

FINAL BILL REPORT

2SSB 6107

PARTIAL VETO

C 284 L 94

SYNOPSIS AS ENACTED

Brief Description: Allowing fees for services for the department of community, trade, and economic development.

SPONSORS: Senate Committee on Ways & Means (originally sponsored by Senators Skratek, Sheldon and M. Rasmussen)

SENATE COMMITTEE ON TRADE, TECHNOLOGY & ECONOMIC DEVELOPMENT

SENATE COMMITTEE ON WAYS & MEANS

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

HOUSE COMMITTEE ON APPROPRIATIONS

BACKGROUND:

Without specific statutory authorization to keep fees collected for services and products provided by an agency, the agency must turn the funds over to the Treasurer's office for deposit in the general fund. By collecting fees for services or products and keeping the proceeds, an agency may expand the availability of such services or products.

SUMMARY:

The Department of Community, Trade, and Economic Development and the Clean Washington Center are authorized to charge reasonable fees for services and products provided and expend the fees for the purposes for which they were collected.

The Department of Community, Trade, and Economic Development is authorized to charge fees for conferences, workshops, and training programs. Fees may also be charged for services and products provided in the areas of financial assistance, housing, international trade, community assistance and economic development. The Office of Financial Management must approve a schedule of fees and the approved schedule of fees must be submitted to legislative committees.

The Pacific Northwest Export Assistance Project (PNEAP) may charge fees. The requirement that receipts from PNEAP be deposited in the general fund or the small business export finance assistance fund is removed.

All receipts from fees charged by the department under the authority of the act are to be deposited in an appropriated account.

Businesses paying litter and refuse collection taxes will not be asked to pay fees to the Clean Washington Center.

Collection of fees to cover the expenses of certifying manufactured home installers and mediating disputes arising from manufactured home warranties is authorized.

The statutory warranty period that must be provided for all new mobile home sales begins to run when the mobile home is delivered instead of when it is sold. Any dealer, manufacturer, or contractor who installs a mobile home warrants that it was installed in accordance with the state installation code.

Each sale of a new mobile home is made with an implied warranty that it conforms in all material aspects to applicable federal and state laws establishing standards of safety or quality. Each sale of a new mobile home is made with an implied warranty of fitness for a particular purpose and merchantability. These implied warranties cannot be waived.

A purchaser of a mobile home is deemed to take delivery when the home has been inspected and the test of all the systems in the home has been completed. Only those funds advanced to the seller as a requirement for the seller to order the mobile home are considered to be funds that the purchaser has placed "on deposit" for escrow purposes. Loan proceeds or payments made on an installment contract are expressly excluded from the requirement that they be kept in escrow until the mobile home has been delivered.

A certification and training program for manufactured home set-up and installation contractors is established. At least one certified installer must supervise the set up of a manufactured home.

VOTES ON FINAL PASSAGE:

Senate	35	10	
House	96	0	(House amended)
Senate			(Senate refused to concur)

Conference Committee

House	79	15
Senate	36	10

EFFECTIVE: April 1, 1994

Partial Veto Summary: Sections of the bill requiring OFM to approve a fee schedule and relating to the Clean Washington Center were vetoed.