financial condition of the person subject to possible electronic  
36 monitoring, to pay for the costs of electronic monitoring if that  
37 monitoring was required by the court as a condition of release from  
38 custody or as a condition of probation, ((and)) (5) to contribute to a

1 county or interlocal drug fund, and (6) to make restitution to a public  
2 agency for the costs of an emergency response under section 2 of this  
3 act, and may require bonds for the faithful observance of any and all  
4 conditions imposed in the probation. The court shall order the  
5 probationer to report to the secretary of corrections or such officer  
6 as the secretary may designate and as a condition of the probation to  
7 follow implicitly the instructions of the secretary. If the  
8 probationer has been ordered to make restitution, the officer  
9 supervising the probationer shall make a reasonable effort to ascertain  
10 whether restitution has been made. If restitution has not been made as  
11 ordered, the officer shall inform the prosecutor of that violation of  
12 the terms of probation not less than three months prior to the  
13 termination of the probation period. The secretary of corrections will  
14 promulgate rules and regulations for the conduct of the person during  
15 the term of probation. For defendants found guilty in district court,  
16 like functions as the secretary performs in regard to probation may be  
17 performed by probation officers employed for that purpose by the county  
18 legislative authority of the county wherein the court is located.

19 **Sec. 4.** RCW 9.94A.030 and 1992 c 145 s 6 and 1992 c 75 s 1 are  
20 each reenacted and amended to read as follows:

21 Unless the context clearly requires otherwise, the definitions in  
22 this section apply throughout this chapter.

23 (1) "Collect," or any derivative thereof, "collect and remit," or  
24 "collect and deliver," when used with reference to the department of  
25 corrections, means that the department is responsible for monitoring  
26 and enforcing the offender's sentence with regard to the legal  
27 financial obligation, receiving payment thereof from the offender, and,  
28 consistent with current law, delivering daily the entire payment to the  
29 superior court clerk without depositing it in a departmental account.

30 (2) "Commission" means the sentencing guidelines commission.

31 (3) "Community corrections officer" means an employee of the  
32 department who is responsible for carrying out specific duties in  
33 supervision of sentenced offenders and monitoring of sentence  
34 conditions.

35 (4) "Community custody" means that portion of an inmate's sentence  
36 of confinement in lieu of earned early release time served in the  
37 community subject to controls placed on the inmate's movement and  
38 activities by the department of corrections.

1 (5) "Community placement" means that period during which the  
2 offender is subject to the conditions of community custody and/or  
3 postrelease supervision, which begins either upon completion of the  
4 term of confinement (postrelease supervision) or at such time as the  
5 offender is transferred to community custody in lieu of earned early  
6 release. Community placement may consist of entirely community  
7 custody, entirely postrelease supervision, or a combination of the two.

8 (6) "Community service" means compulsory service, without compensa-  
9 tion, performed for the benefit of the community by the offender.

10 (7) "Community supervision" means a period of time during which a  
11 convicted offender is subject to crime-related prohibitions and other  
12 sentence conditions imposed by a court pursuant to this chapter or RCW  
13 46.61.524. For first-time offenders, the supervision may include  
14 crime-related prohibitions and other conditions imposed pursuant to RCW  
15 9.94A.120(5). For purposes of the interstate compact for out-of-state  
16 supervision of parolees and probationers, RCW 9.95.270, community  
17 supervision is the functional equivalent of probation and should be  
18 considered the same as probation by other states.

19 (8) "Confinement" means total or partial confinement as defined in  
20 this section.

21 (9) "Conviction" means an adjudication of guilt pursuant to Titles  
22 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and  
23 acceptance of a plea of guilty.

24 (10) "Court-ordered legal financial obligation" means a sum of  
25 money that is ordered by a superior court of the state of Washington  
26 for legal financial obligations which may include restitution to the  
27 victim, statutorily imposed crime victims' compensation fees as  
28 assessed pursuant to RCW 7.68.035, court costs, county or interlocal  
29 drug funds, court-appointed attorneys' fees, and costs of defense,  
30 fines, and any other financial obligation that is assessed to the  
31 offender as a result of a felony conviction. Upon conviction for  
32 vehicular assault while under the influence of intoxicating liquor or  
33 any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the  
34 influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a),  
35 legal financial obligations may also include payment to a public agency  
36 of the expense of an emergency response to the incident resulting in  
37 the conviction, subject to the provisions in section 2 of this act.

38 (11) "Crime-related prohibition" means an order of a court  
39 prohibiting conduct that directly relates to the circumstances of the

1 crime for which the offender has been convicted, and shall not be  
2 construed to mean orders directing an offender affirmatively to  
3 participate in rehabilitative programs or to otherwise perform  
4 affirmative conduct.

5 (12)(a) "Criminal history" means the list of a defendant's prior  
6 convictions, whether in this state, in federal court, or elsewhere.  
7 The history shall include, where known, for each conviction (i) whether  
8 the defendant has been placed on probation and the length and terms  
9 thereof; and (ii) whether the defendant has been incarcerated and the  
10 length of incarceration.

11 (b) "Criminal history" shall always include juvenile convictions  
12 for sex offenses and shall also include a defendant's other prior  
13 convictions in juvenile court if: (i) The conviction was for an  
14 offense which is a felony or a serious traffic offense and is criminal  
15 history as defined in RCW 13.40.020(6)(a); (ii) the defendant was  
16 fifteen years of age or older at the time the offense was committed;  
17 and (iii) with respect to prior juvenile class B and C felonies or  
18 serious traffic offenses, the defendant was less than twenty-three  
19 years of age at the time the offense for which he or she is being  
20 sentenced was committed.

21 (13) "Department" means the department of corrections.

22 (14) "Determinate sentence" means a sentence that states with  
23 exactitude the number of actual years, months, or days of total  
24 confinement, of partial confinement, of community supervision, the  
25 number of actual hours or days of community service work, or dollars or  
26 terms of a legal financial obligation. The fact that an offender  
27 through "earned early release" can reduce the actual period of  
28 confinement shall not affect the classification of the sentence as a  
29 determinate sentence.

30 (15) "Disposable earnings" means that part of the earnings of an  
31 individual remaining after the deduction from those earnings of any  
32 amount required by law to be withheld. For the purposes of this  
33 definition, "earnings" means compensation paid or payable for personal  
34 services, whether denominated as wages, salary, commission, bonuses, or  
35 otherwise, and, notwithstanding any other provision of law making the  
36 payments exempt from garnishment, attachment, or other process to  
37 satisfy a court-ordered legal financial obligation, specifically  
38 includes periodic payments pursuant to pension or retirement programs,  
39 or insurance policies of any type, but does not include payments made

1 under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050,  
2 or Title 74 RCW.

3 (16) "Drug offense" means:

4 (a) Any felony violation of chapter 69.50 RCW except possession of  
5 a controlled substance (RCW 69.50.401(d)) or forged prescription for a  
6 controlled substance (RCW 69.50.403);

7 (b) Any offense defined as a felony under federal law that relates  
8 to the possession, manufacture, distribution, or transportation of a  
9 controlled substance; or

10 (c) Any out-of-state conviction for an offense that under the laws  
11 of this state would be a felony classified as a drug offense under (a)  
12 of this subsection.

13 (17) "Escape" means:

14 (a) Escape in the first degree (RCW 9A.76.110), escape in the  
15 second degree (RCW 9A.76.120), willful failure to return from furlough  
16 (RCW 72.66.060), willful failure to return from work release (RCW  
17 72.65.070), or willful failure to be available for supervision by the  
18 department while in community custody (RCW 72.09.310); or

19 (b) Any federal or out-of-state conviction for an offense that  
20 under the laws of this state would be a felony classified as an escape  
21 under (a) of this subsection.

22 (18) "Felony traffic offense" means:

23 (a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW  
24 46.61.522), eluding a police officer (RCW 46.61.024), or felony hit-  
25 and-run injury-accident (RCW 46.52.020(4)); or

26 (b) Any federal or out-of-state conviction for an offense that  
27 under the laws of this state would be a felony classified as a felony  
28 traffic offense under (a) of this subsection.

29 (19) "Fines" means the requirement that the offender pay a specific  
30 sum of money over a specific period of time to the court.

31 (20)(a) "First-time offender" means any person who is convicted of  
32 a felony (i) not classified as a violent offense or a sex offense under  
33 this chapter, or (ii) that is not the manufacture, delivery, or  
34 possession with intent to manufacture or deliver a controlled substance  
35 classified in schedule I or II that is a narcotic drug or the selling  
36 for profit [of] any controlled substance or counterfeit substance  
37 classified in schedule I, RCW 69.50.204, except leaves and flowering  
38 tops of marihuana, and except as provided in (b) of this subsection,  
39 who previously has never been convicted of a felony in this state,

1 federal court, or another state, and who has never participated in a  
2 program of deferred prosecution for a felony offense.

3 (b) For purposes of (a) of this subsection, a juvenile adjudication  
4 for an offense committed before the age of fifteen years is not a  
5 previous felony conviction except for adjudications of sex offenses.

6 (21) "Nonviolent offense" means an offense which is not a violent  
7 offense.

8 (22) "Offender" means a person who has committed a felony  
9 established by state law and is eighteen years of age or older or is  
10 less than eighteen years of age but whose case has been transferred by  
11 the appropriate juvenile court to a criminal court pursuant to RCW  
12 13.40.110. Throughout this chapter, the terms "offender" and  
13 "defendant" are used interchangeably.

14 (23) "Partial confinement" means confinement for no more than one  
15 year in a facility or institution operated or utilized under contract  
16 by the state or any other unit of government, or, if home detention or  
17 work crew has been ordered by the court, in an approved residence, for  
18 a substantial portion of each day with the balance of the day spent in  
19 the community. Partial confinement includes work release, home  
20 detention, work crew, and a combination of work crew and home detention  
21 as defined in this section.

22 (24) "Postrelease supervision" is that portion of an offender's  
23 community placement that is not community custody.

24 (25) "Restitution" means the requirement that the offender pay a  
25 specific sum of money over a specific period of time to the court as  
26 payment of damages. The sum may include both public and private costs.  
27 The imposition of a restitution order does not preclude civil redress.

28 (26) "Serious traffic offense" means:

29 (a) Driving while under the influence of intoxicating liquor or any  
30 drug (RCW 46.61.502), actual physical control while under the influence  
31 of intoxicating liquor or any drug (RCW 46.61.504), reckless driving  
32 (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5));  
33 or

34 (b) Any federal, out-of-state, county, or municipal conviction for  
35 an offense that under the laws of this state would be classified as a  
36 serious traffic offense under (a) of this subsection.

37 (27) "Serious violent offense" is a subcategory of violent offense  
38 and means:

1 (a) Murder in the first degree, homicide by abuse, murder in the  
2 second degree, assault in the first degree, kidnapping in the first  
3 degree, or rape in the first degree, assault of a child in the first  
4 degree, or an attempt, criminal solicitation, or criminal conspiracy to  
5 commit one of these felonies; or

6 (b) Any federal or out-of-state conviction for an offense that  
7 under the laws of this state would be a felony classified as a serious  
8 violent offense under (a) of this subsection.

9 (28) "Sentence range" means the sentencing court's discretionary  
10 range in imposing a nonappealable sentence.

11 (29) "Sex offense" means:

12 (a) A felony that is a violation of chapter 9A.44 RCW or RCW  
13 9A.64.020 or 9.68A.090 or that is, under chapter 9A.28 RCW, a criminal  
14 attempt, criminal solicitation, or criminal conspiracy to commit such  
15 crimes;

16 (b) A felony with a finding of sexual motivation under RCW  
17 9.94A.127; or

18 (c) Any federal or out-of-state conviction for an offense that  
19 under the laws of this state would be a felony classified as a sex  
20 offense under (a) of this subsection.

21 (30) "Sexual motivation" means that one of the purposes for which  
22 the defendant committed the crime was for the purpose of his or her  
23 sexual gratification.

24 (31) "Total confinement" means confinement inside the physical  
25 boundaries of a facility or institution operated or utilized under  
26 contract by the state or any other unit of government for twenty-four  
27 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

28 (32) "Victim" means any person who has sustained emotional,  
29 psychological, physical, or financial injury to person or property as  
30 a direct result of the crime charged.

31 (33) "Violent offense" means:

32 (a) Any of the following felonies, as now existing or hereafter  
33 amended: Any felony defined under any law as a class A felony or an  
34 attempt to commit a class A felony, criminal solicitation of or  
35 criminal conspiracy to commit a class A felony, manslaughter in the  
36 first degree, manslaughter in the second degree, indecent liberties if  
37 committed by forcible compulsion, kidnapping in the second degree,  
38 arson in the second degree, assault in the second degree, assault of a  
39 child in the second degree, extortion in the first degree, robbery in



1 the second degree, vehicular assault, and vehicular homicide, when  
2 proximately caused by the driving of any vehicle by any person while  
3 under the influence of intoxicating liquor or any drug as defined by  
4 RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

5 (b) Any conviction for a felony offense in effect at any time prior  
6 to July 1, 1976, that is comparable to a felony classified as a violent  
7 offense in (a) of this subsection; and

8 (c) Any federal or out-of-state conviction for an offense that  
9 under the laws of this state would be a felony classified as a violent  
10 offense under (a) or (b) of this subsection.

11 (34) "Work crew" means a program of partial confinement consisting  
12 of civic improvement tasks for the benefit of the community of not less  
13 than thirty-five hours per week that complies with RCW 9.94A.135. The  
14 civic improvement tasks shall be performed on public property or on  
15 private property owned or operated by nonprofit entities, except that,  
16 for emergency purposes only, work crews may perform snow removal on any  
17 private property. The civic improvement tasks shall have minimal  
18 negative impact on existing private industries or the labor force in  
19 the county where the service or labor is performed. The civic  
20 improvement tasks shall not affect employment opportunities for people  
21 with developmental disabilities contracted through sheltered workshops  
22 as defined in RCW 82.04.385. Only those offenders sentenced to a  
23 facility operated or utilized under contract by a county are eligible  
24 to participate on a work crew. Offenders sentenced for a sex offense  
25 as defined in subsection (29) of this section are not eligible for the  
26 work crew program.

27 (35) "Work release" means a program of partial confinement  
28 available to offenders who are employed or engaged as a student in a  
29 regular course of study at school. Participation in work release shall  
30 be conditioned upon the offender attending work or school at regularly  
31 defined hours and abiding by the rules of the work release facility.

32 (36) "Home detention" means a program of partial confinement  
33 available to offenders wherein the offender is confined in a private  
34 residence subject to electronic surveillance. Home detention may not  
35 be imposed for offenders convicted of a violent offense, any sex  
36 offense, any drug offense, reckless burning in the first or second  
37 degree as defined in RCW 9A.48.040 or 9A.48.050, assault in the third  
38 degree as defined in RCW 9A.36.031, assault of a child in the third  
39 degree, unlawful imprisonment as defined in RCW 9A.40.040, or

1 harassment as defined in RCW 9A.46.020. Home detention may be imposed  
2 for offenders convicted of possession of a controlled substance (RCW  
3 69.50.401(d)) or forged prescription for a controlled substance (RCW  
4 69.50.403) if the offender fulfills the participation conditions set  
5 forth in this subsection and is monitored for drug use by treatment  
6 alternatives to street crime (TASC) or a comparable court or agency-  
7 referred program.

8 (a) Home detention may be imposed for offenders convicted of  
9 burglary in the second degree as defined in RCW 9A.52.030 or  
10 residential burglary conditioned upon the offender: (i) Successfully  
11 completing twenty-one days in a work release program, (ii) having no  
12 convictions for burglary in the second degree or residential burglary  
13 during the preceding two years and not more than two prior convictions  
14 for burglary or residential burglary, (iii) having no convictions for  
15 a violent felony offense during the preceding two years and not more  
16 than two prior convictions for a violent felony offense, (iv) having no  
17 prior charges of escape, and (v) fulfilling the other conditions of the  
18 home detention program.

19 (b) Participation in a home detention program shall be conditioned  
20 upon: (i) The offender obtaining or maintaining current employment or  
21 attending a regular course of school study at regularly defined hours,  
22 or the offender performing parental duties to offspring or minors  
23 normally in the custody of the offender, (ii) abiding by the rules of  
24 the home detention program, and (iii) compliance with court-ordered  
25 legal financial obligations. The home detention program may also be  
26 made available to offenders whose charges and convictions do not  
27 otherwise disqualify them if medical or health-related conditions,  
28 concerns or treatment would be better addressed under the home  
29 detention program, or where the health and welfare of the offender,  
30 other inmates, or staff would be jeopardized by the offender's  
31 incarceration. Participation in the home detention program for medical  
32 or health-related reasons is conditioned on the offender abiding by the  
33 rules of the home detention program and complying with court-ordered  
34 restitution.

35 **Sec. 5.** RCW 38.52.010 and 1986 c 266 s 23 are each amended to read  
36 as follows:

37 As used in this chapter:

1 (1) "Emergency management" or "comprehensive emergency management"  
2 means the preparation for and the carrying out of all emergency  
3 functions, other than functions for which the military forces are  
4 primarily responsible, to mitigate, prepare for, respond to, and  
5 recover from emergencies and disasters, and to aid victims suffering  
6 from injury or damage, resulting from disasters caused by all hazards,  
7 whether natural or man-made, and to provide support for search and  
8 rescue operations for persons and property in distress. However,  
9 "emergency management" or "comprehensive emergency management" does not  
10 mean preparation for emergency evacuation or relocation of residents in  
11 anticipation of nuclear attack.

12 (2) "Local organization for emergency services or management" means  
13 an organization created in accordance with the provisions of this  
14 chapter by state or local authority to perform local emergency  
15 management functions.

16 (3) "Political subdivision" means any county, city or town.

17 (4) "Emergency worker" means any person who is registered with a  
18 local emergency management organization or the department of community  
19 development and holds an identification card issued by the local  
20 emergency management director or the department of community  
21 development for the purpose of engaging in authorized emergency  
22 management activities or is an employee of the state of Washington or  
23 any political subdivision thereof who is called upon to perform  
24 emergency management activities.

25 (5) "Injury" as used in this chapter shall mean and include  
26 accidental injuries and/or occupational diseases arising out of  
27 emergency management activities.

28 (6)(a) "Emergency or disaster" as used in all sections of this  
29 chapter except section 2 of this act shall mean an event or set of  
30 circumstances which: (~~(a)~~) (i) Demands immediate action to preserve  
31 public health, protect life, protect public property, or to provide  
32 relief to any stricken community overtaken by such occurrences, or  
33 (~~(b)~~) (ii) reaches such a dimension or degree of destructiveness as  
34 to warrant the governor declaring a state of emergency pursuant to RCW  
35 43.06.010.

36 (b) "Emergency" as used in section 2 of this act means an incident  
37 that requires a normal police, coroner, fire, rescue, emergency medical  
38 services, or utility response as a result of a violation of one of the  
39 statutes enumerated in section 2 of this act.

1 (7) "Search and rescue" means the acts of searching for, rescuing,  
2 or recovering by means of ground, marine, or air activity any person  
3 who becomes lost, injured, or is killed while outdoors or as a result  
4 of a natural or man-made disaster, including instances involving  
5 searches for downed aircraft when ground personnel are used. Nothing  
6 in this section shall affect appropriate activity by the department of  
7 transportation under chapter 47.68 RCW.

8 (8) "Executive head" and "executive heads" means the county  
9 executive in those charter counties with an elective office of county  
10 executive, however designated, and, in the case of other counties, the  
11 county legislative authority. In the case of cities and towns, it  
12 means the mayor.

13 (9) "Director" means the director of community development.

14 (10) "Local director" means the director of a local organization of  
15 emergency management or emergency services.

16 (11) "Department" means the department of community development.

17 (12) "Emergency response" as used in section 2 of this act means a  
18 public agency's use of emergency services during an emergency or  
19 disaster as defined in subsection (6)(b) of this section.

20 (13) "Expense of an emergency response" as used in section 2 of  
21 this act means reasonable costs incurred by a public agency in  
22 reasonably making an appropriate emergency response to the incident,  
23 but shall only include those costs directly arising from the response  
24 to the particular incident. Reasonable costs shall include the costs  
25 of providing police, coroner, fire fighting, rescue, emergency medical  
26 services, or utility response at the scene of the incident, as well as  
27 the salaries of the personnel responding to the incident.

28 (14) "Public agency" means the state, and a city, county, municipal  
29 corporation, district, or public authority located, in whole or in  
30 part, within this state which provides or may provide fire fighting,  
31 police, ambulance, medical, or other emergency services."

32 **SHB 1051** - S COMM AMD

33 By Committee on Law & Justice

34 ADOPTED 4/12/93

35 On page 1, line 1 of the title, after "management;" strike the  
36 remainder of the title and insert "amending RCW 9.95.210 and 38.52.010;

1 reenacting and amending RCW 9.94A.030; adding a new section to chapter  
2 38.52 RCW; and creating a new section."

--- **END** ---