

2 **E3SSB 6062** - H AMD
3 By Representative Cooke

4 ADOPTED AS AMENDED 3/1/96

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

7 **"MAKING WELFARE WORK**

8 **TABLE OF CONTENTS**

	Page #
10 PART I. TARGET GROUPS	2
11 A. JOB-READY TARGET GROUP	3
12 B. JOB PREPARATION TARGET GROUP	3
13 C. YOUNG PARENT TARGET GROUP	4
14 PART II. JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM . .	4
15 PART III. CONTRACTS FOR PERSONAL RESPONSIBILITY	9
16 PART IV. MINOR PARENT PROVISIONS	14
17 PART V. LICENSE SUSPENSION	20
18 PART VII. WELFARE EVALUATION AND EFFECTIVENESS STUDIES	148
19 PART VIII. MISCELLANEOUS	149

20 NEW SECTION. **Sec. 1.** INTENT. The legislature finds that it is
 21 important for the well-being of society, and for the families receiving
 22 aid to families with dependent children, that the provision of welfare
 23 from the public treasury reflects the values of mainstream American
 24 culture, specifically the importance of work, personal responsibility,
 25 and accountability for individual actions, and the value of the
 26 marriage commitment to each member of the family, including the
 27 children.

1 referral of caretakers who have been approved for assistance before the
2 effective date of this section shall be completed within twelve months
3 after that date.

4 **A. JOB-READY TARGET GROUP**

5 NEW SECTION. **Sec. 102.** A new section is added to chapter 74.25
6 RCW to read as follows:

7 JOB-READY TARGET GROUP. All caretakers who are age eighteen or
8 older and have an employment history in which the most recent job paid
9 six dollars and fifty cents per hour or more, already possess job
10 skills, or are likely to be reemployed with minimal services, shall be
11 referred to the job-ready target group. Caretakers shall be entitled
12 to grant assistance if they participate in sixteen weeks of job search
13 within the first twenty-six weeks after signing an initial contract
14 under section 301 of this act. All caretakers receiving aid to
15 families with dependent children-employable shall be included in the
16 job-ready target group. It is the intent of the legislature to refrain
17 from excess expenditures on this group of aid to families with
18 dependent children caretakers, as studies have demonstrated that job-
19 ready individuals leave aid to families with dependent children quickly
20 with minimal public help. Assessment and administrative costs shall be
21 kept to a minimal level for this target group. Any caretakers in this
22 group who do not have paid employment after sixteen weeks of job search
23 within the first twenty-six weeks shall contract with the department
24 for participation in the job preparation target group.

25 **B. JOB PREPARATION TARGET GROUP**

26 NEW SECTION. **Sec. 103.** A new section is added to chapter 74.25
27 RCW to read as follows:

28 JOB PREPARATION TARGET GROUP. All caretakers who are age eighteen
29 or older and do not meet the qualifications for participation in the
30 job-ready target group or who have been in the job-ready target group
31 for twenty-six weeks without obtaining employment, shall be required,
32 as a condition of benefit receipt, to enroll and participate in a
33 program required by chapter . . . , Laws of 1996 (this act) under the
34 job opportunities and basic skills training program.

1 C. YOUNG PARENT TARGET GROUP

2 NEW SECTION. **Sec. 104.** A new section is added to chapter 74.25
3 RCW to read as follows:

4 YOUNG PARENT TARGET GROUP. All caretakers under the age of twenty-
5 four years who do not possess a high school diploma or a GED shall, as
6 a condition of receiving benefits, actively progress toward the
7 completion of a high school diploma or a GED.

8 **PART II. JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM**

9 **Sec. 201.** RCW 74.25.010 and 1994 c 299 s 6 are each amended to
10 read as follows:

11 The legislature establishes as state policy the goal of economic
12 self-sufficiency for employable recipients of ~~((public assistance))~~ aid
13 to families with dependent children, through employment, training, and
14 education. In furtherance of this policy, the legislature intends to
15 comply with the requirements of the federal social security act, as
16 amended, by creating a job opportunities and basic skills training
17 program for applicants and recipients of aid to families with dependent
18 children. ~~((The purpose of this program is to provide recipients of~~
19 ~~aid to families with dependent children the opportunity to obtain~~
20 ~~appropriate education, training, skills, and supportive services,~~
21 ~~including child care, consistent with their needs, that will help them~~
22 ~~enter or reenter gainful employment, thereby avoiding long term welfare~~
23 ~~dependence and achieving economic self-sufficiency.))~~ The job
24 opportunities and basic skills training program shall provide
25 employment and training and education support services to assist
26 caretakers under chapter 74.12 RCW to obtain employment. The program
27 shall be operated by the department of social and health services in
28 conformance with federal law ~~((and consistent with the following~~
29 ~~legislative findings:))~~.

30 (1) The legislature finds that the well-being of children depends
31 ~~((not only on meeting their material needs, but also))~~ on the ability
32 of parents to become economically self-sufficient. It is in this way
33 that the material needs of children can best be met. The job
34 opportunities and basic skills training program is specifically
35 directed at increasing the labor force participation and household
36 earnings of aid to families with dependent children recipients, through

1 the removal of barriers preventing them from achieving self-
2 sufficiency. (~~These barriers include, but are not limited to, the~~
3 ~~lack of recent work experience, supportive services such as affordable~~
4 ~~and reliable child care, adequate transportation, appropriate~~
5 ~~counseling, and necessary job-related tools, equipment, books,~~
6 ~~clothing, and supplies, the absence of basic literacy skills, the lack~~
7 ~~of educational attainment sufficient to meet labor market demands for~~
8 ~~career employees, and the nonavailability of useful labor market~~
9 ~~assessments.))~~

10 (2) The legislature (~~(also)~~) recognizes that aid to families with
11 dependent children recipients (~~(must be acknowledged as active)~~) are
12 participants in self-sufficiency planning under the program. The
13 legislature finds that the department of social and health services
14 should clearly communicate (~~(concepts of the importance)~~) the
15 requirement of work, the time-limited nature of public assistance, and
16 how performance and effort directly affect future career and
17 educational opportunities and economic well-being, as well as personal
18 empowerment, self-motivation, and self-esteem to program participants.
19 The legislature further recognizes that informed choice is consistent
20 with individual responsibility, and that parents should be given a
21 range of options for available child care while participating in the
22 program.

23 (3) The legislature finds that current work experience is one of
24 the most important factors influencing an individual's ability to work
25 toward financial stability and an adequate standard of living in the
26 long term, and that work experience should be the most important
27 component of the program.

28 (4) The legislature finds that education, including, but not
29 limited to, literacy, high school equivalency, vocational, secondary,
30 and postsecondary, is (~~(one of the most)~~) an important tool(~~(s)~~) an
31 individual needs to achieve full independence, and that this should be
32 (~~(an important)~~) a component of the program.

33 (5) The legislature further finds that the objectives of this
34 program are to assure that aid to families with dependent children
35 recipients gain experience in the labor force and thereby enhance their
36 long-term ability to achieve financial stability and an adequate
37 standard of living at wages that will meet family needs.

38 (6) The legislature finds that a critical component for successful
39 reductions in the aid to families with dependent children caseloads is

1 employment. Employment opportunities must be increased through public-
2 private partnerships. The department shall work with the private
3 sector to meet market needs, increase employability through on-the-job
4 training opportunities, and develop incentives for employers to hire
5 and train recipients.

6 **Sec. 202.** RCW 74.25.020 and 1993 c 312 s 7 are each amended to
7 read as follows:

8 (1) The department of social and health services (~~((is authorized~~
9 ~~to))~~ shall contract for all functions of the jobs opportunities and
10 basic skills program not specifically prohibited by federal law with
11 public and private employment and training agencies and other public
12 service entities to provide services prescribed or allowed under the
13 federal social security act, as amended, to carry out the purposes of
14 the jobs training program. ((The department of social and health
15 services has sole authority and responsibility to carry out the job
16 opportunities and basic skills training program.)) No contracting
17 entity shall have the authority to review, change, or disapprove any
18 administrative decision, or otherwise substitute its judgment for that
19 of the department of social and health services as to the application
20 of policies and rules adopted by the department of social and health
21 services. The department, through its regional offices, shall
22 collaborate with employers, recipients, education institutions, labor,
23 private industry councils, the work force training and education
24 coordinating board, community rehabilitation employment programs, local
25 governments, the employment security department, and community action
26 agencies to develop work programs that are effective and work in their
27 communities. For planning purposes, the department shall collect and
28 make accessible to regional offices successful work program models from
29 around the United States, including the employment partnership program,
30 the full employment act, apprenticeship programs, and W-2 Wisconsin
31 works. Work programs shall incorporate local volunteer citizens in
32 their planning and implementation phases to ensure community relevance
33 and success.

34 (2) (~~To the extent feasible under federal law, the department of~~
35 ~~social and health services and all entities contracting with it shall~~
36 ~~give first priority of service to individuals volunteering for program~~
37 ~~participation.~~

1 ~~(3))~~ The department of social and health services shall adopt
2 rules under chapter 34.05 RCW (~~(establishing)~~) that conform to the
3 criteria in federal law for mandatory program participation as well as
4 establish criteria constituting circumstances of good cause for an
5 individual failing or refusing to participate in an assigned program
6 component, or failing or refusing to accept or retain employment.
7 (~~These~~) The good cause criteria shall include, but not be limited to,
8 the following circumstances: (a) If the individual is a parent or
9 other relative personally providing care for a child under age six
10 years, and the employment would require the individual to work more
11 than twenty hours per week; (b) if child care, or day care for an
12 incapacitated individual living in the same home as a dependent child,
13 is necessary for an individual to participate or continue participation
14 in the program or accept employment, and such care is not available,
15 and the department of social and health services fails to provide such
16 care; (c) the employment would result in the family of the participant
17 experiencing a net loss of cash income; or (d) circumstances that are
18 beyond the control of the individual's household, either on a short-
19 term or on an ongoing basis.

20 (3) Participants in the job preparation target group shall each be
21 limited to the components of their initial contract unless good cause
22 for exception is presented.

23 (4) The department of social and health services shall adopt rules
24 under chapter 34.05 RCW as necessary to effectuate the intent and
25 purpose of this chapter.

26 (5) Responsible parents who are unable to make their child support
27 payments for a child receiving aid to families with dependent children
28 shall participate in the job opportunities and basic skills program
29 under this chapter.

30 (6) Except for subsection (7) of this section, section 202, chapter
31 . . . , Laws of 1996 (this section) shall not take effect if sections
32 301, 302, 305, and 306 of this act do not become law.

33 (7) Section 7, chapter 312, Laws of 1993 is repealed if sections
34 301, 302, 305, and 306 of this act do not become law.

35 NEW SECTION. Sec. 203. A new section is added to chapter 74.25
36 RCW to read as follows:

37 COMMUNITY SERVICE PROGRAM. A caretaker participating in a
38 community service program shall locate a community service experience

1 of at least one hundred hours per month with any willing public or
2 private organization and provide documentation, signed by the recipient
3 under penalty of perjury, to the department of his or her participation
4 on forms established in rule by the department. Compliance shall be
5 subject to random checks by the department.

6 NEW SECTION. **Sec. 204.** A new section is added to chapter 74.13
7 RCW to read as follows:

8 (1) The department shall operate an employment child care program
9 for low-income working parents who are not receiving aid to families
10 with dependent children.

11 (2) Families with gross income at or below thirty-eight percent of
12 state median income adjusted for family size are eligible for
13 employment child care subsidies with a minimum copayment. Families
14 with gross income above thirty-eight percent and at or below fifty-two
15 percent of the state median income adjusted for family size are
16 eligible for an employment child care subsidy with a calculated
17 copayment.

18 (3) The department shall provide a priority for recent recipients
19 of aid to families with dependent children who are within twelve weeks
20 of losing their transitional child care benefits.

21 (4) The department shall provide employment child care subsidies
22 for families meeting eligibility standards under this section, within
23 funds appropriated by the legislature for this purpose.

24 NEW SECTION. **Sec. 205.** A new section is added to chapter 74.12
25 RCW to read as follows:

26 (1) Under the authority to establish ratable reductions and grant
27 maximums pursuant to RCW 74.04.770, the department shall, by rule,
28 increase the current ratable reduction for all recipients of aid to
29 families with dependent children. The ratable reduction shall result
30 in a nine percent reduction in the monthly payment standards under the
31 aid to families with dependent children program. The increased ratable
32 reduction shall be in addition to any ratable reduction caused by
33 annual adjustments to consolidated standards of need.

34 (2) All funds generated by the increased ratable reduction shall be
35 used by the department to provide recipients of aid to families with
36 dependent children with work and training-related services and child
37 care services required under this chapter and chapter 74.25 RCW.

1 NEW SECTION. **Sec. 206.** A new section is added to chapter 74.12
2 RCW to read as follows:

3 (1) The department shall establish a housing assistance program to
4 provide either rental or mortgage assistance to:

5 (a) A caretaker who is incapacitated or needed in the home to care
6 for a member of the household who is incapacitated; or

7 (b) A household receiving a child only grant.

8 (2) The department shall adopt rules to establish:

9 (a) The maximum amount of monthly housing assistance available to
10 caretakers or households under this program; and

11 (b) The maximum term of housing assistance to the caretaker or
12 household.

13 **PART III. CONTRACTS FOR PERSONAL RESPONSIBILITY**

14 NEW SECTION. **Sec. 301.** A new section is added to chapter 74.12
15 RCW to read as follows:

16 (1) A family receiving or applying for assistance under the aid to
17 families with dependent children program is ineligible for continued or
18 new assistance if the caretaker and the department have not entered
19 into a contract satisfying the requirements of this section.

20 (2) The contract shall (a) be entered into by the department and
21 caretaker on a form prescribed by the department; (b) contain a list of
22 the available benefits to which the family is eligible, including
23 referral to available community resources; (c) contain a summary of the
24 responsibilities that the caretaker must exercise for receipt of such
25 benefits, including, where appropriate, high school completion or GED
26 programs; (d) contain a statement of the rule in section 302 of this
27 act prohibiting additional assistance for additional children; (e)
28 contain a statement of the rules in section 305 of this act governing
29 the duration of the contract; and (f) contain a statement of the rules
30 in section 306 of this act governing time limits.

31 (3) Caretakers are not required to enter into a contract under this
32 section if:

33 (a) The caretaker is incapacitated or needed in the home to care
34 for a member of the household who is incapacitated. The caretaker
35 shall submit documentation of the incapacity indicating the incapacity
36 will last at least ninety days. Such documentation shall be obtained
37 by the caretaker from a health care practitioner regulated under Title

1 18 RCW whose scope of practice includes diagnosis and treatment of the
2 condition purported to cause the incapacity;

3 (b) The caretaker has experienced domestic violence as defined in
4 RCW 26.50 010(1) or sexual assault as defined in RCW 70.125.030(6) that
5 results in the caretaker being incapacitated. The caretaker shall
6 submit documentation of the incapacity indicating the incapacity will
7 last at least ninety days. Such documentation shall be obtained by the
8 caretaker from a health care practitioner regulated under Title 18 RCW
9 whose scope of practice includes diagnosis and treatment of the
10 condition purported to cause the incapacity;

11 (c) The caretaker is needed in the home to care for a child under
12 age two. This one-time exemption ends in the month the child is two
13 years old and does not apply to any subsequent children; or

14 (d) The caretaker is a minor.

15 (4) The department may adopt rules postponing the date by which any
16 provision or provisions of subsections (1) and (2) of this section will
17 apply to caretakers who have been approved for assistance before the
18 effective date of this section. However, such postponement may not be
19 for longer than twelve months after the effective date of this section.

20 (5) The provision of assistance under a contract entered into under
21 this section is not an entitlement, but is a charitable gesture or gift
22 on the part of the state, which at any time may be discontinued.

23 NEW SECTION. **Sec. 302.** A new section is added to chapter 74.12
24 RCW to read as follows:

25 The monthly benefit payment paid to a caretaker shall not be
26 increased as a result of the caretaker's becoming the biological parent
27 of any additional child or children born more than three hundred days
28 after the day on which the caretaker first applied for assistance under
29 this chapter. Caretakers receiving assistance under this chapter on
30 the effective date of this section shall, for purposes of this section,
31 be considered to have first applied for assistance on the effective
32 date of this section.

33 NEW SECTION. **Sec. 303.** A new section is added to chapter 74.20A
34 RCW to read as follows:

35 If a caretaker receiving cash assistance under the aid to families
36 with dependent children program does not receive additional cash
37 benefits for an additional child born more than three hundred days

1 after aid to families with dependent children benefits were first
2 applied for, as provided in section 302 of this act, the department
3 must pay to the caretaker the full amount of any child support payments
4 made to the department by the responsible parent on behalf of the
5 additional child.

6 NEW SECTION. **Sec. 304.** A new section is added to chapter 74.12
7 RCW to read as follows:

8 Child support payments made to a caretaker under section 303 of
9 this act shall be exempt from consideration as income when determining
10 need.

11 NEW SECTION. **Sec. 305.** A new section is added to chapter 74.12
12 RCW to read as follows:

13 A contract entered into under section 301 of this act shall expire
14 twenty-four calendar months after the month in which the caretaker
15 first entered into a contract under section 301 of this act unless it
16 is reviewed and modified, as the department finds appropriate, for an
17 additional period or periods of not to exceed six months each. Under
18 no circumstances may the department continue a contract or provide for
19 monthly benefit payments beyond the forty-two-month limit prescribed in
20 section 306 of this act. For a contract to be reviewed and modified,
21 the caretaker must have requested the review and modification, have
22 complied with the current terms of the contract, and have satisfied all
23 eligibility requirements, including those requirements specified in
24 section 306 of this act.

25 NEW SECTION. **Sec. 306.** A new section is added to chapter 74.12
26 RCW to read as follows:

27 (1) After a caretaker has received twenty-four monthly benefit
28 payments pursuant to a contract entered into under section 301 of this
29 act, the caretaker shall not be eligible for any additional monthly
30 payments unless the caretaker qualifies for additional assistance under
31 subsection (2) of this section.

32 (2)(a) After a caretaker has received twenty-four monthly benefit
33 payments under this chapter, the caretaker, if otherwise eligible,
34 shall qualify for the reduced monthly benefit payments provided in (b)
35 of this subsection:

36 (i) During any month in which the caretaker is gainfully employed;

1 (ii) During any month in which the caretaker participates in a
2 community volunteer experience pursuant to section 305 of this act;

3 (iii) During any month in which the caretaker works as a volunteer
4 in a child care facility pursuant to RCW 74.25.040; or

5 (iv) During any month in which the caretaker provides paid child
6 care services for other caretakers participating in either paid
7 employment or other activities under the job opportunities and basic
8 skills training program.

9 (b) The reduced monthly benefits to a caretaker who qualifies under
10 (a) of this subsection shall be as follows: For the twenty-fifth
11 through the thirtieth month, the department shall reduce the monthly
12 benefit payment to eighty percent of the payment standard; for the
13 thirty-first through the thirty-sixth month, the department shall
14 reduce the monthly benefit payment to sixty percent of the payment
15 standard; for the thirty-seventh through the forty-second month, the
16 department shall reduce the monthly benefit payment to forty percent of
17 the payment standard. Following the receipt of forty-two monthly
18 benefit payments, a caretaker is forever ineligible to apply for or
19 receive any further assistance under this chapter.

20 (3) For the purposes of applying the rules of this section, the
21 department shall count both consecutive and nonconsecutive months in
22 which a caretaker received a monthly benefit payment or a portion of a
23 monthly benefit payment.

24 (4) The department shall refer caretakers who require specialized
25 assistance to appropriate department programs, crime victims' programs
26 through the department of community, trade, and economic development,
27 or the crime victims' compensation program of the department of labor
28 and industries.

29 NEW SECTION. **Sec. 307.** A new section is added to chapter 74.12
30 RCW to read as follows:

31 For the purposes of determining whether an aid to families with
32 dependent children recipient shall receive reduced monthly benefits as
33 provided for by this chapter as now or hereafter amended, length of
34 stay shall be determined based on actual months of receipt of public
35 assistance, including months prior to the effective date of this
36 section but not before June 9, 1994, the effective date of section 9,
37 chapter 299, Laws of 1994 (Engrossed Second Substitute House Bill No.

1 2798). In no case shall benefits be reduced under this chapter before
2 July 1, 1997.

3 NEW SECTION. **Sec. 308.** A new section is added to chapter 74.12
4 RCW to read as follows:

5 In addition to their monthly benefit payment, caretakers may earn
6 and keep thirty dollars and one-third of the remainder of their
7 earnings during every month they are eligible to receive assistance
8 under this chapter.

9 NEW SECTION. **Sec. 309.** A new section is added to chapter 74.12
10 RCW to read as follows:

11 (1) The department of social and health services shall adopt rules
12 to implement sections 301, 302, 304, and 305 of this act and to enforce
13 contracts adopted under section 301 of this act. However, it may not
14 adopt such rules unless it has complied with subsections (2) and (3) of
15 this section.

16 (2) The joint legislative oversight committee, consisting of two
17 members from each caucus of the house of representatives and two
18 members from each caucus of the senate, is created. Within sixty days
19 after the effective date of this section, the department shall submit
20 copies of its proposed rules under this section to the secretary of the
21 senate and the chief clerk of the house of representatives for
22 distribution to the joint committee. The committee shall review the
23 proposed rules and shall provide the department with its comments, if
24 any, on the proposed rules.

25 (3) When the committee comments on proposed rules, the committee
26 shall give the department written notice of its findings and reasons
27 therefor.

28 (4) The joint legislative oversight committee shall study the
29 extent to which minor parents receiving aid to families with dependent
30 children may be victimized by males fathering children for whom they do
31 not provide support. The joint legislative oversight committee shall
32 make recommendations to the appropriate committees of the legislature
33 by December 1, 1996. The department of social and health services
34 shall cooperate with the study by providing information as requested
35 regarding the unmarried minor parents related to the aid to families
36 with dependent children caseload, the extent to which aid to families
37 with dependent children recipients in these circumstances receive

1 ordered child support, and other information relevant to the subject of
2 predatory nonsupport.

3 NEW SECTION. **Sec. 310.** A new section is added to chapter 74.12
4 RCW to read as follows:

5 In order to be eligible for aid to families with dependent
6 children, applicants shall, at the time of application for assistance,
7 provide the names of both parents of their child or children, whether
8 born or unborn, unless the applicant meets federal criteria for
9 refusing such identification.

10 **PART IV. MINOR PARENT PROVISIONS**

11 **Sec. 401.** RCW 26.16.205 and 1990 1st ex.s. c 2 s 13 are each
12 amended to read as follows:

13 The expenses of the family and the education of the children,
14 including stepchildren and any child of whom their minor child is a
15 biological parent, are chargeable upon the property of both husband and
16 wife, or either of them, and they may be sued jointly or separately.
17 When a petition for dissolution of marriage or a petition for legal
18 separation is filed, the court may, upon motion of the stepparent,
19 terminate the obligation to support the stepchildren or children of the
20 stepchildren. The obligation to support stepchildren and children of
21 stepchildren shall cease upon the entry of a decree of dissolution,
22 decree of legal separation, or death. The obligation of a husband and
23 wife to support a child of their minor child terminates when their
24 minor child reaches eighteen years of age, however, a stepparent's
25 support obligation may be terminated earlier as provided for in this
26 section.

27 **Sec. 402.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each
28 amended to read as follows:

29 Unless a different meaning is plainly required by the context, the
30 following words and phrases as hereinafter used in this chapter and
31 chapter 74.20 RCW shall have the following meanings:

32 (1) "Department" means the state department of social and health
33 services.

34 (2) "Secretary" means the secretary of the department of social and
35 health services, his designee or authorized representative.

1 (3) "Dependent child" means any person:

2 (a) Under the age of eighteen who is not self-supporting, married,
3 or a member of the armed forces of the United States; or

4 (b) Over the age of eighteen for whom a court order for support
5 exists.

6 (4) "Support obligation" means the obligation to provide for the
7 necessary care, support, and maintenance, including medical expenses,
8 of a dependent child or other person as required by statutes and the
9 common law of this or another state.

10 (5) "Superior court order" means any judgment, decree, or order of
11 the superior court of the state of Washington, or a court of comparable
12 jurisdiction of another state, establishing the existence of a support
13 obligation and ordering payment of a set or determinable amount of
14 support moneys to satisfy the support obligation. For purposes of RCW
15 74.20A.055, orders for support which were entered under the uniform
16 reciprocal enforcement of support act by a state where the responsible
17 parent no longer resides shall not preclude the department from
18 establishing an amount to be paid as current and future support.

19 (6) "Administrative order" means any determination, finding,
20 decree, or order for support pursuant to RCW 74.20A.055, or by an
21 agency of another state pursuant to a substantially similar
22 administrative process, establishing the existence of a support
23 obligation and ordering the payment of a set or determinable amount of
24 support moneys to satisfy the support obligation.

25 (7) "Responsible parent" means a natural parent, adoptive parent,
26 or stepparent of a dependent child or a person who has signed an
27 affidavit acknowledging paternity which has been filed with the state
28 office of vital statistics and includes the parent of an unmarried
29 minor with a child.

30 (8) "Stepparent" means the present spouse of the person who is
31 either the mother, father, or adoptive parent of a dependent child, and
32 such status shall exist until terminated as provided for in RCW
33 26.16.205.

34 (9) "Support moneys" means any moneys or in-kind providings paid to
35 satisfy a support obligation whether denominated as child support,
36 spouse support, alimony, maintenance, or any other such moneys intended
37 to satisfy an obligation for support of any person or satisfaction in
38 whole or in part of arrears or delinquency on such an obligation.

1 (10) "Support debt" means any delinquent amount of support moneys
2 which is due, owing, and unpaid under a superior court order or an
3 administrative order, a debt for the payment of expenses for the
4 reasonable or necessary care, support, and maintenance, including
5 medical expenses, of a dependent child or other person for whom a
6 support obligation is owed; or a debt under RCW 74.20A.100 or
7 74.20A.270. Support debt also includes any accrued interest, fees, or
8 penalties charged on a support debt, and attorneys fees and other costs
9 of litigation awarded in an action to establish and enforce a support
10 obligation or debt.

11 (11) "State" means any state or political subdivision, territory,
12 or possession of the United States, the District of Columbia, and the
13 Commonwealth of Puerto Rico.

14 **Sec. 403.** RCW 74.12.255 and 1994 c 299 s 33 are each amended to
15 read as follows:

16 (1) The department shall determine, after consideration of all
17 relevant factors and in consultation with the applicant, the most
18 appropriate living situation for applicants under eighteen years of
19 age, unmarried, and either pregnant or having a dependent child or
20 children in the applicant's care. An appropriate living situation((s))
21 shall include a place of residence that is maintained by the
22 applicant's parents, parent, legal guardian, or other adult relative as
23 their or his or her own home((, or other)) and that the department
24 finds would provide an appropriate supportive living arrangement
25 ((supervised by an adult where feasible and consistent with federal
26 regulations under 45 C.F.R. chapter II, section 233.107)). It also
27 includes a living situation maintained by an agency that is licensed
28 under chapter 74.15 RCW that the department finds would provide an
29 appropriate supportive living arrangement. Grant assistance shall not
30 be provided under this chapter if the applicant does not reside in the
31 most appropriate living situation, as determined by the department.

32 ((An applicant under eighteen years of age who is either
33 pregnant or has a dependent child and is not living in a situation
34 described in subsection (1) of this section shall be)) A minor parent
35 or pregnant minor residing in the most appropriate living situation, as
36 provided under subsection (1) of this section, is presumed to be unable
37 to manage adequately the funds paid to the minor or on behalf of the
38 dependent child or children and, unless the ((teenage custodial parent

1 ~~demonstrates otherwise~~) minor provides sufficient evidence to rebut
2 the presumption, shall be subject to the protective payee requirements
3 provided for under RCW 74.12.250 and 74.08.280.

4 (3) The department shall consider any statements or opinions by
5 either parent of the (~~teen recipient~~) unmarried minor as to an
6 appropriate living situation for the (~~teen~~) minor and his or her
7 children, whether in the parental home or other situation. If the
8 parents or a parent of the (~~teen head of household applicant for~~
9 ~~assistance~~) minor request, they or he or she shall be entitled to a
10 hearing in juvenile court regarding (~~the fitness and suitability of~~
11 ~~their home as the top priority choice~~) designation of the parental
12 home or other relative placement as the most appropriate living
13 situation for the pregnant or parenting (~~teen applicant for~~
14 ~~assistance~~) minor.

15 The department shall provide the parents (~~shall have~~) or parent
16 with the opportunity to make a showing (~~, based on the preponderance of~~
17 ~~the evidence,~~) that the parental home, or home of the other relative
18 placement, is the most appropriate living situation. It shall be
19 presumed in any administrative or judicial proceeding conducted under
20 this subsection that the parental home or other relative placement
21 requested by the parents or parent is the most appropriate living
22 situation. This presumption is rebuttable.

23 (4) In cases in which the (~~head of household is under eighteen~~
24 ~~years of age,~~) minor is unmarried(~~,~~) and unemployed, (~~and requests~~
25 ~~information on adoption,~~) the department shall, as part of the
26 determination of the appropriate living situation, provide information
27 about adoption including referral to community-based organizations
28 (~~for~~) providing counseling.

29 **Sec. 404.** RCW 74.04.0052 and 1994 c 299 s 34 are each amended to
30 read as follows:

31 (1) The department shall determine, after consideration of all
32 relevant factors and in consultation with the applicant, the most
33 appropriate living situation for applicants under eighteen years of
34 age, unmarried, and pregnant who are eligible for general assistance as
35 defined in RCW 74.04.005(6)(a)(ii)(A). An appropriate living
36 situation(~~s~~) shall include a place of residence that is maintained by
37 the applicant's parents, parent, legal guardian, or other adult
38 relative as their or his or her own home(~~, or other~~) and that the

1 department finds would provide an appropriate supportive living
2 arrangement ((supervised by an adult where feasible and consistent with
3 federal regulations under 45 C.F.R. chapter II, section 233.107)). It
4 also includes a living situation maintained by an agency that is
5 licensed under chapter 74.15 RCW that the department finds would
6 provide an appropriate supportive living arrangement. Grant assistance
7 shall not be provided under this chapter if the applicant does not
8 reside in the most appropriate living situation, as determined by the
9 department.

10 (2) ~~((An applicant under eighteen years of age who is pregnant and~~
11 ~~is not living in a situation described in subsection (1) of this~~
12 ~~section shall be))~~ A pregnant minor residing in the most appropriate
13 living situation, as provided under subsection (1) of this section, is
14 presumed to be unable to manage adequately the funds paid to the minor
15 or on behalf of the dependent child or children and, unless the
16 ~~((teenage custodial parent demonstrates otherwise))~~ minor provides
17 sufficient evidence to rebut the presumption, shall be subject to the
18 protective payee requirements provided for under RCW 74.12.250 and
19 74.08.280.

20 (3) The department shall consider any statements or opinions by
21 either parent of the ~~((teen recipient))~~ unmarried minor as to an
22 appropriate living situation for the ~~((teen))~~ minor, whether in the
23 parental home or other situation. If the parents or a parent of the
24 ~~((teen head of household applicant for assistance))~~ minor request, they
25 or he or she shall be entitled to a hearing in juvenile court regarding
26 ~~((the fitness and suitability of their home as the top priority~~
27 ~~choice))~~ designation of the parental home or other relative placement
28 as the most appropriate living situation for the pregnant or parenting
29 ~~((teen applicant for assistance))~~ minor.

30 The department shall provide the parents ((shall have)) or parent
31 with the opportunity to make a showing((, based on the preponderance of
32 the evidence,)) that the parental home, or home of the other relative
33 placement, is the most appropriate living situation. It shall be
34 presumed in any administrative or judicial proceeding conducted under
35 this subsection that the parental home or other relative placement
36 requested by the parents or parent is the most appropriate living
37 situation. This presumption is rebuttable.

38 (4) In cases in which the ~~((head of household is under eighteen~~
39 ~~years of age,))~~ minor is unmarried((,)) and unemployed, ((and requests

1 information on adoption,)) the department shall, as part of the
2 determination of the appropriate living situation, provide information
3 about adoption including referral to community-based organizations
4 ((for)) providing counseling.

5 NEW SECTION. **Sec. 405.** A new section is added to chapter 74.12
6 RCW to read as follows:

7 The parents of an unmarried minor who has a child are responsible
8 for the support of the minor and child. The unmarried minor and the
9 minor's child shall be considered to be part of the household of the
10 minor's parents or parent for purposes of determining eligibility for
11 aid to families with dependent children and general assistance for
12 pregnant women as defined in RCW 74.04.005(6)(a)(ii)(A); and as such,
13 the income and resources of the entire household are considered to be
14 available to support the unmarried minor and his or her child.

15 **Sec. 406.** RCW 13.34.160 and 1993 c 358 s 2 are each amended to
16 read as follows:

17 (1) In an action brought under this chapter, the court may inquire
18 into the ability of the parent or parents of the child to pay child
19 support and may enter an order of child support as set forth in chapter
20 26.19 RCW. The court may enforce the same by execution, or in any way
21 in which a court of equity may enforce its decrees. All child support
22 orders entered pursuant to this chapter shall be in compliance with the
23 provisions of RCW 26.23.050.

24 (2) For purposes of this section, if a dependent child's parent is
25 an unmarried minor, then the parent or parents of the minor shall also
26 be deemed a parent or parents of the dependent child. However,
27 liability for child support under this subsection only exists if the
28 parent or parents of the unmarried minor parent are provided the
29 opportunity for a hearing on their ability to provide support. Any
30 child support order requiring such a parent or parents to provide
31 support for the minor parent's child may be effective only until the
32 minor parent reaches eighteen years of age.

33 **Sec. 407.** RCW 74.12.250 and 1963 c 228 s 21 are each amended to
34 read as follows:

35 If the department, after investigation, finds that any applicant
36 for assistance under this chapter or any recipient of funds under ((an

1 ~~aid to families with dependent children grant~~) this chapter would not
2 use, or is not utilizing, the grant adequately for the needs of ((the))
3 his or her child or children or would dissipate the grant or is
4 ((otherwise)) dissipating such grant, or would be or is unable to
5 manage adequately the funds paid on behalf of said child and that to
6 provide or continue ((said)) payments to ((him)) the applicant or
7 recipient would be contrary to the welfare of the child, the department
8 may make such payments to another individual who is interested in or
9 concerned with the welfare of such child and relative: PROVIDED, That
10 the department shall provide such counseling and other services as are
11 available and necessary to develop greater ability on the part of the
12 relative to manage funds in such manner as to protect the welfare of
13 the family. Periodic review of each case shall be made by the
14 department to determine if said relative is able to resume management
15 of the assistance grant. If after a reasonable period of time the
16 payments to the relative cannot be resumed, the department may request
17 the attorney general to file a petition in the superior court for the
18 appointment of a guardian for the child or children. Such petition
19 shall set forth the facts warranting such appointment. Notice of the
20 hearing on such petition shall be served upon the recipient and the
21 department not less than ten days before the date set for such hearing.
22 Such petition may be filed with the clerk of superior court and all
23 process issued and served without payment of costs. If upon the
24 hearing of such petition the court is satisfied that it is for the best
25 interest of the child or children, and all parties concerned, that a
26 guardian be appointed, he shall order the appointment, and may require
27 the guardian to render to the court a detailed itemized account of
28 expenditures of such assistance payments at such time as the court may
29 deem advisable.

30 It is the intention of this section that the guardianship herein
31 provided for shall be a special and limited guardianship solely for the
32 purpose of safeguarding the assistance grants made to dependent
33 children. Such guardianship shall terminate upon the termination of
34 such assistance grant, or sooner on order of the court, upon good cause
35 shown.

36 **PART V. LICENSE SUSPENSION**

1 NEW SECTION. **Sec. 501.** The legislature recognizes that the
2 current statutory procedures for the collection of child support do not
3 apply to all persons owing child support. In order to further insure
4 that child support obligations are met, this act establishes a program
5 by which certain licenses may be suspended, not issued, or not renewed
6 if a person is one hundred eighty days or more in arrears on child
7 support payments. With this program, it is the intent of the
8 legislature to provide a strong incentive for persons owing support to
9 make timely payments, and to cooperate with the department of social
10 and health services to establish an appropriate schedule for the
11 payment of any arrears. In addition, the legislature finds that
12 disputes over child visitation comprises an often-cited reason why
13 child support is unpaid. It is the intent of the legislature to
14 include custodial parents who deny visitation as persons subject to
15 license suspension, nonrenewal, and denial.

16 In the implementation and management of this program, it is the
17 legislature's intent that the objective of the department of social and
18 health services be to obtain payment in full of arrears, or where that
19 is not possible, to enter into agreements with delinquent obligors to
20 make timely support payments and make reasonable payments towards the
21 arrears. The legislature intends that if the obligor refuses to
22 cooperate in establishing a fair and reasonable payment schedule for
23 arrears, or if such payment schedule would cause a substantial
24 hardship, or refuses to make timely support payments, the department
25 shall proceed with certification to a licensing entity or the
26 department of licensing that the person is not in compliance with a
27 child support order.

28 NEW SECTION. **Sec. 502.** A new section is added to chapter 74.20A
29 RCW to read as follows:

30 (1) As used in this section, unless the context indicates
31 otherwise, the following terms have the following meanings.

32 (a) "Licensing entity" includes any department, board, commission,
33 or other organization of the state authorized to issue, renew, suspend,
34 or revoke a license authorizing an individual to engage in a business,
35 occupation, profession, industry, or the operation of a motor vehicle,
36 and includes the Washington state supreme court, to the extent that a
37 rule has been adopted by the court to implement suspension of licenses
38 related to the practice of law.

1 (b) "Noncompliance with a child support order" means a responsible
2 parent has:

3 (i) Accumulated arrears totaling more than six months of child
4 support payments;

5 (ii) Failed to make payments pursuant to a written agreement with
6 the department towards a support arrearage in an amount that exceeds
7 six months of payments; or

8 (iii) Failed to make payments required by a superior court order or
9 administrative order towards a support arrearage in an amount that
10 exceeds six months of payments.

11 (c) "License" means a license, certificate, registration, permit,
12 approval, or other similar document issued by a licensing entity
13 evidencing admission to or granting authority to engage in a
14 profession, occupation, business, industry, or the operation of a motor
15 vehicle.

16 (d) "Licensee" means any individual holding a license, certificate,
17 registration, permit, approval, or other similar document issued by a
18 licensing entity evidencing admission to or granting authority to
19 engage in a profession, occupation, business, industry, or the
20 operation of a motor vehicle.

21 (2) The department may serve upon a responsible parent a notice
22 informing the responsible parent of the department's intent to submit
23 the parent's name to the department of licensing and any appropriate
24 licensing entity as a licensee who is not in compliance with a child
25 support order. The department shall attach a copy of the responsible
26 parent's child support order to the notice. Service of the notice must
27 be by certified mail, return receipt requested. If, after seven
28 mailing days, the department does not receive a return receipt, service
29 shall be by personal service.

30 (3) The notice of noncompliance must include the address and
31 telephone number of the department's division of child support office
32 that issues the notice and must inform the responsible parent that:

33 (a) The parent may request an adjudicative proceeding to contest
34 the issue of compliance. The only issues that may be considered at the
35 adjudicative proceeding are whether the parent is required to pay child
36 support under a child support order and whether the parent is in
37 compliance with that order;

1 (b) A request for an adjudicative proceeding shall be in writing
2 and must be received by the department within twenty days of the date
3 of service of the notice;

4 (c) If the parent requests an adjudicative proceeding within twenty
5 days of service, the department will stay action to certify the parent
6 to the department of licensing and any licensing entity for
7 noncompliance with a child support order pending entry of a written
8 decision after the adjudicative proceeding;

9 (d) If the parent does not request an adjudicative proceeding
10 within twenty days of service and remains in noncompliance with a child
11 support order, the department will certify the parent's name to the
12 department of licensing and any appropriate licensing entity for
13 noncompliance with a child support order;

14 (e) The department will stay action to certify the parent to the
15 department of licensing and any licensing entity for noncompliance if
16 the parent agrees to make timely payments of current support and agrees
17 to a reasonable payment schedule for payment of the arrears. It is the
18 parent's responsibility to contact in person or by mail the
19 department's division of child support office indicated on the notice
20 within twenty days of service of the notice to arrange for a payment
21 schedule. The department may stay certification for up to thirty days
22 after contact from a parent to arrange for a payment schedule;

23 (f) If the department certifies the responsible parent to the
24 department of licensing and a licensing entity for noncompliance with
25 a child support order, the licensing entity will suspend, not renew, or
26 not issue the parent's license and the department of licensing will
27 suspend, not renew, or not issue any driver's license that the parent
28 holds until the parent provides the department of licensing and the
29 licensing entity with a written release from the department stating
30 that the responsible parent is in compliance with the child support
31 order;

32 (g) Suspension of a license will affect insurability if the
33 responsible parent's insurance policy excludes coverage for acts
34 occurring after the suspension of a license;

35 (h) If after receiving the notice of noncompliance with a child
36 support order, the responsible parent files a motion to modify support
37 with the court or requests the department to amend a support obligation
38 established by an administrative decision, the department or the court
39 shall stay action to certify the parent to the department of licensing

1 and any licensing entity for noncompliance with a child support order
2 until a final decision or order is entered. If a motion for
3 modification of a court or administrative order for child support is
4 pending prior to service of the notice, any action to certify the
5 parent to a licensing entity for noncompliance with a child support
6 order shall be automatically stayed until entry of a final order or
7 decision in the modification proceedings. The responsible parent has
8 the obligation to notify the department that a modification proceeding
9 is pending and provide a copy of the motion or request for
10 modification; and

11 (i) If the responsible parent subsequently becomes in compliance
12 with the child support order, the department will promptly provide the
13 parent with a written release stating that the parent is in compliance
14 with the order, and the parent may request that the licensing entity or
15 the department of licensing reinstate the suspended license.

16 (4) A responsible parent may request an adjudicative proceeding
17 upon service of the notice described in subsection (2) of this section.
18 The request for an adjudicative proceeding must be received by the
19 department within twenty days of service. The request must be in
20 writing and indicate the current mailing address and daytime phone
21 number, if available, of the responsible parent. The proceedings under
22 this subsection shall be conducted in accordance with the requirements
23 of chapter 34.05 RCW. The issues that may be considered at the
24 adjudicative proceeding are limited to whether the responsible parent
25 is required to pay child support under a child support order and
26 whether the responsible parent is in compliance with the order.

27 (5) The decision resulting from the adjudicative proceeding must be
28 in writing and inform the responsible parent of all rights to review.
29 The parent's copy of the decision may be sent by regular mail to the
30 parent's most recent address of record.

31 (6) If a responsible parent contacts the department's division of
32 child support office indicated on the notice of noncompliance within
33 twenty days of service of the notice and requests arrangement of a
34 payment schedule, the department shall stay the certification of
35 noncompliance during negotiation of the schedule for payment of
36 arrears. In no event shall the stay continue for more than thirty days
37 from the date of contact by the parent. The department shall establish
38 a schedule for payment of arrears that is fair and reasonable, and that
39 considers the financial situation of the responsible parent and the

1 needs of all children who rely on the responsible parent for support.
2 At the end of the thirty days, if no payment schedule has been agreed
3 to in writing, the department shall proceed with certification of
4 noncompliance.

5 (7) If a responsible parent timely requests an adjudicative
6 proceeding to contest the issue of compliance, the department may not
7 certify the name of the parent to the department of licensing or a
8 licensing entity for noncompliance with a child support order unless
9 the adjudicative proceeding results in a finding that the responsible
10 parent is not in compliance with the order.

11 (8) The department may certify in writing to the department of
12 licensing and any appropriate licensing entity the name of a
13 responsible parent who is not in compliance with a child support order
14 if:

15 (a) The responsible parent does not timely request an adjudicative
16 proceeding upon service of a notice issued under subsection (2) of this
17 section and is not in compliance with a child support order twenty-one
18 days after service of the notice;

19 (b) An adjudicative proceeding results in a decision that the
20 responsible parent is not in compliance with a child support order;

21 (c) The court enters a judgment on a petition for judicial review
22 that finds the responsible parent is not in compliance with a child
23 support order; or

24 (d) The department and the responsible parent have been unable to
25 agree on a fair and reasonable schedule for payment of the arrears.

26 The department shall send by certified mail, return receipt
27 requested a copy of any certification of noncompliance filed with the
28 department of licensing or a licensing entity to the responsible parent
29 at the responsible parent's most recent address of record.

30 (9) The department of licensing and a licensing entity shall notify
31 a responsible parent certified by the department under subsection (8)
32 of this section, without undue delay, that the parent's driver's
33 license or other license has been suspended because the parent's name
34 has been certified by the department as a responsible parent who is not
35 in compliance with a child support order.

36 (10) When a responsible parent who is served notice under
37 subsection (2) of this section subsequently complies with the child
38 support order, the department shall promptly provide the parent with a
39 written release stating that the responsible parent is in compliance

1 with the order. A copy of that release shall be transmitted to the
2 appropriate licensing entities.

3 (11) The department may adopt rules to implement and enforce the
4 requirements of this section.

5 (12) Nothing in this section prohibits a responsible parent from
6 filing a motion to modify support with the court or from requesting the
7 department to amend a support obligation established by an
8 administrative decision. If there is a reasonable likelihood that the
9 motion or request will significantly change the amount of the child
10 support obligation, the department or the court may stay action to
11 certify the responsible parent to the department of licensing and any
12 licensing entity for noncompliance with a child support order until a
13 final decision or order is entered. If a motion for modification of a
14 court or administrative order for child support is pending prior to
15 service of the notice, any action to certify the parent to a licensing
16 entity for noncompliance with a child support order shall be
17 automatically stayed until entry of a final order or decision in the
18 modification proceedings. The responsible parent has the obligation to
19 notify the department that a modification proceeding is pending and
20 provide a copy of the motion or request for modification.

21 (13) The department of licensing and a licensing entity may issue,
22 renew, reinstate, or otherwise extend a license in accordance with the
23 licensing entity's or the department of licensing's rules after the
24 licensing entity or the department of licensing receives a copy of the
25 written release specified in subsection (10) of this section. The
26 department of licensing and a licensing entity may waive any applicable
27 requirement for reissuance, renewal, or other extension if it
28 determines that the imposition of that requirement places an undue
29 burden on the person and that waiver of the requirement is consistent
30 with the public interest.

31 (14) Consistent with the intent of chapter . . . , Laws of 1996
32 (this act), the department shall develop rules and procedures for
33 implementing the requirements of this section and applying the
34 standards provided in this section. The department shall deliver a
35 copy of these rules and procedures to the appropriate committees of the
36 senate and the house of representatives no later than June 30, 1997.

37 NEW SECTION. **Sec. 503.** A new section is added to chapter 74.20A
38 RCW to read as follows:

1 (1) The department of social and health services and all of the
2 various licensing entities subject to section 502 of this act shall
3 enter into such agreements as are necessary to carry out the
4 requirements of the license suspension program established in section
5 502 of this act, but only to the extent the departments and the
6 licensing entities determine it is cost-effective.

7 (2) On or before January 1, 1997, and quarterly thereafter, the
8 department of social and health services and all licensing entities
9 subject to section 502 of this act shall perform a comparison of
10 responsible parents who are not in compliance with a child support
11 order, as defined in section 502 of this act, with all licensees
12 subject to chapter . . . , Laws of 1996 (this act). The comparison may
13 be conducted electronically, or by any other means that is jointly
14 agreeable between the department and the particular licensing entity.
15 The data shared shall be limited to those items necessary to
16 implementation of chapter . . . , Laws of 1996 (this act). The purpose
17 of the comparison shall be to identify current licensees who are not in
18 compliance with a child support order, and to provide to the department
19 of social and health services the following information regarding those
20 licensees:

- 21 (a) Name;
- 22 (b) Date of birth;
- 23 (c) Address of record;
- 24 (d) Federal employer identification number or social security
25 number;
- 26 (e) Type of license;
- 27 (f) Effective date of license or renewal;
- 28 (g) Expiration date of license; and
- 29 (h) Active or inactive status.

30 NEW SECTION. **Sec. 504.** A new section is added to chapter 74.20A
31 RCW to read as follows:

32 In furtherance of the public policy of increasing collection of
33 child support and to assist in evaluation of the program established in
34 section 502 of this act, the department shall report the following to
35 the legislature and the governor on December 1, 1997, and annually
36 thereafter:

- 37 (1) The number of responsible parents identified as licensees
38 subject to section 502 of this act;

1 (2) The number of responsible parents identified by the department
2 as not in compliance with a child support order;

3 (3) The number of notices of noncompliance served upon responsible
4 parents by the department;

5 (4) The number of responsible parents served a notice of
6 noncompliance who request an adjudicative proceeding;

7 (5) The number of adjudicative proceedings held, and the results of
8 the adjudicative proceedings;

9 (6) The number of responsible parents certified to the department
10 of licensing or licensing entities for noncompliance with a child
11 support order, and the type of license the parents held;

12 (7) The costs incurred in the implementation and enforcement of
13 section 502 of this act and an estimate of the amount of child support
14 collected due to the departments under section 502 of this act;

15 (8) Any other information regarding this program that the
16 department feels will assist in evaluation of the program;

17 (9) Recommendations for the addition of specific licenses in the
18 program or exclusion of specific licenses from the program, and reasons
19 for such recommendations; and

20 (10) Any recommendations for statutory changes necessary for the
21 cost-effective management of the program.

22 **Sec. 505.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to
23 read as follows:

24 The department is authorized to suspend the license of a driver
25 upon a showing by its records or other sufficient evidence that the
26 licensee:

27 (1) Has committed an offense for which mandatory revocation or
28 suspension of license is provided by law;

29 (2) Has, by reckless or unlawful operation of a motor vehicle,
30 caused or contributed to an accident resulting in death or injury to
31 any person or serious property damage;

32 (3) Has been convicted of offenses against traffic regulations
33 governing the movement of vehicles, or found to have committed traffic
34 infractions, with such frequency as to indicate a disrespect for
35 traffic laws or a disregard for the safety of other persons on the
36 highways;

37 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
38 ((or))

1 (5) Has failed to respond to a notice of traffic infraction, failed
2 to appear at a requested hearing, violated a written promise to appear
3 in court, or has failed to comply with the terms of a notice of traffic
4 infraction or citation, as provided in RCW 46.20.289; (~~or~~)

5 (6) Has committed one of the prohibited practices relating to
6 drivers' licenses defined in RCW 46.20.336; or

7 (7) Has been certified by the department of social and health
8 services as a person who is not in compliance with a child support
9 order as provided in section 502 of this act, or is certified by a
10 court as a person who is not in compliance with a residential or
11 visitation order as provided in section 607 of this act.

12 **Sec. 506.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to
13 read as follows:

14 (1) The department shall not suspend a driver's license or
15 privilege to drive a motor vehicle on the public highways for a fixed
16 period of more than one year, except as specifically permitted under
17 RCW 46.20.342 or other provision of law. Except for a suspension under
18 RCW 46.20.289 and 46.20.291(5), whenever the license or driving
19 privilege of any person is suspended by reason of a conviction, a
20 finding that a traffic infraction has been committed, pursuant to
21 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
22 suspension shall remain in effect until the person gives and thereafter
23 maintains proof of financial responsibility for the future as provided
24 in chapter 46.29 RCW. If the suspension is the result of a violation
25 of RCW 46.61.502 or 46.61.504, the department shall determine the
26 person's eligibility for licensing based upon the reports provided by
27 the alcoholism agency or probation department designated under RCW
28 46.61.5056 and shall deny reinstatement until enrollment and
29 participation in an approved program has been established and the
30 person is otherwise qualified. Whenever the license or driving
31 privilege of any person is suspended as a result of certification of
32 noncompliance with a child support order under chapter 74.20A RCW or a
33 residential or visitation order as provided in section 607 of this act,
34 the suspension shall remain in effect until the person provides a
35 written release issued by the department of social and health services
36 or a court stating that the person is in compliance with the order.
37 The department shall not issue to the person a new, duplicate, or
38 renewal license until the person pays a reissue fee of twenty dollars.

1 If the suspension is the result of a violation of RCW 46.61.502 or
2 46.61.504, or is the result of administrative action under RCW
3 46.20.308, the reissue fee shall be fifty dollars.

4 (2) Any person whose license or privilege to drive a motor vehicle
5 on the public highways has been revoked, unless the revocation was for
6 a cause which has been removed, is not entitled to have the license or
7 privilege renewed or restored until: (a) After the expiration of one
8 year from the date the license or privilege to drive was revoked; (b)
9 after the expiration of the applicable revocation period provided by
10 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for
11 persons convicted of vehicular homicide; or (d) after the expiration of
12 the applicable revocation period provided by RCW 46.20.265. After the
13 expiration of the appropriate period, the person may make application
14 for a new license as provided by law together with a reissue fee in the
15 amount of twenty dollars, but if the revocation is the result of a
16 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee
17 shall be fifty dollars. If the revocation is the result of a violation
18 of RCW 46.61.502 or 46.61.504, the department shall determine the
19 person's eligibility for licensing based upon the reports provided by
20 the alcoholism agency or probation department designated under RCW
21 46.61.5056 and shall deny reissuance of a license, permit, or privilege
22 to drive until enrollment and participation in an approved program has
23 been established and the person is otherwise qualified. Except for a
24 revocation under RCW 46.20.265, the department shall not then issue a
25 new license unless it is satisfied after investigation of the driving
26 ability of the person that it will be safe to grant the privilege of
27 driving a motor vehicle on the public highways, and until the person
28 gives and thereafter maintains proof of financial responsibility for
29 the future as provided in chapter 46.29 RCW. For a revocation under
30 RCW 46.20.265, the department shall not issue a new license unless it
31 is satisfied after investigation of the driving ability of the person
32 that it will be safe to grant that person the privilege of driving a
33 motor vehicle on the public highways.

34 (3) Whenever the driver's license of any person is suspended
35 pursuant to Article IV of the nonresident violators compact or RCW
36 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
37 to the person any new or renewal license until the person pays a
38 reissue fee of twenty dollars. If the suspension is the result of a
39 violation of the laws of this or any other state, province, or other

1 jurisdiction involving (a) the operation or physical control of a motor
2 vehicle upon the public highways while under the influence of
3 intoxicating liquor or drugs, or (b) the refusal to submit to a
4 chemical test of the driver's blood alcohol content, the reissue fee
5 shall be fifty dollars.

6 NEW SECTION. **Sec. 507.** A new section is added to chapter 48.22
7 RCW to read as follows:

8 A motor vehicle liability insurance policy that contains any
9 provision excluding insurance coverage for an unlicensed driver shall
10 not apply for ninety days from the date of suspension in the event that
11 the department of licensing suspends a driver's license solely for the
12 nonpayment of child support as provided in chapter 74.20A RCW or for
13 noncompliance with a residential or visitation order as provided in
14 chapter 26.09 RCW.

15 NEW SECTION. **Sec. 508.** ATTORNEYS. The legislature intends that
16 the license suspension program established in chapter 74.20A RCW be
17 implemented fairly to ensure that child support obligations are met.
18 However, being mindful of the separations of powers and
19 responsibilities among the branches of government, the legislature
20 strongly encourages the state supreme court to adopt rules providing
21 for suspension and denial of licenses related to the practice of law to
22 those individuals who are in noncompliance with a support order.

23 NEW SECTION. **Sec. 509.** A new section is added to chapter 2.48 RCW
24 to read as follows:

25 ATTORNEYS. The Washington state supreme court may provide by rule
26 that no person who has been certified by the department of social and
27 health services as a person who is in noncompliance with a support
28 order as provided in section 502 of this act, or is certified by a
29 court as a person who is not in compliance with a residential or
30 visitation order as provided in section 607 of this act may be admitted
31 to the practice of law in this state, and that any member of the
32 Washington state bar association who has been certified by the
33 department of social and health services as a person who is in
34 noncompliance with a support order as provided in section 502 of this
35 act or by a court as in noncompliance with a residential or visitation
36 order under section 607 of this act shall be immediately suspended from

1 membership. The court's rules may provide for review of an application
2 for admission or reinstatement of membership after the department of
3 social and health services or a court has issued a written release
4 stating that the person is in compliance with the order.

5 NEW SECTION. **Sec. 510.** A new section is added to chapter 18.04
6 RCW to read as follows:

7 (1) No person who has been certified by the department of social
8 and health services as a person who is not in compliance with a support
9 order as provided in section 502 of this act, or is certified by a
10 court as a person who is not in compliance with a residential or
11 visitation order as provided in section 607 of this act may be issued
12 a certificate of "certified public accountant." The application of a
13 person so certified by the department of social and health services or
14 by a court may be reviewed for issuance of a certificate under this
15 chapter after the person provides the board a written release issued by
16 the department of social and health services or a court stating that
17 the person is in compliance with the order.

18 (2) The board shall immediately suspend the certificate or license
19 of a person who either (a) has been certified pursuant to section 502
20 of this act by the department of social and health services as a person
21 who is not in compliance with a support order, or (b) has been
22 certified pursuant to section 607 of this act by a court as a person
23 who is not in compliance with a residential or visitation order. If
24 the person has continued to meet all other requirements for
25 reinstatement during the suspension, reissuance of the license or
26 certificate shall be automatic upon the board's receipt of a written
27 release issued by the department of social and health services or a
28 court stating that the licensee is in compliance with the order.

29 **Sec. 511.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
30 read as follows:

31 (1) Upon application in writing and after hearing pursuant to
32 notice, the board may:

33 ~~((1))~~ (a) Modify the suspension of, or reissue a certificate or
34 license to, an individual whose certificate has been revoked or
35 suspended; or

1 (~~(2)~~) (b) Modify the suspension of, or reissue a license to a
2 firm whose license has been revoked, suspended, or which the board has
3 refused to renew.

4 (2) In the case of suspension for failure to comply with a support
5 order under chapter 74.20A RCW, or a residential or visitation order as
6 provided in section 607 of this act if the person has continued to meet
7 all other requirements for reinstatement during the suspension,
8 reissuance of a certificate or license shall be automatic upon the
9 board's receipt of a written release issued by the department of social
10 and health services or a court stating that the individual is in
11 compliance with the order.

12 **Sec. 512.** RCW 18.08.350 and 1993 c 475 s 1 are each amended to
13 read as follows:

14 (1) Except as provided in section 514 of this act, a certificate of
15 registration shall be granted by the director to all qualified
16 applicants who are certified by the board as having passed the required
17 examination and as having given satisfactory proof of completion of the
18 required experience.

19 (2) Applications for examination shall be filed as the board
20 prescribes by rule. The application and examination fees shall be
21 determined by the director under RCW 43.24.086.

22 (3) An applicant for registration as an architect shall be of a
23 good moral character, at least eighteen years of age, and shall possess
24 any of the following qualifications:

25 (a) Have an accredited architectural degree and three years'
26 practical architectural work experience approved by the board, which
27 may include designing buildings as a principal activity. At least two
28 years' work experience must be supervised by an architect with detailed
29 professional knowledge of the work of the applicant;

30 (b) Have eight years' practical architectural work experience
31 approved by the board. Each year spent in an accredited architectural
32 program approved by the board shall be considered one year of practical
33 experience. At least four years' practical work experience shall be
34 under the direct supervision of an architect; or

35 (c) Be a person who has been designing buildings as a principal
36 activity for eight years, or has an equivalent combination of education
37 and experience, but who was not registered under chapter 323, Laws of
38 1959, as amended, as it existed before July 28, 1992, provided that

1 application is made within four years after July 28, 1992. Nothing in
2 this chapter prevents such a person from designing buildings for four
3 years after July 28, 1992, or the five-year period allowed for
4 completion of the examination process, after that person has applied
5 for registration. A person who has been designing buildings and is
6 qualified under this subsection shall, upon application to the board of
7 registration for architects, be allowed to take the examination for
8 architect registration on an equal basis with other applicants.

9 **Sec. 513.** RCW 18.08.350 and 1993 c 475 s 2 are each amended to
10 read as follows:

11 (1) Except as provided in section 514 of this act, a certificate of
12 registration shall be granted by the director to all qualified
13 applicants who are certified by the board as having passed the required
14 examination and as having given satisfactory proof of completion of the
15 required experience.

16 (2) Applications for examination shall be filed as the board
17 prescribes by rule. The application and examination fees shall be
18 determined by the director under RCW 43.24.086.

19 (3) An applicant for registration as an architect shall be of a
20 good moral character, at least eighteen years of age, and shall possess
21 any of the following qualifications:

22 (a) Have an accredited architectural degree and three years'
23 practical architectural work experience approved by the board, which
24 may include designing buildings as a principal activity. At least two
25 years' work experience must be supervised by an architect with detailed
26 professional knowledge of the work of the applicant; or

27 (b) Have eight years' practical architectural work experience
28 approved by the board. Each year spent in an accredited architectural
29 program approved by the board shall be considered one year of practical
30 experience. At least four years' practical work experience shall be
31 under the direct supervision of an architect.

32 NEW SECTION. **Sec. 514.** A new section is added to chapter 18.08
33 RCW to read as follows:

34 (1) No person who has been certified by the department of social
35 and health services as a person who is not in compliance with a support
36 order as provided in section 502 of this act, or is certified by a
37 court as a person who is not in compliance with a residential or

1 visitation order as provided in section 607 of this act may be issued
2 a certificate of registration under this chapter. The application of
3 a person so certified by the department of social and health services
4 or by a court may be reviewed for issuance of a certificate of
5 registration under this chapter after the person provides the board a
6 written release issued by the department of social and health services
7 or a court stating that the person is in compliance with the order.

8 (2) The board shall immediately suspend the certificate of
9 registration or certificate of authorization to practice architecture
10 of a person who either (a) has been certified pursuant to section 502
11 of this act by the department of social and health services as a person
12 who is not in compliance with a support order, or (b) has been
13 certified pursuant to section 607 of this act by a court as a person
14 who is not in compliance with a residential or visitation order. If
15 the person has continued to meet other requirements for reinstatement
16 during the suspension, reissuance of the certificate shall be automatic
17 upon the board's receipt of a written release issued by the department
18 of social and health services or a court stating that the individual is
19 in compliance with the order.

20 **Sec. 515.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
21 read as follows:

22 (1) No license shall be issued by the department to any person who
23 has been convicted of forgery, embezzlement, obtaining money under
24 false pretenses, extortion, criminal conspiracy, fraud, theft,
25 receiving stolen goods, unlawful issuance of checks or drafts, or other
26 similar offense, or to any partnership of which the person is a member,
27 or to any association or corporation of which the person is an officer
28 or in which as a stockholder the person has or exercises a controlling
29 interest either directly or indirectly.

30 (2) No license may be issued by the department to any person who
31 has been certified by the department of social and health services as
32 a person who is not in compliance with a support order as provided in
33 section 502 of this act, or is certified by a court as a person who is
34 not in compliance with a residential or visitation order as provided in
35 section 607 of this act. The application of a person so certified by
36 the department of social and health services or by a court may be
37 reviewed for issuance of a license under this chapter after the person
38 provides the board a written release issued by the department of social

1 and health services or a court stating that the person is in compliance
2 with the order.

3 (3) The following shall be grounds for denial, suspension, or
4 revocation of a license, or imposition of an administrative fine by the
5 department:

6 (a) Misrepresentation or concealment of material facts in obtaining
7 a license;

8 (b) Underreporting to the department of sales figures so that the
9 auctioneer or auction company surety bond is in a lower amount than
10 required by law;

11 (c) Revocation of a license by another state;

12 (d) Misleading or false advertising;

13 (e) A pattern of substantial misrepresentations related to
14 auctioneering or auction company business;

15 (f) Failure to cooperate with the department in any investigation
16 or disciplinary action;

17 (g) Nonpayment of an administrative fine prior to renewal of a
18 license;

19 (h) Aiding an unlicensed person to practice as an auctioneer or as
20 an auction company; and

21 (i) Any other violations of this chapter.

22 (4) The department shall immediately suspend the license of a
23 person who either (a) has been certified pursuant to section 502 of
24 this act by the department of social and health services as a person
25 who is not in compliance with a support order, or (b) has been
26 certified pursuant to section 607 of this act by a court as a person
27 who is not in compliance with a residential or visitation order. If
28 the person has continued to meet all other requirements for
29 reinstatement during the suspension, reissuance of the license shall be
30 automatic upon the department's receipt of a written release issued by
31 the department of social and health services or a court stating that
32 the licensee is in compliance with the order.

33 **Sec. 516.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to
34 read as follows:

35 (1) Upon payment of the proper fee, except as provided in section
36 517 of this act the director shall issue the appropriate license to any
37 person who:

38 (a) Is at least seventeen years of age or older;

1 (b) Has completed and graduated from a course approved by the
2 director of sixteen hundred hours of training in cosmetology, one
3 thousand hours of training in barbering, five hundred hours of training
4 in manicuring, five hundred hours of training in esthetics, and/or five
5 hundred hours of training as an instructor-trainee; and

6 (c) Has received a passing grade on the appropriate licensing
7 examination approved or administered by the director.

8 (2) A person currently licensed under this chapter may qualify for
9 examination and licensure, after the required examination is passed, in
10 another category if he or she has completed the crossover training
11 course approved by the director.

12 (3) Upon payment of the proper fee, the director shall issue a
13 salon/shop license to the operator of a salon/shop if the salon/shop
14 meets the other requirements of this chapter as demonstrated by
15 information submitted by the operator.

16 (4) The director may consult with the state board of health and the
17 department of labor and industries in establishing training and
18 examination requirements.

19 NEW SECTION. **Sec. 517.** A new section is added to chapter 18.16
20 RCW to read as follows:

21 (1) No person who has been certified by the department of social
22 and health services as a person who is not in compliance with a support
23 order as provided in section 502 of this act, or is certified by a
24 court as a person who is not in compliance with a residential or
25 visitation order as provided in section 607 of this act may be issued
26 a license under this chapter. The application of a person so certified
27 by the department of social and health services or by a court may be
28 reviewed for issuance of a license under this chapter after the person
29 provides the department a written release issued by the department of
30 social and health services or a court stating that the person is in
31 compliance with the order.

32 (2) The department shall immediately suspend the license of a
33 person who either (a) has been certified pursuant to section 502 of
34 this act by the department of social and health services as a person
35 who is not in compliance with a support order, or (b) has been
36 certified pursuant to section 607 of this act by a court as a person
37 who is not in compliance with a residential or visitation order. If
38 the person has continued to meet all other requirements for

1 reinstatement during the suspension, reissuance of the license shall be
2 automatic upon the department's receipt of a written release issued by
3 the department of social and health services or a court stating that
4 the licensee is in compliance with the order.

5 NEW SECTION. **Sec. 518.** A new section is added to chapter 18.20
6 RCW to read as follows:

7 (1) No person who has been certified by the department of social
8 and health services as a person who is not in compliance with a support
9 order as provided in section 502 of this act, or is certified by a
10 court as a person who is not in compliance with a residential or
11 visitation order as provided in section 607 of this act may be issued
12 a license under this chapter. The application of a person so certified
13 by the department of social and health services or by a court may be
14 reviewed for issuance of a license under this chapter after the person
15 provides the department a written release issued by the department of
16 social and health services or a court stating that the person is in
17 compliance with the order.

18 (2) The department shall immediately suspend the license of a
19 person who either (a) has been certified pursuant to section 502 of
20 this act by the department of social and health services as a person
21 who is not in compliance with a support order, or (b) has been
22 certified pursuant to section 607 of this act by a court as a person
23 who is not in compliance with a residential or visitation order. If
24 the person has continued to meet all other requirements for
25 reinstatement during the suspension, reissuance of the license shall be
26 automatic upon the department's receipt of a written release issued by
27 the department of social and health services or a court stating that
28 the licensee is in compliance with the order.

29 **Sec. 519.** RCW 18.27.030 and 1992 c 217 s 1 are each amended to
30 read as follows:

31 (1) An applicant for registration as a contractor shall submit an
32 application under oath upon a form to be prescribed by the director and
33 which shall include the following information pertaining to the
34 applicant:

35 (a) Employer social security number.

36 (b) As applicable: (i) The industrial insurance account number
37 covering employees domiciled in Washington; and (ii) evidence of

1 workers' compensation coverage in the applicant's state of domicile for
2 the applicant's employees working in Washington who are not domiciled
3 in Washington.

4 (c) Employment security department number.

5 (d) State excise tax registration number.

6 (e) Unified business identifier (UBI) account number may be
7 substituted for the information required by (b), (c), and (d) of this
8 subsection.

9 (f) Type of contracting activity, whether a general or a specialty
10 contractor and if the latter, the type of specialty.

11 (g) The name and address of each partner if the applicant be a firm
12 or partnership, or the name and address of the owner if the applicant
13 be an individual proprietorship, or the name and address of the
14 corporate officers and statutory agent, if any, if the applicant be a
15 corporation. The information contained in such application shall be a
16 matter of public record and open to public inspection.

17 (2) The department may verify the workers' compensation coverage
18 information provided by the applicant under subsection (1)(b) of this
19 section, including but not limited to information regarding the
20 coverage of an individual employee of the applicant. If coverage is
21 provided under the laws of another state, the department may notify the
22 other state that the applicant is employing employees in Washington.

23 (3) Registration shall be denied if the applicant has been
24 previously registered as a sole proprietor, partnership or corporation,
25 and was a principal or officer of the corporation, and if the applicant
26 has an unsatisfied final judgment in an action based on RCW 18.27.040
27 that incurred during a previous registration under this chapter.

28 (4) Registration shall be denied if the applicant has been
29 certified by the department of social and health services as a person
30 who is not in compliance with a support order as provided in section
31 502 of this act, or is certified by a court as a person who is not in
32 compliance with a residential or visitation order as provided in
33 section 607 of this act. The application of a person so certified by
34 the department of social and health services or by a court may be
35 reviewed and the person may be registered under this chapter if the
36 person provides the department a written release issued by the
37 department of social and health services or a court stating that the
38 person is in compliance with the order.

1 **Sec. 520.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
2 amended to read as follows:

3 (1) A certificate of registration shall be valid for one year and
4 shall be renewed on or before the expiration date. The department
5 shall issue to the applicant a certificate of registration upon
6 compliance with the registration requirements of this chapter.

7 (2) If the department approves an application, it shall issue a
8 certificate of registration to the applicant. The certificate shall be
9 valid for:

10 (a) One year;

11 (b) Until the bond expires; or

12 (c) Until the insurance expires, whichever comes first. The
13 department shall place the expiration date on the certificate.

14 (3) A contractor may supply a short-term bond or insurance policy
15 to bring its registration period to the full one year.

16 (4) If a contractor's surety bond or other security has an
17 unsatisfied judgment against it or is canceled, or if the contractor's
18 insurance policy is canceled, the contractor's registration shall be
19 automatically suspended on the effective date of the impairment or
20 cancellation. The department shall give notice of the suspension to
21 the contractor.

22 (5) The department shall immediately suspend the certificate of
23 registration of a contractor who has been certified by the department
24 of social and health services as a person who either (a) is not in
25 compliance with a support order as provided in section 502 of this act,
26 or (b) has been certified pursuant to section 607 of this act by a
27 court as a person who is not in compliance with a residential or
28 visitation order. The certificate of registration shall not be
29 reissued or renewed unless the person provides to the department a
30 written release from the department of social and health services or a
31 court stating that he or she is in compliance with the order and the
32 person has continued to meet all other requirements for certification
33 during the suspension.

34 **Sec. 521.** RCW 18.28.060 and 1979 c 156 s 3 are each amended to
35 read as follows:

36 Except as provided in section 522 of this act, the director shall
37 issue a license to an applicant if the following requirements are met:

1 (1) The application is complete and the applicant has complied with
2 RCW 18.28.030.

3 (2) Neither an individual applicant, nor any of the applicant's
4 members if the applicant is a partnership or association, nor any of
5 the applicant's officers or directors if the applicant is a
6 corporation: (a) Has ever been convicted of forgery, embezzlement,
7 obtaining money under false pretenses, larceny, extortion, conspiracy
8 to defraud or any other like offense, or has been disbarred from the
9 practice of law; (b) has participated in a violation of this chapter or
10 of any valid rules, orders or decisions of the director promulgated
11 under this chapter; (c) has had a license to engage in the business of
12 debt adjusting revoked or removed for any reason other than for failure
13 to pay licensing fees in this or any other state; or (d) is an employee
14 or owner of a collection agency, or process serving business.

15 (3) An individual applicant is at least eighteen years of age.

16 (4) An applicant which is a partnership, corporation, or
17 association is authorized to do business in this state.

18 (5) An individual applicant for an original license as a debt
19 adjuster has passed an examination administered by the director, which
20 examination may be oral or written, or partly oral and partly written,
21 and shall be practical in nature and sufficiently thorough to ascertain
22 the applicant's fitness. Questions on bookkeeping, credit adjusting,
23 business ethics, agency, contracts, debtor and creditor relationships,
24 trust funds and the provisions of this chapter shall be included in the
25 examination. No applicant may use any books or other similar aids
26 while taking the examination, and no applicant may take the examination
27 more than three times in any twelve month period.

28 NEW SECTION. **Sec. 522.** A new section is added to chapter 18.28
29 RCW to read as follows:

30 (1) No person who has been certified by the department of social
31 and health services as a person who is not in compliance with a support
32 order as provided in section 502 of this act, or is certified by a
33 court as a person who is not in compliance with a residential or
34 visitation order as provided in section 607 of this act may be issued
35 a license under this chapter. The application of a person so certified
36 by the department of social and health services or by a court may be
37 reviewed for issuance of a license under this chapter after the person
38 provides the director a written release issued by the department of

1 social and health services or a court stating that the person is in
2 compliance with the order.

3 (2) The department shall immediately suspend the license of a
4 person who either (a) has been certified pursuant to section 502 of
5 this act by the department of social and health services as a person
6 who is not in compliance with a support order, or (b) has been
7 certified pursuant to section 607 of this act by a court as a person
8 who is not in compliance with a residential or visitation order. If
9 the person has continued to meet all other requirements for
10 reinstatement during the suspension, reissuance of the license shall be
11 automatic upon the department's receipt of a written release issued by
12 the department of social and health services or a court stating that
13 the licensee is in compliance with the order.

14 **Sec. 523.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
15 read as follows:

16 The director shall have the following powers and duties:

17 (1) To issue all licenses provided for under this chapter;

18 (2) To annually renew licenses under this chapter;

19 (3) To collect all fees prescribed and required under this chapter;

20 (~~and~~)

21 (4) To deny issuing or immediately suspend the license of a person
22 who has been certified pursuant to section 502 of this act by the
23 department of social and health services as a person who is not in
24 compliance with a support order, or (b) has been certified pursuant to
25 section 607 of this act by a court as a person who is not in compliance
26 with a residential or visitation order; and

27 (5) To keep general books of record of all official acts,
28 proceedings, and transactions of the department of licensing while
29 acting under this chapter.

30 NEW SECTION. **Sec. 524.** A new section is added to chapter 18.39
31 RCW to read as follows:

32 (1) In the case of a person who has been denied the issuance of a
33 license under this chapter because the person was certified either (a)
34 by the department of social and health services as a person who is not
35 in compliance with section 502 of this act or (b) by a court as a
36 person who is not in compliance with a residential or visitation order
37 as provided in section 607 of this act, the application of that person

1 may be reviewed by the director for issuance of a license after the
2 person provides the director a written release issued by the department
3 of social and health services or a court stating that the person is in
4 compliance with the order.

5 (2) In the case of suspension for failure to comply with a support
6 order under chapter 74.20A RCW or a residential or visitation order
7 under chapter 26.09 RCW, if the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of a
9 license shall be automatic upon the director's receipt of a written
10 release issued by the department of social and health services or a
11 court stating that the individual is in compliance with the order.

12 NEW SECTION. **Sec. 525.** A new section is added to chapter 18.43
13 RCW to read as follows:

14 (1) No person who has been certified by the department of social
15 and health services as a person who is not in compliance with a support
16 order as provided in section 502 of this act, or is certified by a
17 court as a person who is not in compliance with a residential or
18 visitation order as provided in section 607 of this act may be issued
19 a certificate of registration under this chapter. The application of
20 a person so certified by the department of social and health services
21 or by a court may be reviewed for issuance of a certificate of
22 registration under this chapter after the person provides the board a
23 written release issued by the department of social and health services
24 or a court stating that the person is in compliance with the order.

25 (2) The board shall immediately suspend the registration of a
26 person who either (a) has been certified pursuant to section 502 of
27 this act by the department of social and health services as a person
28 who is not in compliance with a support order, or (b) has been
29 certified pursuant to section 607 of this act by a court as a person
30 who is not in compliance with a residential or visitation order. If
31 the person has continued to meet all other requirements for membership
32 during the suspension, reissuance of the certificate of registration
33 shall be automatic upon the board's receipt of a written release issued
34 by the department of social and health services or a court stating that
35 the person is in compliance with the order.

36 NEW SECTION. **Sec. 526.** A new section is added to chapter 18.44
37 RCW to read as follows:

1 (1) No person who has been certified by the department of social
2 and health services as a person who is not in compliance with a support
3 order as provided in section 502 of this act, or is certified by a
4 court as a person who is not in compliance with a residential or
5 visitation order as provided in section 607 of this act may be issued
6 a certificate of registration under this chapter. The application of
7 a person so certified by the department of social and health services
8 or by a court may be reviewed for issuance of a certificate of
9 registration under this chapter after the person provides the
10 department a written release issued by the department of social and
11 health services or a court stating that the person is in compliance
12 with the order.

13 (2) The department shall immediately suspend the certificate of
14 registration of a person who either (a) has been certified pursuant to
15 section 502 of this act by the department of social and health services
16 as a person who is not in compliance with a support order, or (b) has
17 been certified pursuant to section 607 of this act by a court as a
18 person who is not in compliance with a residential or visitation order.
19 If the person has continued to meet all other requirements for
20 certification during the suspension, reissuance of the certificate
21 shall be automatic upon the department's receipt of a written release
22 issued by the department of social and health services or a court
23 stating that the person is in compliance with the order.

24 **Sec. 527.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to
25 read as follows:

26 (1) The department may deny, suspend, or revoke a license in any
27 case in which it finds that there has been failure or refusal to comply
28 with the requirements established under this chapter or the rules
29 adopted under it.

30 (2) The department shall deny a license in any case where the
31 applicant has been certified under section 502 of this act by the
32 department of social and health services as a person who is not in
33 compliance with a support order, or is certified by a court as a person
34 who is not in compliance with a residential or visitation order as
35 provided in section 607 of this act. The application of a person so
36 certified by the department of social and health services or by a court
37 may be reviewed for issuance of a license under this chapter after the
38 person provides the department a written release issued by the

1 department of social and health services or a court stating that the
2 person is in compliance with the order.

3 (3) The department shall immediately suspend the license of a
4 person who either (a) has been certified pursuant to section 502 of
5 this act by the department of social and health services as a person
6 who is not in compliance with a support order, or (b) has been
7 certified pursuant to section 607 of this act by a court as a person
8 who is not in compliance with a residential or visitation order. If
9 the person has continued to meet all other requirements for
10 reinstatement during the suspension, reissuance of the license shall be
11 automatic upon the department's receipt of a written release issued by
12 the department of social and health services or a court stating that
13 the person is in compliance with the order.

14 RCW 43.70.115 governs notice of a license denial, revocation,
15 suspension, or modification and provides the right to an adjudicative
16 proceeding.

17 **Sec. 528.** RCW 18.51.054 and 1989 c 372 s 7 are each amended to
18 read as follows:

19 The department may deny a license to any applicant if the
20 department finds that the applicant or any partner, officer, director,
21 managerial employee, or owner of five percent or more of the applicant:

22 (1) Operated a nursing home without a license or under a revoked or
23 suspended license; or

24 (2) Knowingly or with reason to know made a false statement of a
25 material fact (a) in an application for license or any data attached
26 thereto, or (b) in any matter under investigation by the department; or

27 (3) Refused to allow representatives or agents of the department to
28 inspect (a) all books, records, and files required to be maintained or
29 (b) any portion of the premises of the nursing home; or

30 (4) Willfully prevented, interfered with, or attempted to impede in
31 any way (a) the work of any authorized representative of the department
32 or (b) the lawful enforcement of any provision of this chapter or
33 chapter 74.42 RCW; or

34 (5) Has a history of significant noncompliance with federal or
35 state regulations in providing nursing home care. In deciding whether
36 to deny a license under this section, the factors the department
37 considers shall include the gravity and frequency of the noncompliance;
38 or

1 (6) Has been certified pursuant to section 502 of this act by the
2 department of social and health services, division of child support, as
3 a person who is not in compliance with a support order, or is certified
4 by a court as a person who is not in compliance with a residential or
5 visitation order as provided in section 607 of this act. The
6 application of a person so certified by the department of social and
7 health services or by a court may be reviewed for issuance of a license
8 under this chapter after the person provides the department a written
9 release issued by the department of social and health services,
10 division of child support, or a court stating that the person is in
11 compliance with the order.

12 NEW SECTION. Sec. 529. A new section is added to chapter 18.51
13 RCW to read as follows:

14 The department shall immediately suspend the license of a person
15 who either (a) has been certified pursuant to section 502 of this act
16 by the department of social and health services, division of support,
17 as a person who is not in compliance with a child support order, or (b)
18 has been certified pursuant to section 607 of this act by a court as a
19 person who is not in compliance with a residential or visitation order.
20 If the person has continued to meet all other requirements for
21 reinstatement during the suspension, reissuance of the license shall be
22 automatic upon the department's receipt of a written release issued by
23 the division of child support or a court stating that the person is in
24 compliance with the order.

25 NEW SECTION. Sec. 530. A new section is added to chapter 18.76
26 RCW to read as follows:

27 (1) No person who has been certified by the department of social
28 and health services as a person who is not in compliance with a support
29 order as provided in section 502 of this act, or is certified by a
30 court as a person who is not in compliance with a residential or
31 visitation order as provided in section 607 of this act may be issued
32 a certificate under this chapter. The application of a person so
33 certified by the department of social and health services or by a court
34 may be reviewed for issuance of a certificate under this chapter after
35 the person provides the department a written release issued by the
36 department of social and health services or a court stating that the
37 person is in compliance with the order.

1 (2) The department shall immediately suspend the certification of
2 a poison center medical director or a poison information specialist who
3 either (a) has been certified pursuant to section 502 of this act by
4 the department of social and health services as a person who is not in
5 compliance with a support order, or (b) has been certified pursuant to
6 section 607 of this act by a court as a person who is not in compliance
7 with a residential or visitation order. If the person has continued to
8 meet all other requirements for certification during the suspension,
9 reissuance of the certification shall be automatic upon the
10 department's receipt of a written release issued by the department of
11 social and health services or a court stating that the person is in
12 compliance with the order.

13 NEW SECTION. **Sec. 531.** A new section is added to chapter 18.85
14 RCW to read as follows:

15 (1) No person who has been certified by the department of social
16 and health services as a person who is not in compliance with a support
17 order as provided in section 502 of this act, or is certified by a
18 court as a person who is not in compliance with a residential or
19 visitation order as provided in section 607 of this act may be issued
20 a broker's or salesperson's license under this chapter. The
21 application of a person so certified by the department of social and
22 health services or by a court may be reviewed for issuance of a license
23 under this chapter after the person provides the director a written
24 release issued by the department of social and health services or a
25 court stating that the person is in compliance with the order.

26 (2) The director shall immediately suspend the license of a broker
27 or salesperson who either (a) has been certified pursuant to section
28 502 of this act by the department of social and health services as a
29 person who is not in compliance with a support order, or (b) has been
30 certified pursuant to section 607 of this act by a court as a person
31 who is not in compliance with a residential or visitation order. If
32 the person has continued to meet all other requirements for
33 reinstatement during the suspension, reissuance of the license shall be
34 automatic upon the director's receipt of a written release issued by
35 the department of social and health services or a court stating that
36 the person is in compliance with the order.

1 NEW SECTION. **Sec. 532.** A new section is added to chapter 18.96
2 RCW to read as follows:

3 No person who has been certified by the department of social and
4 health services as a person who is not in compliance with a support
5 order as provided in section 502 of this act, or is certified by a
6 court as a person who is not in compliance with a residential or
7 visitation order as provided in section 607 of this act may be issued
8 a certificate of registration under this chapter. The application of
9 a person so certified by the department of social and health services
10 or by a court may be reviewed for issuance of a certificate under this
11 chapter after the person provides the director a written release issued
12 by the department of social and health services or a court stating that
13 the person is in compliance with the order.

14 **Sec. 533.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
15 to read as follows:

16 (1) The director may refuse to renew, or may suspend or revoke, a
17 certificate of registration to use the titles landscape architect,
18 landscape architecture, or landscape architectural in this state upon
19 the following grounds:

20 ~~((1))~~ (a) The holder of the certificate of registration is
21 impersonating a practitioner or former practitioner.

22 ~~((2))~~ (b) The holder of the certificate of registration is guilty
23 of fraud, deceit, gross negligence, gross incompetency or gross
24 misconduct in the practice of landscape architecture.

25 ~~((3))~~ (c) The holder of the certificate of registration permits
26 his seal to be affixed to any plans, specifications or drawings that
27 were not prepared by him or under his personal supervision by employees
28 subject to his direction and control.

29 ~~((4))~~ (d) The holder of the certificate has committed fraud in
30 applying for or obtaining a certificate.

31 (2) The director shall immediately suspend the certificate of
32 registration of a landscape architect who either (a) has been certified
33 pursuant to section 502 of this act by the department of social and
34 health services as a person who is not in compliance with a support
35 order, or (b) has been certified pursuant to section 607 of this act by
36 a court as a person who is not in compliance with a residential or
37 visitation order. If the person has continued to meet all other
38 requirements for certification during the suspension, reissuance of the

1 certificate of registration shall be automatic upon the director's
2 receipt of a written release issued by the department of social and
3 health services or a court stating that the person is in compliance
4 with the order.

5 **Sec. 534.** RCW 18.96.150 and 1993 c 35 s 6 are each amended to read
6 as follows:

7 Except as provided in section 532 of this act, the director shall
8 issue a certificate of registration upon payment of the registration
9 fee as provided in this chapter to any applicant who has satisfactorily
10 met all requirements for registration. All certificates of
11 registration shall show the full name of the registrant, shall have a
12 serial number and shall be signed by the chairman and the executive
13 secretary of the board, and by the director.

14 Each registrant shall obtain a seal of a design authorized by the
15 board, bearing the registrant's name and the legend, "registered
16 landscape architect". All sheets of drawings and title pages of
17 specifications prepared by the registrant shall be stamped with said
18 seal.

19 NEW SECTION. **Sec. 535.** A new section is added to chapter 18.104
20 RCW to read as follows:

21 No person who has been certified by the department of social and
22 health services as a person who is not in compliance with a support
23 order as provided in section 502 of this act, or is certified by a
24 court as a person who is not in compliance with a residential or
25 visitation order as provided in section 607 of this act may be issued
26 a license under this chapter. The application of a person so certified
27 by the department of social and health services or by a court may be
28 reviewed for issuance of a license under this chapter after the person
29 provides the department a written release issued by the department of
30 social and health services or a court stating that the person is in
31 compliance with the order.

32 **Sec. 536.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
33 read as follows:

34 (1) In cases other than those relating to the failure of a licensee
35 to renew a license, the director may suspend or revoke a license issued
36 pursuant to this chapter for any of the following reasons:

1 (~~(1)~~) (a) For fraud or deception in obtaining the license;
2 (~~(2)~~) (b) For fraud or deception in reporting under RCW
3 18.104.050;
4 (~~(3)~~) (c) For violating the provisions of this chapter, or of any
5 lawful rule or regulation of the department or the department of
6 health.

7 (2) The director shall immediately suspend any license issued under
8 this chapter if the holder of the license either (a) has been certified
9 pursuant to section 502 of this act by the department of social and
10 health services as a person who is not in compliance with a support
11 order, or (b) has been certified pursuant to section 607 of this act by
12 a court as a person who is not in compliance with a residential or
13 visitation order. If the person has continued to meet all other
14 requirements for reinstatement during the suspension, reissuance of the
15 license shall be automatic upon the director's receipt of a written
16 release issued by the department of social and health services or a
17 court stating that the person is in compliance with the order.

18 (3) No license shall be suspended for more than six months, except
19 that a suspension under section 502 or 607 of this act shall continue
20 until the department receives a written release issued by the
21 department of social and health services or a court stating that the
22 person is in compliance with the order.

23 (4) No person whose license is revoked shall be eligible to apply
24 for a license for one year from the effective date of the final order
25 of revocation.

26 **Sec. 537.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to
27 read as follows:

28 (1) Except as provided in section 538 of this act, the department
29 shall issue a certificate of competency to all applicants who have
30 passed the examination and have paid the fee for the certificate. The
31 certificate shall bear the date of issuance, and shall expire on the
32 birthdate of the holder immediately following the date of issuance.
33 The certificate shall be renewable every other year, upon application,
34 on or before the birthdate of the holder. A renewal fee shall be
35 assessed for each certificate. If a person fails to renew the
36 certificate by the renewal date, he or she must pay a doubled fee. If
37 the person does not renew the certificate within ninety days of the

1 renewal date, he or she must retake the examination and pay the
2 examination fee.

3 The certificate of competency and the temporary permit provided for
4 in this chapter grant the holder the right to engage in the work of
5 plumbing as a journeyman plumber or specialty plumber in accordance
6 with their provisions throughout the state and within any of its
7 political subdivisions on any job or any employment without additional
8 proof of competency or any other license or permit or fee to engage in
9 the work. This section does not preclude employees from adhering to a
10 union security clause in any employment where such a requirement
11 exists.

12 (2) A person who is indentured in an apprenticeship program
13 approved under chapter 49.04 RCW for the plumbing construction trade or
14 who is learning the plumbing construction trade may work in the
15 plumbing construction trade if supervised by a certified journeyman
16 plumber or a certified specialty plumber in that plumber's specialty.
17 All apprentices and individuals learning the plumbing construction
18 trade shall obtain a plumbing training certificate from the department.
19 The certificate shall authorize the holder to learn the plumbing
20 construction trade while under the direct supervision of a journeyman
21 plumber or a specialty plumber working in his or her specialty. The
22 holder of the plumbing training certificate shall renew the certificate
23 annually. At the time of renewal, the holder shall provide the
24 department with an accurate list of the holder's employers in the
25 plumbing construction industry for the previous year and the number of
26 hours worked for each employer. An annual fee shall be charged for the
27 issuance or renewal of the certificate. The department shall set the
28 fee by rule. The fee shall cover but not exceed the cost of
29 administering and enforcing the trainee certification and supervision
30 requirements of this chapter. Apprentices and individuals learning the
31 plumbing construction trade shall have their plumbing training
32 certificates in their possession at all times that they are performing
33 plumbing work. They shall show their certificates to an authorized
34 representative of the department at the representative's request.

35 (3) Any person who has been issued a plumbing training certificate
36 under this chapter may work if that person is under supervision.
37 Supervision shall consist of a person being on the same job site and
38 under the control of either a journeyman plumber or an appropriate
39 specialty plumber who has an applicable certificate of competency

1 issued under this chapter. Either a journeyman plumber or an
2 appropriate specialty plumber shall be on the same job site as the
3 noncertified individual for a minimum of seventy-five percent of each
4 working day unless otherwise provided in this chapter. The ratio of
5 noncertified individuals to certified journeymen or specialty plumbers
6 working on a job site shall be: (a) From July 28, 1985, through June
7 30, 1988, not more than three noncertified plumbers working on any one
8 job site for every certified journeyman or specialty plumber; (b)
9 effective July 1, 1988, not more than two noncertified plumbers working
10 on any one job site for every certified specialty plumber or journeyman
11 plumber working as a specialty plumber; and (c) effective July 1, 1988,
12 not more than one noncertified plumber working on any one job site for
13 every certified journeyman plumber working as a journeyman plumber.

14 An individual who has a current training certificate and who has
15 successfully completed or is currently enrolled in an approved
16 apprenticeship program or in a technical school program in the plumbing
17 construction trade in a school approved by the (~~commission for~~
18 ~~vocational education~~) work force training and education coordinating
19 board, may work without direct on-site supervision during the last six
20 months of meeting the practical experience requirements of this
21 chapter.

22 NEW SECTION. Sec. 538. A new section is added to chapter 18.106
23 RCW to read as follows:

24 (1) No person who has been certified by the department of social
25 and health services as a person who is not in compliance with a support
26 order as provided in section 502 of this act, or is certified by a
27 court as a person who is not in compliance with a residential or
28 visitation order as provided in section 607 of this act may be issued
29 a certificate of competency under this chapter. The application of a
30 person so certified by the department of social and health services or
31 by a court may be reviewed for issuance of a certificate of competency
32 under this chapter after the person provides the department a written
33 release issued by the department of social and health services or a
34 court stating that the person is in compliance with the order.

35 (2) The department shall immediately suspend any certificate of
36 competency issued under this chapter if the holder of the certificate
37 either (a) has been certified pursuant to section 502 of this act by
38 the department of social and health services as a person who is not in

1 compliance with a support order, or (b) has been certified pursuant to
2 section 607 of this act by a court as a person who is not in compliance
3 with a residential or visitation order. If the person has continued to
4 meet all other requirements for certification during the suspension,
5 reissuance of the certificate of competency shall be automatic upon the
6 department's receipt of a written release issued by the department of
7 social and health services or a court stating that the person is in
8 compliance with the order.

9 NEW SECTION. **Sec. 539.** A new section is added to chapter 18.130
10 RCW to read as follows:

11 The disciplining authority shall immediately suspend the license of
12 any person subject to this chapter who either (1) has been certified by
13 the department of social and health services as a person who is not in
14 compliance with a support order as provided in section 502 of this act,
15 or (2) has been certified pursuant to section 607 of this act by a
16 court as a person who is not in compliance with a residential or
17 visitation order.

18 **Sec. 540.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to
19 read as follows:

20 The disciplining authority has the following authority:

21 (1) To adopt, amend, and rescind such rules as are deemed necessary
22 to carry out this chapter;

23 (2) To investigate all complaints or reports of unprofessional
24 conduct as defined in this chapter and to hold hearings as provided in
25 this chapter;

26 (3) To issue subpoenas and administer oaths in connection with any
27 investigation, hearing, or proceeding held under this chapter;

28 (4) To take or cause depositions to be taken and use other
29 discovery procedures as needed in any investigation, hearing, or
30 proceeding held under this chapter;

31 (5) To compel attendance of witnesses at hearings;

32 (6) In the course of investigating a complaint or report of
33 unprofessional conduct, to conduct practice reviews;

34 (7) To take emergency action ordering summary suspension of a
35 license, or restriction or limitation of the licensee's practice
36 pending proceedings by the disciplining authority;

1 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
2 or the office of administrative hearings as authorized in chapter 34.12
3 RCW to conduct hearings. The disciplining authority shall make the
4 final decision regarding disposition of the license unless the
5 disciplining authority elects to delegate in writing the final decision
6 to the presiding officer;

7 (9) To use individual members of the boards to direct
8 investigations. However, the member of the board shall not
9 subsequently participate in the hearing of the case;

10 (10) To enter into contracts for professional services determined
11 to be necessary for adequate enforcement of this chapter;

12 (11) To contract with licensees or other persons or organizations
13 to provide services necessary for the monitoring and supervision of
14 licensees who are placed on probation, whose professional activities
15 are restricted, or who are for any authorized purpose subject to
16 monitoring by the disciplining authority;

17 (12) To adopt standards of professional conduct or practice;

18 (13) To grant or deny license applications, and in the event of a
19 finding of unprofessional conduct by an applicant or license holder, to
20 impose any sanction against a license applicant or license holder
21 provided by this chapter;

22 (14) To designate individuals authorized to sign subpoenas and
23 statements of charges;

24 (15) To establish panels consisting of three or more members of the
25 board to perform any duty or authority within the board's jurisdiction
26 under this chapter;

27 (16) To review and audit the records of licensed health facilities'
28 or services' quality assurance committee decisions in which a
29 licensee's practice privilege or employment is terminated or
30 restricted. Each health facility or service shall produce and make
31 accessible to the disciplining authority the appropriate records and
32 otherwise facilitate the review and audit. Information so gained shall
33 not be subject to discovery or introduction into evidence in any civil
34 action pursuant to RCW 70.41.200(3);

35 (17) To immediately suspend the license of a person who either (a)
36 has been certified by the department of social and health services as
37 not in compliance with a support order as provided in section 502 of
38 this act, or (b) has been certified pursuant to section 607 of this act

1 by a court as a person who is not in compliance with a residential or
2 visitation order.

3 **Sec. 541.** RCW 18.130.120 and 1984 c 279 s 12 are each amended to
4 read as follows:

5 The department shall not issue any license to any person whose
6 license has been denied, revoked, or suspended by the disciplining
7 authority except in conformity with the terms and conditions of the
8 certificate or order of denial, revocation, or suspension, or in
9 conformity with any order of reinstatement issued by the disciplining
10 authority, or in accordance with the final judgment in any proceeding
11 for review instituted under this chapter.

12 The department shall not issue a license to a person who has been
13 certified by the department of social and health services as a person
14 who is not in compliance with a support order as provided in section
15 502 of this act, or is certified by a court as a person who is not in
16 compliance with a residential or visitation order as provided in
17 section 607 of this act. The license may be issued after the person
18 provides the department a written release from the department of social
19 and health services or a court stating that the person is in compliance
20 with the order.

21 **Sec. 542.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
22 read as follows:

23 A person whose license has been suspended or revoked under this
24 chapter may petition the disciplining authority for reinstatement after
25 an interval as determined by the disciplining authority in the order.
26 The disciplining authority shall hold hearings on the petition and may
27 deny the petition or may order reinstatement and impose terms and
28 conditions as provided in RCW 18.130.160 and issue an order of
29 reinstatement. The disciplining authority may require successful
30 completion of an examination as a condition of reinstatement.

31 A person whose license has been suspended for noncompliance with a
32 support order under section 502 of this act or for noncompliance with
33 a residential or visitation order under chapter 26.09 RCW may petition
34 for reinstatement at any time by providing the disciplining authority
35 a written release issued by the department of social and health
36 services or a court stating that the person is in compliance with the
37 order. If the person has continued to meet all other requirements for

1 reinstatement during the suspension, the disciplining authority shall
2 automatically reissue the person's license upon receipt of the release,
3 and payment of a reinstatement fee, if any.

4 NEW SECTION. **Sec. 543.** A new section is added to chapter 18.140
5 RCW to read as follows:

6 (1) No person who has been certified by the department of social
7 and health services as a person who is not in compliance with a support
8 order as provided in section 502 of this act, or is certified by a
9 court as a person who is not in compliance with a residential or
10 visitation order as provided in section 607 of this act may be issued
11 a license or certificate under this chapter. The application of a
12 person so certified by the department of social and health services or
13 by a court may be reviewed for issuance of a license or certificate
14 after the person provides the director a written release issued by the
15 department of social and health services or a court stating that the
16 person is in compliance with the order.

17 (2) The director shall immediately suspend any license or
18 certificate issued under this chapter if the holder either (a) has been
19 certified pursuant to section 502 of this act by the department of
20 social and health services as a person who is not in compliance with a
21 support order, or (b) has been certified pursuant to section 607 of
22 this act by a court as a person who is not in compliance with a
23 residential or visitation order. If the person has continued to meet
24 all other requirements for reinstatement during the suspension,
25 reissuance of the license or certificate shall be automatic upon the
26 director's receipt of a written release issued by the department of
27 social and health services or a court stating that the person is in
28 compliance with the order.

29 **Sec. 544.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8
30 are each reenacted and amended to read as follows:

31 Except as provided in section 545 of this act, the department
32 shall issue a certificate to any applicant who meets the standards
33 established under this chapter and who:

34 (1) Is holding one of the following:

35 (a) Certificate of proficiency, registered professional reporter,
36 registered merit reporter, or registered diplomate reporter from [the]
37 national court reporters association;

1 (b) Certificate of proficiency or certificate of merit from [the]
2 national stenomask verbatim reporters association; or

3 (c) A current Washington state court reporter certification; or

4 (2) Has passed an examination approved by the director or an
5 examination that meets or exceeds the standards established by the
6 director.

7 NEW SECTION. **Sec. 545.** A new section is added to chapter 18.145
8 RCW to read as follows:

9 (1) No person who has been certified by the department of social
10 and health services as a person who is not in compliance with a support
11 order as provided in section 502 of this act, or is certified by a
12 court as a person who is not in compliance with a residential or
13 visitation order as provided in section 607 of this act may be issued
14 a certificate under this chapter. The application of a person so
15 certified by the department of social and health services or by a court
16 may be reviewed for issuance of a certificate after the person provides
17 the director a written release issued by the department of social and
18 health services or a court stating that the person is in compliance
19 with the order.

20 (2) The director shall immediately suspend any certificate issued
21 under this chapter if the holder either (a) has been certified pursuant
22 to section 502 of this act by the department of social and health
23 services as a person who is not in compliance with a support order, or
24 (b) has been certified pursuant to section 607 of this act by a court
25 as a person who is not in compliance with a residential or visitation
26 order. If the person has continued to meet all other requirements for
27 certification during the suspension, reissuance of the certificate
28 shall be automatic upon the director's receipt of a written release
29 issued by the department of social and health services or a court
30 stating that the person is in compliance with the order.

31 **Sec. 546.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
32 read as follows:

33 (1) The state director of fire protection may refuse to issue or
34 renew or may suspend or revoke the privilege of a licensed fire
35 protection sprinkler system contractor or the certificate of a
36 certificate of competency holder to engage in the fire protection

1 sprinkler system business or in lieu thereof, establish penalties as
2 prescribed by Washington state law, for any of the following reasons:

3 (a) Gross incompetency or gross negligence in the preparation of
4 technical drawings, installation, repair, alteration, maintenance,
5 inspection, service, or addition to fire protection sprinkler systems;

6 (b) Conviction of a felony;

7 (c) Fraudulent or dishonest practices while engaging in the fire
8 protection sprinkler systems business;

9 (d) Use of false evidence or misrepresentation in an application
10 for a license or certificate of competency;

11 (e) Permitting his or her license to be used in connection with the
12 preparation of any technical drawings which have not been prepared by
13 him or her personally or under his or her immediate supervision, or in
14 violation of this chapter; or

15 (f) Knowingly violating any provisions of this chapter or the
16 regulations issued thereunder.

17 (2) The state director of fire protection shall revoke the license
18 of a licensed fire protection sprinkler system contractor or the
19 certificate of a certificate of competency holder who engages in the
20 fire protection sprinkler system business while the license or
21 certificate of competency is suspended.

22 (3) The state director of fire protection shall refuse to issue or
23 immediately suspend any license or certificate issued under this
24 chapter if the holder either (a) has been certified pursuant to section
25 502 of this act by the department of social and health services as a
26 person who is not in compliance with a support order, or (b) has been
27 certified pursuant to section 607 of this act by a court as a person
28 who is not in compliance with a residential or visitation order. If
29 the person has continued to meet all other requirements for issuance or
30 reinstatement during the suspension, issuance or reissuance of the
31 license or certificate shall be automatic upon the director's receipt
32 of a written release issued by the department of social and health
33 services or a court stating that the person is in compliance with the
34 order.

35 (4) Any licensee or certificate of competency holder who is
36 aggrieved by an order of the state director of fire protection
37 suspending or revoking a license may, within thirty days after notice
38 of such suspension or revocation, appeal under chapter 34.05 RCW.

1 **Sec. 547.** RCW 18.165.160 and 1995 c 277 s 34 are each amended to
2 read as follows:

3 The following acts are prohibited and constitute grounds for
4 disciplinary action, assessing administrative penalties, or denial,
5 suspension, or revocation of any license under this chapter, as deemed
6 appropriate by the director:

7 (1) Knowingly violating any of the provisions of this chapter or
8 the rules adopted under this chapter;

9 (2) Knowingly making a material misstatement or omission in the
10 application for or renewal of a license or firearms certificate,
11 including falsifying requested identification information;

12 (3) Not meeting the qualifications set forth in RCW 18.165.030,
13 18.165.040, or 18.165.050;

14 (4) Failing to return immediately on demand a firearm issued by an
15 employer;

16 (5) Carrying a firearm in the performance of his or her duties if
17 not the holder of a valid armed private investigator license, or
18 carrying a firearm not meeting the provisions of this chapter while in
19 the performance of his or her duties;

20 (6) Failing to return immediately on demand company identification,
21 badges, or other items issued to the private investigator by an
22 employer;

23 (7) Making any statement that would reasonably cause another person
24 to believe that the private investigator is a sworn peace officer;

25 (8) Divulging confidential information obtained in the course of
26 any investigation to which he or she was assigned;

27 (9) Acceptance of employment that is adverse to a client or former
28 client and relates to a matter about which a licensee has obtained
29 confidential information by reason of or in the course of the
30 licensee's employment by the client;

31 (10) Conviction of a gross misdemeanor or felony or the commission
32 of any act involving moral turpitude, dishonesty, or corruption whether
33 the act constitutes a crime or not. If the act constitutes a crime,
34 conviction in a criminal proceeding is not a condition precedent to
35 disciplinary action. Upon such a conviction, however, the judgment and
36 sentence is conclusive evidence at the ensuing disciplinary hearing of
37 the guilt of the license holder or applicant of the crime described in
38 the indictment or information, and of the person's violation of the
39 statute on which it is based. For the purposes of this section,

1 conviction includes all instances in which a plea of guilty or nolo
2 contendere is the basis for the conviction and all proceedings in which
3 the sentence has been deferred or suspended;

4 (11) Advertising that is false, fraudulent, or misleading;

5 (12) Incompetence or negligence that results in injury to a person
6 or that creates an unreasonable risk that a person may be harmed;

7 (13) Suspension, revocation, or restriction of the individual's
8 license to practice the profession by competent authority in any state,
9 federal, or foreign jurisdiction, a certified copy of the order,
10 stipulation, or agreement being conclusive evidence of the revocation,
11 suspension, or restriction;

12 (14) Failure to cooperate with the director by:

13 (a) Not furnishing any necessary papers or documents requested by
14 the director for purposes of conducting an investigation for
15 disciplinary action, denial, suspension, or revocation of a license
16 under this chapter;

17 (b) Not furnishing in writing a full and complete explanation
18 covering the matter contained in a complaint filed with the department;
19 or

20 (c) Not responding to subpoenas issued by the director, whether or
21 not the recipient of the subpoena is the accused in the proceeding;

22 (15) Failure to comply with an order issued by the director or an
23 assurance of discontinuance entered into with the director;

24 (16) Aiding or abetting an unlicensed person to practice if a
25 license is required;

26 (17) Misrepresentation or fraud in any aspect of the conduct of the
27 business or profession;

28 (18) Failure to adequately supervise employees to the extent that
29 the public health or safety is at risk;

30 (19) Interference with an investigation or disciplinary proceeding
31 by willful misrepresentation of facts before the director or the
32 director's authorized representative, or by the use of threats or
33 harassment against any client or witness to prevent them from providing
34 evidence in a disciplinary proceeding or any other legal action;

35 (20) Assigning or transferring any license issued pursuant to the
36 provisions of this chapter, except as provided in RCW 18.165.050;

37 (21) Assisting a client to locate, trace, or contact a person when
38 the investigator knows that the client is prohibited by any court order
39 from harassing or contacting the person whom the investigator is being

1 asked to locate, trace, or contact, as it pertains to domestic
2 violence, stalking, or minor children;

3 (22) Failure to maintain bond or insurance; (~~or~~)

4 (23) Failure to have a qualifying principal in place; or

5 (24) Being certified as not in compliance with a support order as
6 provided in section 502 of this act or not in compliance with a
7 residential or visitation order under section 607 of this act.

8 NEW SECTION. Sec. 548. A new section is added to chapter 18.165
9 RCW to read as follows:

10 (1) No person who has been certified by the department of social
11 and health services as a person who is not in compliance with a support
12 order as provided in section 502 of this act, or is certified by a
13 court as a person who is not in compliance with a residential or
14 visitation order as provided in section 607 of this act may be issued
15 a license under this chapter. The application of a person so certified
16 by the department of social and health services or by a court may be
17 reviewed for issuance of a license after the person provides the
18 director a written release issued by the department of social and
19 health services or a court stating that the person is in compliance
20 with the order.

21 (2) The director shall immediately suspend a license issued under
22 this chapter if the holder either (a) has been certified pursuant to
23 section 502 of this act by the department of social and health services
24 as a person who is not in compliance with a support order, or (b) has
25 been certified pursuant to section 607 of this act by a court as a
26 person who is not in compliance with a residential or visitation order.
27 If the person has continued to meet all other requirements for
28 reinstatement during the suspension, reissuance of the license shall be
29 automatic upon the director's receipt of a written release issued by
30 the department of social and health services or a court stating that
31 the person is in compliance with the order.

32 **Sec. 549.** RCW 18.170.170 and 1995 c 277 s 12 are each amended to
33 read as follows:

34 In addition to the provisions of section 550 of this act, the
35 following acts are prohibited and constitute grounds for disciplinary
36 action, assessing administrative penalties, or denial, suspension, or

1 revocation of any license under this chapter, as deemed appropriate by
2 the director:

3 (1) Knowingly violating any of the provisions of this chapter or
4 the rules adopted under this chapter;

5 (2) Practicing fraud, deceit, or misrepresentation in any of the
6 private security activities covered by this chapter;

7 (3) Knowingly making a material misstatement or omission in the
8 application for a license or firearms certificate;

9 (4) Not meeting the qualifications set forth in RCW 18.170.030,
10 18.170.040, or 18.170.060;

11 (5) Failing to return immediately on demand a firearm issued by an
12 employer;

13 (6) Carrying a firearm in the performance of his or her duties if
14 not the holder of a valid armed private security guard license, or
15 carrying a firearm not meeting the provisions of this chapter while in
16 the performance of his or her duties;

17 (7) Failing to return immediately on demand any uniform, badge, or
18 other item of equipment issued to the private security guard by an
19 employer;

20 (8) Making any statement that would reasonably cause another person
21 to believe that the private security guard is a sworn peace officer;

22 (9) Divulging confidential information that may compromise the
23 security of any premises, or valuables shipment, or any activity of a
24 client to which he or she was assigned;

25 (10) Conviction of a gross misdemeanor or felony or the commission
26 of any act involving moral turpitude, dishonesty, or corruption whether
27 the act constitutes a crime or not. If the act constitutes a crime,
28 conviction in a criminal proceeding is not a condition precedent to
29 disciplinary action. Upon such a conviction, however, the judgment and
30 sentence is conclusive evidence at the ensuing disciplinary hearing of
31 the guilt of the license holder or applicant of the crime described in
32 the indictment or information, and of the person's violation of the
33 statute on which it is based. For the purposes of this section,
34 conviction includes all instances in which a plea of guilty or nolo
35 contendere is the basis for the conviction and all proceedings in which
36 the sentence has been deferred or suspended;

37 (11) Misrepresentation or concealment of a material fact in
38 obtaining a license or in reinstatement thereof;

39 (12) Advertising that is false, fraudulent, or misleading;

1 (13) Incompetence or negligence that results in injury to a person
2 or that creates an unreasonable risk that a person may be harmed;

3 (14) Suspension, revocation, or restriction of the individual's
4 license to practice the profession by competent authority in any state,
5 federal, or foreign jurisdiction, a certified copy of the order,
6 stipulation, or agreement being conclusive evidence of the revocation,
7 suspension, or restriction;

8 (15) Failure to cooperate with the director by:

9 (a) Not furnishing any necessary papers or documents requested by
10 the director for purposes of conducting an investigation for
11 disciplinary action, denial, suspension, or revocation of a license
12 under this chapter;

13 (b) Not furnishing in writing a full and complete explanation
14 covering the matter contained in a complaint filed with the department;
15 or

16 (c) Not responding to subpoenas issued by the director, whether or
17 not the recipient of the subpoena is the accused in the proceeding;

18 (16) Failure to comply with an order issued by the director or an
19 assurance of discontinuance entered into with the disciplining
20 authority;

21 (17) Aiding or abetting an unlicensed person to practice if a
22 license is required;

23 (18) Misrepresentation or fraud in any aspect of the conduct of the
24 business or profession;

25 (19) Failure to adequately supervise employees to the extent that
26 the public health or safety is at risk;

27 (20) Interference with an investigation or disciplinary proceeding
28 by willful misrepresentation of facts before the director or the
29 director's authorized representative, or by the use of threats or
30 harassment against a client or witness to prevent them from providing
31 evidence in a disciplinary proceeding or any other legal action;

32 (21) Assigning or transferring any license issued pursuant to the
33 provisions of this chapter, except as provided in RCW 18.170.060;

34 (22) Failure to maintain insurance; and

35 (23) Failure to have a qualifying principal in place.

36 NEW SECTION. **Sec. 550.** A new section is added to chapter 18.170
37 RCW to read as follows:

1 (1) No person who has been certified by the department of social
2 and health services as a person who is not in compliance with a support
3 order as provided in section 502 of this act, or is certified by a
4 court as a person who is not in compliance with a residential or
5 visitation order as provided in section 607 of this act may be issued
6 a license under this chapter. The application of a person so certified
7 by the department of social and health services or by a court may be
8 reviewed for issuance of a license after the person provides the
9 director a written release issued by the department of social and
10 health services or a court stating that the person is in compliance
11 with the order.

12 (2) The director shall immediately suspend any license issued under
13 this chapter if the holder either (a) has been certified pursuant to
14 section 502 of this act by the department of social and health services
15 as a person who is not in compliance with a support order, or (b) has
16 been certified pursuant to section 607 of this act by a court as a
17 person who is not in compliance with a residential or visitation order.
18 If the person has continued to meet all other requirements for
19 reinstatement during the suspension, reissuance of the license shall be
20 automatic upon the director's receipt of a written release issued by
21 the department of social and health services or a court stating that
22 the person is in compliance with the order.

23 NEW SECTION. **Sec. 551.** A new section is added to chapter 18.175
24 RCW to read as follows:

25 (1) No person who has been certified by the department of social
26 and health services as a person who is not in compliance with a support
27 order as provided in section 502 of this act, or is certified by a
28 court as a person who is not in compliance with a residential or
29 visitation order as provided in section 607 of this act may be issued
30 a certificate of registration under this chapter. The application of
31 a person so certified by the department of social and health services
32 or by a court may be reviewed for issuance of a certificate of
33 registration after the person provides the director a written release
34 issued by the department of social and health services or a court
35 stating that the person is in compliance with the order.

36 (2) The director shall immediately suspend a certificate of
37 registration issued under this chapter if the holder either (a) has
38 been certified pursuant to section 502 of this act by the department of

1 social and health services as a person who is not in compliance with a
2 support order, or (b) has been certified pursuant to section 607 of
3 this act by a court as a person who is not in compliance with a
4 residential or visitation order. If the person has continued to meet
5 all other requirements for certification during the suspension,
6 reissuance of the certificate shall be automatic upon the director's
7 receipt of a written release issued by the department of social and
8 health services or a court stating that the person is in compliance
9 with the order.

10 NEW SECTION. **Sec. 552.** A new section is added to chapter 18.185
11 RCW to read as follows:

12 (1) No person who has been certified by the department of social
13 and health services as a person who is not in compliance with a support
14 order as provided in section 502 of this act, or is certified by a
15 court as a person who is not in compliance with a residential or
16 visitation order as provided in section 607 of this act may be issued
17 a license under this chapter. The application of a person so certified
18 by the department of social and health services or by a court may be
19 reviewed for issuance of a license after the person provides the
20 director a written release issued by the department of social and
21 health services or a court stating that the person is in compliance
22 with the order.

23 (2) The director shall immediately suspend any license issued under
24 this chapter if the holder either (a) has been certified pursuant to
25 section 502 of this act by the department of social and health services
26 as a person who is not in compliance with a support order, or (b) has
27 been certified pursuant to section 607 of this act by a court as a
28 person who is not in compliance with a residential or visitation order.
29 If the person has continued to meet all other requirements for
30 reinstatement during the suspension, reissuance of the license shall be
31 automatic upon the director's receipt of a written release issued by
32 the department of social and health services or a court stating that
33 the person is in compliance with the order.

34 **Sec. 553.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
35 read as follows:

1 This section governs the denial of an application for a license or
2 the suspension, revocation, or modification of a license by the
3 department.

4 (1) The department shall give written notice of the denial of an
5 application for a license to the applicant or his or her agent. The
6 department shall give written notice of revocation, suspension, or
7 modification of a license to the licensee or his or her agent. The
8 notice shall state the reasons for the action. The notice shall be
9 personally served in the manner of service of a summons in a civil
10 action or shall be given in ((an other)) another manner that shows
11 proof of receipt.

12 (2) Except as otherwise provided in this subsection and in
13 subsection (4) of this section, revocation, suspension, or modification
14 is effective twenty-eight days after the licensee or the agent receives
15 the notice.

16 (a) The department may make the date the action is effective later
17 than twenty-eight days after receipt. If the department does so, it
18 shall state the effective date in the written notice given the licensee
19 or agent.

20 (b) The department may make the date the action is effective sooner
21 than twenty-eight days after receipt when necessary to protect the
22 public health, safety, or welfare. When the department does so, it
23 shall state the effective date and the reasons supporting the effective
24 date in the written notice given to the licensee or agent.

25 (c) When the department has received certification pursuant to
26 either (i) chapter 74.20A RCW from the division of child support that
27 the licensee is a person who is not in compliance with a support order
28 or (ii) chapter 26.09 RCW by a court that the licensee is not in
29 compliance with a residential or visitation order, the department shall
30 provide that the suspension is effective immediately upon receipt of
31 the suspension notice by the licensee.

32 (3) Except for licensees suspended for noncompliance with a support
33 order under chapter 74.20A RCW or a residential or visitation order
34 under chapter 26.09 RCW, a license applicant or licensee who is
35 aggrieved by a department denial, revocation, suspension, or
36 modification has the right to an adjudicative proceeding. The
37 proceeding is governed by the Administrative Procedure Act, chapter
38 34.05 RCW. The application must be in writing, state the basis for
39 contesting the adverse action, include a copy of the adverse notice, be

1 served on and received by the department within twenty-eight days of
2 the license applicant's or licensee's receiving the adverse notice, and
3 be served in a manner that shows proof of receipt.

4 (4)(a) If the department gives a licensee twenty-eight or more days
5 notice of revocation, suspension, or modification and the licensee
6 files an appeal before its effective date, the department shall not
7 implement the adverse action until the final order has been entered.
8 The presiding or reviewing officer may permit the department to
9 implement part or all of the adverse action while the proceedings are
10 pending if the appellant causes an unreasonable delay in the
11 proceeding, if the circumstances change so that implementation is in
12 the public interest, or for other good cause.

13 (b) If the department gives a licensee less than twenty-eight days
14 notice of revocation, suspension, or modification and the licensee
15 timely files a sufficient appeal, the department may implement the
16 adverse action on the effective date stated in the notice. The
17 presiding or reviewing officer may order the department to stay
18 implementation of part or all of the adverse action while the
19 proceedings are pending if staying implementation is in the public
20 interest or for other good cause.

21 NEW SECTION. **Sec. 554.** A new section is added to chapter 28A.410
22 RCW to read as follows:

23 (1) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 502 of this act, or is certified by a
26 court as a person who is not in compliance with a residential or
27 visitation order as provided in section 607 of this act may be issued
28 a certificate or permit under this chapter. The application of a
29 person so certified by the department of social and health services or
30 by a court may be reviewed for issuance of a certificate or permit
31 after the person provides the authority authorized to grant the
32 certificate or permit a written release issued by the department of
33 social and health services or a court stating that the person is in
34 compliance with the order.

35 (2) Any certificate or permit authorized under this chapter or
36 chapter 28A.405 RCW shall be suspended by the authority authorized to
37 grant the certificate or permit if (a) either the department of social
38 and health services certifies that the person is not in compliance with

1 a support order as provided in section 502 of this act or (b) a court
2 certifies that the person is not in compliance with a residential or
3 visitation order under chapter 26.09 RCW. If the person continues to
4 meet other requirements for reinstatement during the suspension,
5 reissuance of the certificate or permit shall be automatic after the
6 person provides the authority a written release issued by the
7 department of social and health services or a court stating that the
8 person is in compliance with the order.

9 **Sec. 555.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to
10 read as follows:

11 This section governs the denial of an application for a license or
12 the suspension, revocation, or modification of a license by the
13 department. This section does not govern actions taken under chapter
14 18.130 RCW.

15 (1) The department shall give written notice of the denial of an
16 application for a license to the applicant or his or her agent. The
17 department shall give written notice of revocation, suspension, or
18 modification of a license to the licensee or his or her agent. The
19 notice shall state the reasons for the action. The notice shall be
20 personally served in the manner of service of a summons in a civil
21 action or shall be given in (~~(an other [another])~~) another manner that
22 shows proof of receipt.

23 (2) Except as otherwise provided in this subsection and in
24 subsection (4) of this section, revocation, suspension, or modification
25 is effective twenty-eight days after the licensee or the agent receives
26 the notice.

27 (a) The department may make the date the action is effective later
28 than twenty-eight days after receipt. If the department does so, it
29 shall state the effective date in the written notice given the licensee
30 or agent.

31 (b) The department may make the date the action is effective sooner
32 than twenty-eight days after receipt when necessary to protect the
33 public health, safety, or welfare. When the department does so, it
34 shall state the effective date and the reasons supporting the effective
35 date in the written notice given to the licensee or agent.

36 (c) When the department has received certification pursuant to
37 either (i) chapter 74.20A RCW from the department of social and health
38 services that the licensee is a person who is not in compliance with a

1 child support order or (ii) chapter 26.09 RCW from a court that the
2 licensee is a person who is not in compliance with a residential or
3 visitation order, the department shall provide that the suspension is
4 effective immediately upon receipt of the suspension notice by the
5 licensee.

6 (3) Except for licensees suspended for noncompliance with a child
7 support order under chapter 74.20A RCW or a residential or visitation
8 order under chapter 26.09 RCW, a license applicant or licensee who is
9 aggrieved by a department denial, revocation, suspension, or
10 modification has the right to an adjudicative proceeding. The
11 proceeding is governed by the Administrative Procedure Act, chapter
12 34.05 RCW. The application must be in writing, state the basis for
13 contesting the adverse action, include a copy of the adverse notice, be
14 served on and received by the department within twenty-eight days of
15 the license applicant's or licensee's receiving the adverse notice, and
16 be served in a manner that shows proof of receipt.

17 (4)(a) If the department gives a licensee twenty-eight or more days
18 notice of revocation, suspension, or modification and the licensee
19 files an appeal before its effective date, the department shall not
20 implement the adverse action until the final order has been entered.
21 The presiding or reviewing officer may permit the department to
22 implement part or all of the adverse action while the proceedings are
23 pending if the appellant causes an unreasonable delay in the
24 proceeding, if the circumstances change so that implementation is in
25 the public interest, or for other good cause.

26 (b) If the department gives a licensee less than twenty-eight days
27 notice of revocation, suspension, or modification and the licensee
28 timely files a sufficient appeal, the department may implement the
29 adverse action on the effective date stated in the notice. The
30 presiding or reviewing officer may order the department to stay
31 implementation of part or all of the adverse action while the
32 proceedings are pending if staying implementation is in the public
33 interest or for other good cause.

34 **Sec. 556.** RCW 19.28.120 and 1992 c 217 s 2 are each amended to
35 read as follows:

36 (1) It is unlawful for any person, firm, partnership, corporation,
37 or other entity to engage in, conduct, or carry on the business of
38 installing or maintaining wires or equipment to convey electric

1 current, or installing or maintaining equipment to be operated by
2 electric current as it pertains to the electrical industry, without
3 having an unrevoked, unsuspended, and unexpired electrical contractor
4 license, issued by the department in accordance with this chapter. All
5 electrical contractor licenses expire twenty-four calendar months
6 following the day of their issue. The department may issue an
7 electrical contractors license for a period of less than twenty-four
8 months only for the purpose of equalizing the number of electrical
9 contractor licenses which expire each month. Application for an
10 electrical contractor license shall be made in writing to the
11 department, accompanied by the required fee. The application shall
12 state:

13 (a) The name and address of the applicant; in case of firms or
14 partnerships, the names of the individuals composing the firm or
15 partnership; in case of corporations, the names of the managing
16 officials thereof;

17 (b) The location of the place of business of the applicant and the
18 name under which the business is conducted;

19 (c) Employer social security number;

20 (d) As applicable: (i) The industrial insurance account number
21 covering employees domiciled in Washington; and (ii) evidence of
22 workers' compensation coverage in the applicant's state of domicile for
23 the applicant's employees working in Washington who are not domiciled
24 in Washington;

25 (e) Employment security department number;

26 (f) State excise tax registration number;

27 (g) Unified business identifier (UBI) account number may be
28 substituted for the information required by (d), (e), and (f) of this
29 subsection; and

30 (h) Whether a general or specialty electrical contractor license is
31 sought and, if the latter, the type of specialty. Electrical
32 contractor specialties include, but are not limited to: Residential,
33 domestic appliances, pump and irrigation, limited energy system, signs,
34 nonresidential maintenance, and a combination specialty. A general
35 electrical contractor license shall grant to the holder the right to
36 engage in, conduct, or carry on the business of installing or
37 maintaining wires or equipment to carry electric current, and
38 installing or maintaining equipment, or installing or maintaining
39 material to fasten or insulate such wires or equipment to be operated

1 by electric current, in the state of Washington. A specialty
2 electrical contractor license shall grant to the holder a limited right
3 to engage in, conduct, or carry on the business of installing or
4 maintaining wires or equipment to carry electrical current, and
5 installing or maintaining equipment; or installing or maintaining
6 material to fasten or insulate such wires or equipment to be operated
7 by electric current in the state of Washington as expressly allowed by
8 the license.

9 (2) The department may verify the workers' compensation coverage
10 information provided by the applicant under subsection (1)(d) of this
11 section, including but not limited to information regarding the
12 coverage of an individual employee of the applicant. If coverage is
13 provided under the laws of another state, the department may notify the
14 other state that the applicant is employing employees in Washington.

15 (3) The application for a contractor license shall be accompanied
16 by a bond in the sum of four thousand dollars with the state of
17 Washington named as obligee in the bond, with good and sufficient
18 surety, to be approved by the department. The bond shall at all times
19 be kept in full force and effect, and any cancellation or revocation
20 thereof, or withdrawal of the surety therefrom, suspends the license
21 issued to the principal until a new bond has been filed and approved as
22 provided in this section. Upon approval of a bond, the department
23 shall on the next business day deposit the fee accompanying the
24 application in the electrical license fund and shall file the bond in
25 the office. The department shall upon request furnish to any person,
26 firm, partnership, corporation, or other entity a certified copy of the
27 bond upon the payment of a fee that the department shall set by rule.
28 The fee shall cover but not exceed the cost of furnishing the certified
29 copy. The bond shall be conditioned that in any installation or
30 maintenance of wires or equipment to convey electrical current, and
31 equipment to be operated by electrical current, the principal will
32 comply with the provisions of this chapter and with any electrical
33 ordinance, building code, or regulation of a city or town adopted
34 pursuant to RCW 19.28.010(~~(+2)~~) (3) that is in effect at the time of
35 entering into a contract. The bond shall be conditioned further that
36 the principal will pay for all labor, including employee benefits, and
37 material furnished or used upon the work, taxes and contributions to
38 the state of Washington, and all damages that may be sustained by any
39 person, firm, partnership, corporation, or other entity due to a

1 failure of the principal to make the installation or maintenance in
2 accordance with this chapter or any applicable ordinance, building
3 code, or regulation of a city or town adopted pursuant to RCW
4 19.28.010(~~(+2)~~) (3). In lieu of the surety bond required by this
5 section the license applicant may file with the department a cash
6 deposit or other negotiable security acceptable to the department. If
7 the license applicant has filed a cash deposit, the department shall
8 deposit the funds in a special trust savings account in a commercial
9 bank, mutual savings bank, or savings and loan association and shall
10 pay annually to the depositor the interest derived from the account.

11 (4) Except as provided in subsection (6) of this section, the
12 department shall issue general or specialty electrical contractor
13 licenses to applicants meeting all of the requirements of this chapter.
14 The provisions of this chapter relating to the licensing of any person,
15 firm, partnership, corporation, or other entity including the
16 requirement of a bond with the state of Washington named as obligee
17 therein and the collection of a fee therefor, are exclusive, and no
18 political subdivision of the state of Washington may require or issue
19 any licenses or bonds or charge any fee for the same or a similar
20 purpose. No person, firm, partnership, corporation, or other entity
21 holding more than one specialty contractor license under this chapter
22 may be required to pay an annual fee for more than one such license or
23 to post more than one four thousand dollar bond, equivalent cash
24 deposit, or other negotiable security.

25 (5) To obtain a general or specialty electrical contractor license
26 the applicant must designate an individual who currently possesses an
27 administrator's certificate as a general electrical contractor
28 administrator or as a specialty electrical contractor administrator in
29 the specialty for which application has been made. Administrator
30 certificate specialties include but are not limited to: Residential,
31 domestic, appliance, pump and irrigation, limited energy system, signs,
32 nonresidential maintenance, and combination specialty. To obtain an
33 administrator's certificate an individual must pass an examination as
34 set forth in RCW 19.28.123 unless the applicant was a licensed
35 electrical contractor at any time during 1974. Applicants who were
36 electrical contractors licensed by the state of Washington at any time
37 during 1974 are entitled to receive a general electrical contractor
38 administrator's certificate without examination if the applicants apply
39 prior to January 1, 1984. The board of electrical examiners shall

1 certify to the department the names of all persons who are entitled to
2 either a general or specialty electrical contractor administrator's
3 certificate.

4 (6) No person who has been certified by the department of social
5 and health services as a person who is not in compliance with a support
6 order as provided in section 502 of this act, or is certified by a
7 court as a person who is not in compliance with a residential or
8 visitation order as provided in section 607 of this act may be issued
9 a license or certificate under this chapter. The application of a
10 person so certified by the department of social and health services or
11 by a court may be reviewed for issuance of a license or certificate
12 under this chapter after the person provides the department with a
13 written release issued by the department of social and health services
14 or a court stating that the person is in compliance with the order.

15 **Sec. 557.** RCW 19.28.125 and 1988 c 81 s 6 are each amended to read
16 as follows:

17 (1) Each applicant for an electrical contractor's license, other
18 than an individual, shall designate a supervisory employee or member of
19 the firm to take the required administrator's examination. Effective
20 July 1, 1987, a supervisory employee designated as the administrator
21 shall be a full-time supervisory employee. This person shall be
22 designated as administrator under the license. No person may qualify
23 as administrator for more than one contractor. If the relationship of
24 the administrator with the electrical contractor is terminated, the
25 contractor's license is void within ninety days unless another
26 administrator is qualified by the board. However, if the administrator
27 dies, the contractor's license is void within one hundred eighty days
28 unless another administrator is qualified by the board. A certificate
29 issued under this section is valid for two years from the nearest
30 birthdate of the administrator, unless revoked or suspended, and
31 further is nontransferable. The certificate may be renewed for a two-
32 year period without examination by appropriate application unless the
33 certificate has been revoked, suspended, or not renewed within ninety
34 days after the expiration date. If the certificate is not renewed
35 before the expiration date, the individual shall pay twice the usual
36 fee. An individual holding more than one administrator's certificate
37 under this chapter shall not be required to pay annual fees for more

1 than one certificate. A person may take the administrator's test as
2 many times as necessary without limit.

3 (2) The administrator shall:

4 (a) Be a member of the firm or a supervisory employee and shall be
5 available during working hours to carry out the duties of an
6 administrator under this section;

7 (b) Ensure that all electrical work complies with the electrical
8 installation laws and rules of the state;

9 (c) Ensure that the proper electrical safety procedures are used;

10 (d) Ensure that all electrical labels, permits, and licenses
11 required to perform electrical work are used;

12 (e) See that corrective notices issued by an inspecting authority
13 are complied with; and

14 (f) Notify the department in writing within ten days if the
15 administrator terminates the relationship with the electrical
16 contractor.

17 (3) The department shall not by rule change the administrator's
18 duties under subsection (2) of this section.

19 (4) No person who has been certified by the department of social
20 and health services as a person who is not in compliance with a support
21 order as provided in section 502 of this act, or is certified by a
22 court as a person who is not in compliance with a residential or
23 visitation order as provided in section 607 of this act may be issued
24 a license or certificate under this chapter. The application of a
25 person so certified by the department of social and health services or
26 by a court may be reviewed for issuance of a license or certificate
27 under this chapter after the person provides the department with a
28 written release issued by the department of social and health services
29 or a court stating that the person is in compliance with the order.

30 **Sec. 558.** RCW 19.28.310 and 1988 c 81 s 10 are each amended to
31 read as follows:

32 (1) The department has the power, in case of continued
33 noncompliance with the provisions of this chapter, to revoke or suspend
34 for such a period as it determines, any electrical contractor license
35 or electrical contractor administrator certificate issued under this
36 chapter. The department shall notify the holder of the license or
37 certificate of the revocation or suspension by certified mail. A
38 revocation or suspension is effective fifteen days after the holder

1 receives the notice. Any revocation or suspension is subject to review
2 by an appeal to the board. The filing of an appeal stays the effect of
3 a revocation or suspension until the board makes its decision. The
4 appeal shall be filed within fifteen days after notice of the
5 revocation or suspension is given by certified mail sent to the address
6 of the holder of the license or certificate as shown on the application
7 for the license or certificate, and shall be effected by filing a
8 written notice of appeal with the department, accompanied by a
9 certified check for two hundred dollars, which shall be returned to the
10 holder of the license or certificate if the decision of the department
11 is not sustained by the board. The hearing shall be conducted in
12 accordance with chapter 34.05 RCW. If the board sustains the decision
13 of the department, the two hundred dollars shall be applied by the
14 department to the payment of the per diem and expenses of the members
15 of the board incurred in the matter, and any balance remaining after
16 payment of per diem and expenses shall be paid into the electrical
17 license fund.

18 (2) The department shall immediately suspend the license or
19 certificate of a person who either (a) has been certified pursuant to
20 section 502 of this act by the department of social and health services
21 as a person who is not in compliance with a support order, or (b) has
22 been certified pursuant to section 607 of this act by a court as a
23 person who is not in compliance with a residential or visitation order.
24 If the person has continued to meet all other requirements for
25 reinstatement during the suspension, reissuance of the license or
26 certificate shall be automatic upon the department's receipt of a
27 written release issued by the department of social and health services
28 or a court stating that the licensee is in compliance with the order.

29 **Sec. 559.** RCW 19.28.550 and 1993 c 192 s 1 are each amended to
30 read as follows:

31 (1) Except as provided in subsection (5) of this section, the
32 department shall issue a certificate of competency to all applicants
33 who have passed the examination provided in RCW 19.28.540, and who have
34 complied with RCW 19.28.510 through 19.28.620 and the rules adopted
35 under this chapter. The certificate shall bear the date of issuance,
36 and shall expire on October 31st or April 30th, not less than six
37 months nor more than three years immediately following the date of
38 issuance. The certificate shall be renewed every three years, upon

1 application, on or before the holder's birthdate. A fee shall be
2 assessed for each certificate and for each annual renewal.

3 (2) If the certificate holder demonstrates to the department that
4 he or she has satisfactorily completed an annual eight-hour continuing
5 education course, the certificate may be renewed without examination by
6 appropriate application unless the certificate has been revoked,
7 suspended, or not renewed within ninety days after the expiration date.

8 (a) The contents and requirements for satisfactory completion of
9 the continuing education course shall be determined by the director and
10 approved by the board.

11 (b) The department shall accept proof of a certificate holder's
12 satisfactory completion of a continuing education course offered in
13 another state as meeting the requirements for maintaining a current
14 Washington state certificate of competency if the department is
15 satisfied the course is comparable in nature to that required in
16 Washington state for maintaining a current certificate of competency.

17 (3) If the certificate is not renewed before the expiration date,
18 the individual shall pay twice the usual fee. The department shall set
19 the fees by rule for issuance and renewal of a certificate of
20 competency. The fees shall cover but not exceed the costs of issuing
21 the certificates and of administering and enforcing the electrician
22 certification requirements of this chapter.

23 (4) The certificates of competency and temporary permits provided
24 for in this chapter grant the holder the right to work in the
25 electrical construction trade as a journeyman electrician or specialty
26 electrician in accordance with their provisions throughout the state
27 and within any of its political subdivisions without additional proof
28 of competency or any other license, permit, or fee to engage in such
29 work.

30 (5) No person who has been certified by the department of social
31 and health services as a person who is not in compliance with a support
32 order as provided in section 502 of this act, or is certified by a
33 court as a person who is not in compliance with a residential or
34 visitation order as provided in section 607 of this act may be issued
35 a license or certificate under this chapter. The application of a
36 person so certified by the department of social and health services or
37 by a court may be reviewed for issuance of a license or certificate
38 under this chapter after the person provides the department with a

1 written release issued by the department of social and health services
2 or a court stating that the person is in compliance with the order.

3 **Sec. 560.** RCW 19.28.580 and 1988 c 81 s 15 are each amended to
4 read as follows:

5 (1) The department may revoke any certificate of competency upon
6 the following grounds:

7 (a) The certificate was obtained through error or fraud;

8 (b) The holder thereof is judged to be incompetent to work in the
9 electrical construction trade as a journeyman electrician or specialty
10 electrician;

11 (c) The holder thereof has violated any of the provisions of RCW
12 19.28.510 through 19.28.620 or any rule adopted under this chapter.

13 (2) Before any certificate of competency shall be revoked, the
14 holder shall be given written notice of the department's intention to
15 do so, mailed by registered mail, return receipt requested, to the
16 holder's last known address. The notice shall enumerate the
17 allegations against the holder, and shall give the holder the
18 opportunity to request a hearing before the board. At the hearing, the
19 department and the holder may produce witnesses and give testimony.
20 The hearing shall be conducted in accordance with chapter 34.05 RCW.
21 The board shall render its decision based upon the testimony and
22 evidence presented, and shall notify the parties immediately upon
23 reaching its decision. A majority of the board shall be necessary to
24 render a decision.

25 (3) The department shall immediately suspend the license or
26 certificate of a person who either (a) has been certified pursuant to
27 section 502 of this act by the department of social and health services
28 as a person who is not in compliance with a support order, or (b) has
29 been certified pursuant to section 607 of this act by a court as a
30 person who is not in compliance with a residential or visitation order.
31 If the person has continued to meet all other requirements for
32 reinstatement during the suspension, reissuance of the license or
33 certificate shall be automatic upon the department's receipt of a
34 written release issued by the department of social and health services
35 or a court stating that the licensee is in compliance with the order.

36 **Sec. 561.** RCW 19.30.030 and 1985 c 280 s 3 are each amended to
37 read as follows:

1 The director shall not issue to any person a license to act as a
2 farm labor contractor until:

3 (1) Such person has executed a written application on a form
4 prescribed by the director, subscribed and sworn to by the applicant,
5 and containing (a) a statement by the applicant of all facts required
6 by the director concerning the applicant's character, competency,
7 responsibility, and the manner and method by which he or she proposes
8 to conduct operations as a farm labor contractor if such license is
9 issued, and (b) the names and addresses of all persons financially
10 interested, either as partners, stockholders, associates, profit
11 sharers, or providers of board or lodging to agricultural employees in
12 the proposed operation as a labor contractor, together with the amount
13 of their respective interests;

14 (2) The director, after investigation, is satisfied as to the
15 character, competency, and responsibility of the applicant;

16 (3) The applicant has paid to the director a license fee of: (1)
17 Thirty-five dollars in the case of a farm labor contractor not engaged
18 in forestation or reforestation, or (2) one hundred dollars in the case
19 of a farm labor contractor engaged in forestation or reforestation or
20 such other sum as the director finds necessary, and adopts by rule, for
21 the administrative costs of evaluating applications;

22 (4) The applicant has filed proof satisfactory to the director of
23 the existence of a policy of insurance with any insurance carrier
24 authorized to do business in the state of Washington in an amount
25 satisfactory to the director, which insures the contractor against
26 liability for damage to persons or property arising out of the
27 contractor's operation of, or ownership of, any vehicle or vehicles for
28 the transportation of individuals in connection with the contractor's
29 business, activities, or operations as a farm labor contractor;

30 (5) The applicant has filed a surety bond or other security which
31 meets the requirements set forth in RCW 19.30.040;

32 (6) The applicant executes a written statement which shall be
33 subscribed and sworn to and shall contain the following declaration:

34 "With regards to any action filed against me concerning my
35 activities as a farm labor contractor, I appoint the director of the
36 Washington department of labor and industries as my lawful agent to
37 accept service of summons when I am not present in the jurisdiction in
38 which the action is commenced or have in any other way become
39 unavailable to accept service"; and

1 (7) The applicant has stated on his or her application whether or
2 not his or her contractor's license or the license of any of his or her
3 agents, partners, associates, stockholders, or profit sharers has ever
4 been suspended, revoked, or denied by any state or federal agency, and
5 whether or not there are any outstanding judgments against him or her
6 or any of his or her agents, partners, associates, stockholders, or
7 profit sharers in any state or federal court arising out of activities
8 as a farm labor contractor.

9 (8) No person who has been certified by the department of social
10 and health services as a person who is not in compliance with a support
11 order as provided in section 502 of this act, or is certified by a
12 court as a person who is not in compliance with a residential or
13 visitation order as provided in section 607 of this act may be issued
14 a license or certificate under this chapter. The application of a
15 person so certified by the department of social and health services or
16 by a court may be reviewed for issuance of a license or certificate
17 under this chapter after the person provides the department with a
18 written release issued by the department of social and health services
19 or a court stating that the person is in compliance with the order.

20 **Sec. 562.** RCW 19.30.060 and 1985 c 280 s 6 are each amended to
21 read as follows:

22 Any person may protest the grant or renewal of a license under this
23 section. The director may revoke, suspend, or refuse to issue or renew
24 any license when it is shown that:

25 (1) The farm labor contractor or any agent of the contractor has
26 violated or failed to comply with any of the provisions of this
27 chapter;

28 (2) The farm labor contractor has made any misrepresentations or
29 false statements in his or her application for a license;

30 (3) The conditions under which the license was issued have changed
31 or no longer exist;

32 (4) The farm labor contractor, or any agent of the contractor, has
33 violated or wilfully aided or abetted any person in the violation of,
34 or failed to comply with, any law of the state of Washington regulating
35 employment in agriculture, the payment of wages to farm employees, or
36 the conditions, terms, or places of employment affecting the health and
37 safety of farm employees, which is applicable to the business

1 activities, or operations of the contractor in his or her capacity as
2 a farm labor contractor;

3 (5) The farm labor contractor or any agent of the contractor has in
4 recruiting farm labor solicited or induced the violation of any then
5 existing contract of employment of such laborers; or

6 (6) The farm labor contractor or any agent of the contractor has an
7 unsatisfied judgment against him or her in any state or federal court,
8 arising out of his or her farm labor contracting activities.

9 The director shall immediately suspend the license or certificate
10 of a person who either has been certified pursuant to section 502 of
11 this act by the department of social and health services as a person
12 who is not in compliance with a support order, or has been certified
13 pursuant to section 607 of this act by a court as a person who is not
14 in compliance with a residential or visitation order. If the person
15 has continued to meet all other requirements for reinstatement during
16 the suspension, reissuance of the license or certificate shall be
17 automatic upon the director's receipt of a written release issued by
18 the department of social and health services or a court stating that
19 the licensee is in compliance with the order.

20 **Sec. 563.** RCW 19.16.110 and 1994 c 195 s 2 are each amended to
21 read as follows:

22 No person shall act, assume to act, or advertise as a collection
23 agency or out-of-state collection agency as defined in this chapter,
24 except as authorized by this chapter, without first having applied for
25 and obtained a license from the director.

26 Nothing contained in this section shall be construed to require a
27 regular employee of a collection agency or out-of-state collection
28 agency duly licensed under this chapter to procure a collection agency
29 license.

30 No person who has been certified by the department of social and
31 health services as a person who is not in compliance with a support
32 order as provided in section 502 of this act, or is certified by a
33 court as a person who is not in compliance with a residential or
34 visitation order as provided in section 607 of this act may be issued
35 a license or certificate under this chapter. The application of a
36 person so certified by the department of social and health services or
37 by a court may be reviewed for issuance of a license or certificate
38 under this chapter after the person provides the department with a

1 written release issued by the department of social and health services
2 or a court stating that the person is in compliance with the order.

3 **Sec. 564.** RCW 19.16.120 and 1994 c 195 s 3 are each amended to
4 read as follows:

5 In addition to other provisions of this chapter, any license issued
6 pursuant to this chapter or any application therefor may be denied, not
7 renewed, revoked, or suspended, or in lieu of or in addition to
8 suspension a licensee may be assessed a civil, monetary penalty in an
9 amount not to exceed one thousand dollars:

10 (1) If an individual applicant or licensee is less than eighteen
11 years of age or is not a resident of this state.

12 (2) If an applicant or licensee is not authorized to do business in
13 this state.

14 (3) If the application or renewal forms required by this chapter
15 are incomplete, fees required under RCW 19.16.140 and 19.16.150, if
16 applicable, have not been paid, and the surety bond or cash deposit or
17 other negotiable security acceptable to the director required by RCW
18 19.16.190, if applicable, has not been filed or renewed or is canceled.

19 (4) If any individual applicant, owner, officer, director, or
20 managing employee of a nonindividual applicant or licensee:

21 (a) Shall have knowingly made a false statement of a material fact
22 in any application for a collection agency license or an out-of-state
23 collection agency license or renewal thereof, or in any data attached
24 thereto and two years have not elapsed since the date of such
25 statement;

26 (b) Shall have had a license to engage in the business of a
27 collection agency or out-of-state collection agency denied, not
28 renewed, suspended, or revoked by this state, any other state, or
29 foreign country, for any reason other than the nonpayment of licensing
30 fees or failure to meet bonding requirements: PROVIDED, That the terms
31 of this subsection shall not apply if:

32 (i) Two years have elapsed since the time of any such denial,
33 nonrenewal, or revocation; or

34 (ii) The terms of any such suspension have been fulfilled;

35 (c) Has been convicted in any court of any felony involving
36 forgery, embezzlement, obtaining money under false pretenses, larceny,
37 extortion, or conspiracy to defraud and is incarcerated for that

1 offense or five years have not elapsed since the date of such
2 conviction;

3 (d) Has had any judgment entered against him in any civil action
4 involving forgery, embezzlement, obtaining money under false pretenses,
5 larceny, extortion, or conspiracy to defraud and five years have not
6 elapsed since the date of the entry of the final judgment in said
7 action: PROVIDED, That in no event shall a license be issued unless
8 the judgment debt has been discharged;

9 (e) Has had his license to practice law suspended or revoked and
10 two years have not elapsed since the date of such suspension or
11 revocation, unless he has been relicensed to practice law in this
12 state;

13 (f) Has had any judgment entered against him or it under the
14 provisions of RCW 19.86.080 or 19.86.090 involving a violation or
15 violations of RCW 19.86.020 and two years have not elapsed since the
16 entry of the final judgment: PROVIDED, That in no event shall a
17 license be issued unless the terms of such judgment, if any, have been
18 fully complied with: PROVIDED FURTHER, That said judgment shall not be
19 grounds for denial, suspension, nonrenewal, or revocation of a license
20 unless the judgment arises out of and is based on acts of the
21 applicant, owner, officer, director, managing employee, or licensee
22 while acting for or as a collection agency or an out-of-state
23 collection agency;

24 (g) Has petitioned for bankruptcy, and two years have not elapsed
25 since the filing of said petition;

26 (h) Shall be insolvent in the sense that his or its liabilities
27 exceed his or its assets or in the sense that he or it cannot meet his
28 or its obligations as they mature;

29 (i) Has failed to pay any civil, monetary penalty assessed in
30 accordance with RCW 19.16.351 or 19.16.360 within ten days after the
31 assessment becomes final;

32 (j) Has knowingly failed to comply with, or violated any provisions
33 of this chapter or any rule or regulation issued pursuant to this
34 chapter, and two years have not elapsed since the occurrence of said
35 noncompliance or violation; or

36 (k) Has been found by a court of competent jurisdiction to have
37 violated the federal fair debt collection practices act, 15 U.S.C. Sec.
38 1692 et seq., or the Washington state consumer protection act, chapter
39 19.86 RCW, and two years have not elapsed since that finding.

1 Except as otherwise provided in this section, any person who is
2 engaged in the collection agency business as of January 1, 1972 shall,
3 upon filing the application, paying the fees, and filing the surety
4 bond or cash deposit or other negotiable security in lieu of bond
5 required by this chapter, be issued a license ((hereunder)) under this
6 chapter.

7 The director shall immediately suspend the license or certificate
8 of a person who either has been certified pursuant to section 502 of
9 this act by the department of social and health services as a person
10 who is not in compliance with a support order, or has been certified
11 pursuant to section 607 of this act by a court as a person who is not
12 in compliance with a residential or visitation order. If the person
13 has continued to meet all other requirements for reinstatement during
14 the suspension, reissuance of the license or certificate shall be
15 automatic upon the director's receipt of a written release issued by
16 the department of social and health services or a court stating that
17 the licensee is in compliance with the order.

18 **Sec. 565.** RCW 19.31.100 and 1993 c 499 s 4 are each amended to
19 read as follows:

20 (1) Every applicant for an employment agency's license or a renewal
21 thereof shall file with the director a written application stating the
22 name and address of the applicant; the street and number of the
23 building in which the business of the employment agency is to be
24 conducted; the name of the person who is to have the general management
25 of the office; the name under which the business of the office is to be
26 carried on; whether or not the applicant is pecuniarily interested in
27 the business to be carried on under the license; shall be signed by the
28 applicant and sworn to before a notary public; and shall identify
29 anyone holding over twenty percent interest in the agency. If the
30 applicant is a corporation, the application shall state the names and
31 addresses of the officers and directors of the corporation, and shall
32 be signed and sworn to by the president and secretary thereof. If the
33 applicant is a partnership, the application shall also state the names
34 and addresses of all partners therein, and shall be signed and sworn to
35 by all of them. The application shall also state whether or not the
36 applicant is, at the time of making the application, or has at any
37 previous time been engaged in or interested in or employed by anyone
38 engaged in the business of an employment agency.

1 (2) The application shall require a certification that no officer
2 or holder of more than twenty percent interest in the business has been
3 convicted of a felony within ten years of the application which
4 directly relates to the business for which the license is sought, or
5 had any judgment entered against such person in any civil action
6 involving fraud, misrepresentation, or conversion.

7 (3) All applications for employment agency licenses shall be
8 accompanied by a copy of the form of contract and fee schedule to be
9 used between the employment agency and the applicant.

10 (4) No license to operate an employment agency in this state shall
11 be issued, transferred, renewed, or remain in effect, unless the person
12 who has or is to have the general management of the office has
13 qualified pursuant to this section. The director may, for good cause
14 shown, waive the requirement imposed by this section for a period not
15 to exceed one hundred and twenty days. Persons who have been
16 previously licensed or who have operated to the satisfaction of the
17 director for at least one year prior to September 21, 1977 as a general
18 manager shall be entitled to operate for up to one year from such date
19 before being required to qualify under this section. In order to
20 qualify, such person shall, through testing procedures developed by the
21 director, show that such person has a knowledge of this law, pertinent
22 labor laws, and laws against discrimination in employment in this state
23 and of the United States. Said examination shall be given at least
24 once each quarter and a fee for such examination shall be established
25 by the director. Nothing in this chapter shall be construed to
26 preclude any one natural person from being designated as the person who
27 is to have the general management of up to three offices operated by
28 any one licensee.

29 While employment directories may at the director's discretion be
30 required to show that the person has a knowledge of this chapter,
31 employment directories are exempt from testing on pertinent labor laws,
32 and laws against discrimination in employment in this state and of the
33 United States.

34 (5) Employment directories shall register with the department and
35 meet all applicable requirements of this chapter but shall not be
36 required to be licensed by the department or pay a licensing fee.

37 (6) No person who has been certified by the department of social
38 and health services as a person who is not in compliance with a support
39 order as provided in section 502 of this act, or is certified by a

1 court as a person who is not in compliance with a residential or
2 visitation order as provided in section 607 of this act may be issued
3 a license or certificate under this chapter. The application of a
4 person so certified by the department of social and health services or
5 by a court may be reviewed for issuance of a license or certificate
6 under this chapter after the person provides the department with a
7 written release issued by the department of social and health services
8 or a court stating that the person is in compliance with the order.

9 **Sec. 566.** RCW 19.31.130 and 1969 ex.s. c 228 s 13 are each amended
10 to read as follows:

11 (1) In accordance with the provisions of chapter 34.05 RCW as now
12 or as hereafter amended, the director may by order deny, suspend or
13 revoke the license of any employment agency if he finds that the
14 applicant or licensee:

15 ((+1)) (a) Was previously the holder of a license issued under
16 this chapter, which was revoked for cause and never reissued by the
17 director, or which license was suspended for cause and the terms of the
18 suspension have not been fulfilled;

19 ((+2)) (b) Has been found guilty of any felony within the past
20 five years involving moral turpitude, or for any misdemeanor concerning
21 fraud or conversion, or suffering any judgment in any civil action
22 involving wilful fraud, misrepresentation or conversion;

23 ((+3)) (c) Has made a false statement of a material fact in his
24 application or in any data attached thereto;

25 ((+4)) (d) Has violated any provisions of this chapter, or failed
26 to comply with any rule or regulation issued by the director pursuant
27 to this chapter.

28 (2) The director shall immediately suspend the license or
29 certificate of a person who either (a) has been certified pursuant to
30 section 502 of this act by the department of social and health services
31 as a person who is not in compliance with a support order, or (b) has
32 been certified pursuant to section 607 of this act by a court as a
33 person who is not in compliance with a residential or visitation order.
34 If the person has continued to meet all other requirements for
35 reinstatement during the suspension, reissuance of the license or
36 certificate shall be automatic upon the director's receipt of a written
37 release issued by the department of social and health services or a
38 court stating that the licensee is in compliance with the order.

1 **Sec. 567.** RCW 19.32.040 and 1982 c 182 s 32 are each amended to
2 read as follows:

3 (1) No person hereafter shall engage within this state in the
4 business of owning, operating or offering the services of any
5 refrigerated locker or lockers without having obtained a license for
6 each such place of business. Application for such license shall be
7 made through the master license system. Except as provided in
8 subsection (2) of this section, such licenses shall be granted as a
9 matter of right unless conditions exist which are grounds for a
10 cancellation or revocation of a license as hereinafter set forth.

11 (2) No person who has been certified by the department of social
12 and health services as a person who is not in compliance with a support
13 order as provided in section 502 of this act, or is certified by a
14 court as a person who is not in compliance with a residential or
15 visitation order as provided in section 607 of this act may be issued
16 a license or certificate under this chapter. The application of a
17 person so certified by the department of social and health services or
18 by a court may be reviewed for issuance of a license or certificate
19 under this chapter after the person provides the department with a
20 written release issued by the department of social and health services
21 or a court stating that the person is in compliance with the order.

22 **Sec. 568.** RCW 19.32.060 and 1943 c 117 s 5 are each amended to
23 read as follows:

24 (1) The director of agriculture may cancel or suspend any such
25 license if he finds after proper investigation that (a) the licensee
26 has violated any provision of this chapter or of any other law of this
27 state relating to the operation of refrigerated lockers or of the sale
28 of any human food in connection therewith, or any regulation effective
29 under any act the administration of which is in the charge of the
30 department of agriculture, or (b) the licensed refrigerated locker
31 premises or any equipment used therein or in connection therewith is in
32 an unsanitary condition and the licensee has failed or refused to
33 remedy the same within ten days after receipt from the director of
34 agriculture of written notice to do so.

35 (2) No license shall be revoked or suspended by the director
36 without delivery to the licensee of a written statement of the charge
37 involved and an opportunity to answer such charge within ten days from
38 the date of such notice.

1 (3) Any order made by the director suspending or revoking any
2 license may be reviewed by certiorari in the superior court of the
3 county in which the licensed premises are located, within ten days from
4 the date notice in writing of the director's order revoking or
5 suspending such license has been served upon him.

6 (4) The director shall immediately suspend the license or
7 certificate of a person who either (a) has been certified pursuant to
8 section 502 of this act by the department of social and health services
9 as a person who is not in compliance with a support order, or (b) has
10 been certified pursuant to section 607 of this act by a court as a
11 person who is not in compliance with a residential or visitation order.
12 If the person has continued to meet all other requirements for
13 reinstatement during the suspension, reissuance of the license or
14 certificate shall be automatic upon the director's receipt of a written
15 release issued by the department of social and health services or a
16 court stating that the licensee is in compliance with the order.

17 **Sec. 569.** RCW 19.105.330 and 1988 c 159 s 5 are each amended to
18 read as follows:

19 ~~((1))~~ (1) Unless an order denying effectiveness under RCW
20 19.105.380 is in effect, or unless declared effective by order of the
21 director prior thereto, the application for registration shall
22 automatically become effective upon the expiration of the twentieth
23 full business day following a filing with the director in complete and
24 proper form, but an applicant may consent to the delay of effectiveness
25 until such time as the director may by order declare registration
26 effective or issue a permit to market.

27 (2) An application for registration, renewal of registration, or
28 amendment is not in completed form and shall not be deemed a statutory
29 filing until such time as all required fees, completed application
30 forms, and the information and documents required pursuant to RCW
31 19.105.320(1) and departmental rules have been filed.

32 It is the operator's responsibility to see that required filing
33 materials and fees arrive at the appropriate mailing address of the
34 department. Within seven business days, excluding the date of receipt,
35 of receiving an application or initial request for registration and the
36 filing fees, the department shall notify the applicant of receipt of
37 the application and whether or not the application is complete and in
38 proper form. If the application is incomplete, the department shall at

1 the same time inform the applicant what additional documents or
2 information is required.

3 If the application is not in a completed form, the department shall
4 give immediate notice to the applicant. On the date the application is
5 complete and properly filed, the statutory period for an in-depth
6 examination of the filing, prescribed in subsection (1) of this
7 section, shall begin to run, unless the applicant and the department
8 have agreed to a stay of effectiveness or the department has issued a
9 denial of the application or a permit to market.

10 (3) No person who has been certified by the department of social
11 and health services as a person who is not in compliance with a support
12 order as provided in section 502 of this act, or is certified by a
13 court as a person who is not in compliance with a residential or
14 visitation order as provided in section 607 of this act may be issued
15 a license or certificate under this chapter. The application of a
16 person so certified by the department of social and health services or
17 by a court may be reviewed for issuance of a license or certificate
18 under this chapter after the person provides the department with a
19 written release issued by the department of social and health services
20 or a court stating that the person is in compliance with the order.

21 **Sec. 570.** RCW 19.105.380 and 1988 c 159 s 14 are each amended to
22 read as follows:

23 (1) A registration or an application for registration of camping
24 resort contracts or renewals thereof may by order be denied, suspended,
25 or revoked if the director finds that:

26 (a) The advertising, sales techniques, or trade practices of the
27 applicant, registrant, or its affiliate or agent have been or are
28 deceptive, false, or misleading;

29 (b) The applicant or registrant has failed to file copies of the
30 camping resort contract form under RCW 19.105.360;

31 (c) The applicant, registrant, or affiliate has failed to comply
32 with any provision of this chapter, the rules adopted or the conditions
33 of a permit granted under this chapter, or a stipulation or final order
34 previously entered into by the operator or issued by the department
35 under this chapter;

36 (d) The applicant's, registrant's, or affiliate's offering of
37 camping resort contracts has worked or would work a fraud upon
38 purchasers or owners of camping resort contracts;

1 (e) The camping resort operator or any officer, director, or
2 affiliate of the camping resort operator has been within the last five
3 years convicted of or pleaded nolo contendere to any misdemeanor or
4 felony involving conversion, embezzlement, theft, fraud, or dishonesty,
5 has been enjoined from or had any civil penalty assessed for a finding
6 of dishonest dealing or fraud in a civil suit, or been found to have
7 engaged in any violation of any act designed to protect consumers, or
8 has been engaged in dishonest practices in any industry involving sales
9 to consumers;

10 (f) The applicant or registrant has represented or is representing
11 to purchasers in connection with the offer or sale of a camping resort
12 contract that a camping resort property, facility, amenity camp site,
13 or other development is planned, promised, or required, and the
14 applicant or registrant has not provided the director with a security
15 or assurance of performance as required by this chapter;

16 (g) The applicant or registrant has not provided or is no longer
17 providing the director with the necessary security arrangements to
18 assure future availability of titles or properties as required by this
19 chapter or agreed to in the permit to market;

20 (h) The applicant or registrant is or has been employing
21 unregistered salespersons or offering or proposing a membership
22 referral program not in compliance with this chapter;

23 (i) The applicant or registrant has breached any escrow, impound,
24 reserve account, or trust arrangement or the conditions of an order or
25 permit to market required by this chapter;

26 (j) The applicant or registrant has breached any stipulation or
27 order entered into in settlement of the department's filing of a
28 previous administrative action;

29 (k) The applicant or registrant has filed or caused to be filed
30 with the director any document or affidavit, or made any statement
31 during the course of a registration or exemption procedure with the
32 director, that is materially untrue or misleading;

33 (l) The applicant or registrant has engaged in a practice of
34 failing to provide the written disclosures to purchasers or prospective
35 purchasers as required under this chapter;

36 (m) The applicant, registrant, or any of its officers, directors,
37 or employees, if the operator is other than a natural person, have
38 wilfully done, or permitted any of their salespersons or agents to do,
39 any of the following:

1 (i) Engage in a pattern or practice of making untrue or misleading
2 statements of a material fact, or omitting to state a material fact;
3 (ii) Employ any device, scheme, or artifice to defraud purchasers
4 or members;
5 (iii) Engage in a pattern or practice of failing to provide the
6 written disclosures to purchasers or prospective purchasers as required
7 under this chapter;
8 (n) The applicant or registrant has failed to provide a bond,
9 letter of credit, or other arrangement to assure delivery of promised
10 gifts, prizes, awards, or other items of consideration, as required
11 under this chapter, breached such a security arrangement, or failed to
12 maintain such a security arrangement in effect because of a resignation
13 or loss of a trustee, impound, or escrow agent;
14 (o) The applicant or registrant has engaged in a practice of
15 selling contracts using material amendments or codicils that have not
16 been filed or are the consequences of breaches or alterations in
17 previously filed contracts;
18 (p) The applicant or registrant has engaged in a practice of
19 selling or proposing to sell contracts in a ratio of contracts to sites
20 available in excess of that filed in the affidavit required by this
21 chapter;
22 (q) The camping resort operator has withdrawn, has the right to
23 withdraw, or is proposing to withdraw from use all or any portion of
24 any camping resort property devoted to the camping resort program,
25 unless:
26 (i) Adequate provision has been made to provide within a reasonable
27 time thereafter a substitute property in the same general area that is
28 at least as desirable for the purpose of camping and outdoor
29 recreation;
30 (ii) The property is withdrawn because, despite good faith efforts
31 by the camping resort operator, a nonaffiliate of the camping resort
32 has exercised a right of withdrawal from use by the camping resort
33 (such as withdrawal following expiration of a lease of the property to
34 the camping resort) and the terms of the withdrawal right have been
35 disclosed in writing to all purchasers at or prior to the time of any
36 sales of camping resort contracts after the camping resort has
37 represented to purchasers that the property is or will be available for
38 camping or recreation purposes;

1 (iii) The specific date upon which the withdrawal becomes effective
2 has been disclosed in writing to all purchasers and members prior to
3 the time of any sales of camping resort contracts after the camping
4 resort has represented to purchasers that the property is or will be
5 available for camping or recreation purposes;

6 (iv) The rights of members and owners of the camping resort
7 contracts under the express terms of the camping resort contract have
8 expired, or have been specifically limited, upon the lapse of a stated
9 or determinable period of time, and the director by order has found
10 that the withdrawal is not otherwise inconsistent with the protection
11 of purchasers or the desire of the majority of the owners of camping
12 resort contracts, as expressed in their previously obtained vote of
13 approval;

14 (r) The format, form, or content of the written disclosures
15 provided therein is not complete, full, or materially accurate, or
16 statements made therein are materially false, misleading, or deceptive;

17 (s) The applicant or registrant has failed or declined to respond
18 to any subpoena lawfully issued and served by the department under this
19 chapter;

20 (t) The applicant or registrant has failed to file an amendment for
21 a material change in the manner or at the time required under this
22 chapter or its implementing rules;

23 (u) The applicant or registrant has filed voluntarily or been
24 placed involuntarily into a federal bankruptcy or is proposing to do
25 so; or

26 (v) A camping resort operator's rights or interest in a campground
27 has been terminated by foreclosure or the operations in a camping
28 resort have been terminated in a manner contrary to contract
29 provisions.

30 (2) Any applicant or registrant who has violated subsection (1)(a),
31 (b), (c), (f), (h), (i), (j), (l), (m), or (n) of this section may be
32 fined by the director in an amount not to exceed one thousand dollars
33 for each such violation. Proceedings seeking such fines shall be held
34 in accordance with chapter 34.05 RCW and may be filed either separately
35 or in conjunction with other administrative proceedings to deny,
36 suspend, or revoke registrations authorized under this chapter. Fines
37 collected from such proceedings shall be deposited in the state general
38 fund.

1 (3) An operator, registrant, or applicant against whom
2 administrative or legal proceedings have been filed shall be
3 responsible for and shall reimburse the state, by payment into the
4 general fund, for all administrative and legal costs actually incurred
5 by the department in issuing, processing, and conducting any such
6 administrative or legal proceeding authorized under this chapter that
7 results in a final legal or administrative determination of any type or
8 degree in favor of the department.

9 (4) No order may be entered under this section without appropriate
10 prior notice to the applicant or registrant of opportunity for a
11 hearing and written findings of fact and conclusions of law, except
12 that the director may by order summarily deny an application for
13 registration or renewal under any of the above subsections and may
14 summarily suspend or revoke a registration under subsection (1)(d),
15 (f), (g), (h), (i), (k), (l), (m), and (n) of this section. No fine
16 may be imposed by summary order.

17 (5) The proceedings to deny an application or renewal, suspend or
18 revoke a registration or permit, whether summarily or otherwise, or
19 impose a fine shall be held in accordance with chapter 34.05 RCW.

20 (6) The director may enter into assurances of discontinuance in
21 lieu of issuing a statement of charges or a cease and desist order or
22 conducting a hearing under this chapter. The assurances shall consist
23 of a statement of the law in question and an agreement not to violate
24 the stated provision. The applicant or registrant shall not be
25 required to admit to any violation of the law, nor shall the assurance
26 be construed as such an admission. Violating or breaching an assurance
27 under this subsection is grounds for suspension or revocation of
28 registration or imposition of a fine.

29 (7) The director shall immediately suspend the license or
30 certificate of a person who either (a) has been certified pursuant to
31 section 502 of this act by the department of social and health services
32 as a person who is not in compliance with a support order, or (b) has
33 been certified pursuant to section 607 of this act by a court as a
34 person who is not in compliance with a residential or visitation order.
35 If the person has continued to meet all other requirements for
36 reinstatement during the suspension, reissuance of the license or
37 certificate shall be automatic upon the director's receipt of a written
38 release issued by the department of social and health services or a
39 court stating that the licensee is in compliance with the order.

1 **Sec. 571.** RCW 19.105.440 and 1988 c 159 s 21 are each amended to
2 read as follows:

3 (1) A salesperson may apply for registration by filing in a
4 complete and readable form with the director an application form
5 provided by the director which includes the following:

6 (a) A statement whether or not the applicant within the past five
7 years has been convicted of, pleaded nolo contendere to, or been ordered
8 to serve probation for a period of a year or more for any misdemeanor
9 or felony involving conversion, embezzlement, theft, fraud, or
10 dishonesty or the applicant has been enjoined from, had any civil
11 penalty assessed for, or been found to have engaged in any violation of
12 any act designed to protect consumers;

13 (b) A statement fully describing the applicant's employment history
14 for the past five years and whether or not any termination of
15 employment during the last five years was the result of any theft,
16 fraud, or act of dishonesty;

17 (c) A consent to service comparable to that required of operators
18 under this chapter; and

19 (d) Required filing fees.

20 (2) The director may by order deny, suspend, or revoke a camping
21 resort salesperson's registration or application for registration under
22 this chapter or the person's license or application under chapter 18.85
23 RCW, or impose a fine on such persons not exceeding two hundred dollars
24 per violation, if the director finds that the order is necessary for
25 the protection of purchasers or owners of camping resort contracts and
26 the applicant or registrant is guilty of:

27 (a) Obtaining registration by means of fraud, misrepresentation, or
28 concealment, or through the mistake or inadvertence of the director;

29 (b) Violating any of the provisions of this chapter or any lawful
30 rules adopted by the director pursuant thereto;

31 (c) Being convicted in a court of competent jurisdiction of this or
32 any other state, or federal court, of forgery, embezzlement, obtaining
33 money under false pretenses, bribery, larceny, extortion, conspiracy to
34 defraud, or any similar offense or offenses. For the purposes of this
35 section, "being convicted" includes all instances in which a plea of
36 guilty or nolo contendere is the basis for the conviction, and all
37 proceedings in which the sentence has been deferred or suspended;

38 (d) Making, printing, publishing, distributing, or causing,
39 authorizing, or knowingly permitting the making, printing, publication,

1 or distribution of false statements, descriptions, or promises of such
2 character as to reasonably induce any person to act thereon, if the
3 statements, descriptions, or promises purport to be made or to be
4 performed by either the applicant or registrant and the applicant or
5 registrant then knew or, by the exercise of reasonable care and
6 inquiry, could have known, of the falsity of the statements,
7 descriptions, or promises;

8 (e) Knowingly committing, or being a party to, any material fraud,
9 misrepresentation, concealment, conspiracy, collusion, trick, scheme,
10 or device whereby any other person lawfully relies upon the work,
11 representation, or conduct of the applicant or registrant;

12 (f) Failing, upon demand, to disclose to the director or the
13 director's authorized representatives acting by authority of law any
14 information within his or her knowledge or to produce for inspection
15 any document, book or record in his or her possession, which is
16 material to the salesperson's registration or application for
17 registration;

18 (g) Continuing to sell camping resort contracts in a manner whereby
19 the interests of the public are endangered, if the director has, by
20 order in writing, stated objections thereto;

21 (h) Committing any act of fraudulent or dishonest dealing or a
22 crime involving moral turpitude, and a certified copy of the final
23 holding of any court of competent jurisdiction in such matter shall be
24 conclusive evidence in any hearing under this chapter;

25 (i) Misrepresentation of membership in any state or national
26 association; or

27 (j) Discrimination against any person in hiring or in sales
28 activity on the basis of race, color, creed, or national origin, or
29 violating any state or federal antidiscrimination law.

30 (3) No order may be entered under this section without appropriate
31 prior notice to the applicant or registrant of opportunity for a
32 hearing and written findings of fact and conclusions of law, except
33 that the director may by order summarily deny an application for
34 registration under this section.

35 (4) The proceedings to deny an application or renewal, suspend or
36 revoke a registration or permit, whether summarily or otherwise, or
37 impose a fine shall be held in accordance with chapter 34.05 RCW.

38 (5) The director, subsequent to any complaint filed against a
39 salesperson or pursuant to an investigation to determine violations,

1 may enter into stipulated assurances of discontinuances in lieu of
2 issuing a statement of charges or a cease and desist order or
3 conducting a hearing. The assurance shall consist of a statement of
4 the law in question and an agreement not to violate the stated
5 provision. The salesperson shall not be required to admit to any
6 violation of the law, nor shall the assurance be construed as such an
7 admission. Violation of an assurance under this subsection is grounds
8 for a disciplinary action, a suspension of registration, or a fine not
9 to exceed one thousand dollars.

10 (6) The director may by rule require such further information or
11 conditions for registration as a camping resort salesperson, including
12 qualifying examinations and fingerprint cards prepared by authorized
13 law enforcement agencies, as the director deems necessary to protect
14 the interests of purchasers.

15 (7) Registration as a camping resort salesperson shall be effective
16 for a period of one year unless the director specifies otherwise or the
17 salesperson transfers employment to a different registrant.
18 Registration as a camping resort salesperson shall be renewed annually,
19 or at the time of transferring employment, whichever occurs first, by
20 the filing of a form prescribed by the director for that purpose.

21 (8) It is unlawful for a registrant of camping resort contracts to
22 employ or a person to act as a camping resort salesperson covered under
23 this section unless the salesperson has in effect with the department
24 and displays a valid registration in a conspicuous location at each of
25 the sales offices at which the salesperson is employed. It is the
26 responsibility of both the operator and the salesperson to notify the
27 department when and where a salesperson is employed, his or her
28 responsibilities and duties, and when the salesperson's employment or
29 reported duties are changed or terminated.

30 (9) No person who has been certified by the department of social
31 and health services as a person who is not in compliance with a support
32 order as provided in section 502 of this act, or is certified by a
33 court as a person who is not in compliance with a residential or
34 visitation order as provided in section 607 of this act may be issued
35 a license or certificate under this chapter. The application of a
36 person so certified by the department of social and health services or
37 by a court may be reviewed for issuance of a license or certificate
38 under this chapter after the person provides the department with a

1 written release issued by the department of social and health services
2 or a court stating that the person is in compliance with the order.

3 (10) The director shall immediately suspend the license or
4 certificate of a person who either (a) has been certified pursuant to
5 section 502 of this act by the department of social and health services
6 as a person who is not in compliance with a support order, or (b) has
7 been certified pursuant to section 607 of this act by a court as a
8 person who is not in compliance with a residential or visitation order.
9 If the person has continued to meet all other requirements for
10 reinstatement during the suspension, reissuance of the license or
11 certificate shall be automatic upon the director's receipt of a written
12 release issued by the department of social and health services or a
13 court stating that the licensee is in compliance with the order.

14 **Sec. 572.** RCW 19.138.130 and 1994 c 237 s 6 are each amended to
15 read as follows:

16 (1) The director may deny, suspend, or revoke the registration of
17 a seller of travel if the director finds that the applicant:

18 (a) Was previously the holder of a registration issued under this
19 chapter, and the registration was revoked for cause and never reissued
20 by the director, or the registration was suspended for cause and the
21 terms of the suspension have not been fulfilled;

22 (b) Has been found guilty of a felony within the past five years
23 involving moral turpitude, or of a misdemeanor concerning fraud or
24 conversion, or suffers a judgment in a civil action involving willful
25 fraud, misrepresentation, or conversion;

26 (c) Has made a false statement of a material fact in an application
27 under this chapter or in data attached to it;

28 (d) Has violated this chapter or failed to comply with a rule
29 adopted by the director under this chapter;

30 (e) Has failed to display the registration as provided in this
31 chapter;

32 (f) Has published or circulated a statement with the intent to
33 deceive, misrepresent, or mislead the public;

34 (g) Has committed a fraud or fraudulent practice in the operation
35 and conduct of a travel agency business, including, but not limited to,
36 intentionally misleading advertising; or

1 (h) Has aided or abetted a person, firm, or corporation that they
2 know has not registered in this state in the business of conducting a
3 travel agency or other sale of travel.

4 (2) If the seller of travel is found in violation of this chapter
5 or in violation of the consumer protection act, chapter 19.86 RCW, by
6 the entry of a judgment or by settlement of a claim, the director may
7 revoke the registration of the seller of travel, and the director may
8 reinstate the registration at the director's discretion.

9 (3) No person who has been certified by the department of social
10 and health services as a person who is not in compliance with a support
11 order as provided in section 502 of this act, or is certified by a
12 court as a person who is not in compliance with a residential or
13 visitation order as provided in section 607 of this act may be issued
14 a license or certificate under this chapter. The application of a
15 person so certified by the department of social and health services or
16 by a court may be reviewed for issuance of a license or certificate
17 under this chapter after the person provides the department with a
18 written release issued by the department of social and health services
19 or a court stating that the person is in compliance with the order.

20 (4) The director shall immediately suspend the license or
21 certificate of a person who either (a) has been certified pursuant to
22 section 502 of this act by the department of social and health services
23 as a person who is not in compliance with a support order, or (b) has
24 been certified pursuant to section 607 of this act by a court as a
25 person who is not in compliance with a residential or visitation order.
26 If the person has continued to meet all other requirements for
27 reinstatement during the suspension, reissuance of the license or
28 certificate shall be automatic upon the director's receipt of a written
29 release issued by the department of social and health services or a
30 court stating that the licensee is in compliance with the order.

31 **Sec. 573.** RCW 19.158.050 and 1989 c 20 s 5 are each amended to
32 read as follows:

33 (1) In order to maintain or defend a lawsuit or do any business in
34 this state, a commercial telephone solicitor must be registered with
35 the department of licensing. Prior to doing business in this state, a
36 commercial telephone solicitor shall register with the department of
37 licensing. Doing business in this state includes both commercial

1 telephone solicitation from a location in Washington and solicitation
2 of purchasers located in Washington.

3 (2) The department of licensing, in registering commercial
4 telephone solicitors, shall have the authority to require the
5 submission of information necessary to assist in identifying and
6 locating a commercial telephone solicitor, including past business
7 history, prior judgments, and such other information as may be useful
8 to purchasers.

9 (3) The department of licensing shall issue a registration number
10 to the commercial telephone solicitor.

11 (4) It is a violation of this chapter for a commercial telephone
12 solicitor to:

13 (a) Fail to maintain a valid registration;

14 (b) Advertise that one is registered as a commercial telephone
15 solicitor or to represent that such registration constitutes approval
16 or endorsement by any government or governmental office or agency;

17 (c) Provide inaccurate or incomplete information to the department
18 of licensing when making a registration application; or

19 (d) Represent that a person is registered or that such person has
20 a valid registration number when such person does not.

21 (5) An annual registration fee shall be assessed by the department
22 of licensing, the amount of which shall be determined at the discretion
23 of the director of the department of licensing, and which shall be
24 reasonably related to the cost of administering the provisions of this
25 chapter.

26 (6) No person who has been certified by the department of social
27 and health services as a person who is not in compliance with a support
28 order as provided in section 502 of this act, or is certified by a
29 court as a person who is not in compliance with a residential or
30 visitation order as provided in section 607 of this act may be issued
31 a license or certificate under this chapter. The application of a
32 person so certified by the department of social and health services or
33 by a court may be reviewed for issuance of a license or certificate
34 under this chapter after the person provides the department with a
35 written release issued by the department of social and health services
36 or a court stating that the person is in compliance with the order.

37 (7) The department shall immediately suspend the license or
38 certificate of a person who either (a) has been certified pursuant to
39 section 502 of this act by the department of social and health services

1 as a person who is not in compliance with a support order, or (b) has
2 been certified pursuant to section 607 of this act by a court as a
3 person who is not in compliance with a residential or visitation order.
4 If the person has continued to meet all other requirements for
5 reinstatement during the suspension, reissuance of the license or
6 certificate shall be automatic upon the department's receipt of a
7 written release issued by the department of social and health services
8 or a court stating that the licensee is in compliance with the order.

9 **Sec. 574.** RCW 19.166.040 and 1995 c 60 s 2 are each amended to
10 read as follows:

11 (1) An application for registration as an international student
12 exchange visitor placement organization shall be submitted in the form
13 prescribed by the secretary of state. The application shall include:

14 (a) Evidence that the organization meets the standards established
15 by the secretary of state under RCW 19.166.050;

16 (b) The name, address, and telephone number of the organization,
17 its chief executive officer, and the person within the organization who
18 has primary responsibility for supervising placements within the state;

19 (c) The organization's unified business identification number, if
20 any;

21 (d) The organization's United States Information Agency number, if
22 any;

23 (e) Evidence of council on standards for international educational
24 travel listing, if any;

25 (f) Whether the organization is exempt from federal income tax; and

26 (g) A list of the organization's placements in Washington for the
27 previous academic year including the number of students placed, their
28 home countries, the school districts in which they were placed, and the
29 length of their placements.

30 (2) The application shall be signed by the chief executive officer
31 of the organization and the person within the organization who has
32 primary responsibility for supervising placements within Washington.
33 If the secretary of state determines that the application is complete,
34 the secretary of state shall file the application and the applicant is
35 registered.

36 (3) International student exchange visitor placement organizations
37 that have registered shall inform the secretary of state of any changes

1 in the information required under subsection (1) of this section within
2 thirty days of the change.

3 (4) Registration shall be renewed annually as established by rule
4 by the office of the secretary of state.

5 (5) No person who has been certified by the department of social
6 and health services as a person who is not in compliance with a support
7 order as provided in section 502 of this act, or is certified by a
8 court as a person who is not in compliance with a residential or
9 visitation order as provided in section 607 of this act may be issued
10 a license or certificate under this chapter. The application of a
11 person so certified by the department of social and health services or
12 by a court may be reviewed for issuance of a license or certificate
13 under this chapter after the person provides the department with a
14 written release issued by the department of social and health services
15 or a court stating that the person is in compliance with the order.

16 (6) The office of the secretary of state shall immediately suspend
17 the license or certificate of a person who either (a) has been
18 certified pursuant to section 502 of this act by the department of
19 social and health services as a person who is not in compliance with a
20 support order, or (b) has been certified pursuant to section 607 of
21 this act by a court as a person who is not in compliance with a
22 residential or visitation order. If the person has continued to meet
23 all other requirements for reinstatement during the suspension,
24 reissuance of the license or certificate shall be automatic upon the
25 office of the secretary of state's receipt of a written release issued
26 by the department of social and health services or a court stating that
27 the licensee is in compliance with the order.

28 NEW SECTION. Sec. 575. A new section is added to chapter 20.01
29 RCW to read as follows:

30 (1) No person who has been certified by the department of social
31 and health services as a person who is not in compliance with a support
32 order as provided in section 502 of this act, or is certified by a
33 court as a person who is not in compliance with a residential or
34 visitation order as provided in section 607 of this act may be issued
35 a license or certificate under this chapter. The application of a
36 person so certified by the department of social and health services or
37 by a court may be reviewed for issuance of a license or certificate
38 under this chapter after the person provides the department with a

1 written release issued by the department of social and health services
2 or a court stating that the person is in compliance with the order.

3 (2) The director shall immediately suspend the license or
4 certificate of a person who either (a) has been certified pursuant to
5 section 502 of this act by the department of social and health services
6 as a person who is not in compliance with a support order, or (b) has
7 been certified pursuant to section 607 of this act by a court as a
8 person who is not in compliance with a residential or visitation order.
9 If the person has continued to meet all other requirements for
10 reinstatement during the suspension, reissuance of the license or
11 certificate shall be automatic upon the director's receipt of a written
12 release issued by the department of social and health services or a
13 court stating that the licensee is in compliance with the order.

14 **Sec. 576.** RCW 21.20.070 and 1981 c 272 s 2 are each amended to
15 read as follows:

16 (1) Except as provided in subsection (2) of this section, if no
17 denial order is in effect and no proceeding is pending under RCW
18 21.20.110, registration becomes effective when the applicant has
19 successfully passed a written examination as prescribed by rule or
20 order of the director with the advice of the advisory committee, or has
21 satisfactorily demonstrated that the applicant is exempt from the
22 written examination requirements of this section.

23 (2) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 502 of this act, or is certified by a
26 court as a person who is not in compliance with a residential or
27 visitation order as provided in section 607 of this act may be issued
28 a license or certificate under this chapter. The application of a
29 person so certified by the department of social and health services or
30 by a court may be reviewed for issuance of a license or certificate
31 under this chapter after the person provides the department with a
32 written release issued by the department of social and health services
33 or a court stating that the person is in compliance with the order.

34 **Sec. 577.** RCW 21.20.110 and 1994 c 256 s 10 are each amended to
35 read as follows:

36 The director may by order deny, suspend, or revoke registration of
37 any broker-dealer, salesperson, investment adviser representative, or

1 investment adviser; censure or fine the registrant or an officer,
2 director, partner, or person occupying similar functions for a
3 registrant; or restrict or limit a registrant's function or activity of
4 business for which registration is required in this state; if the
5 director finds that the order is in the public interest and that the
6 applicant or registrant or, in the case of a broker-dealer or
7 investment adviser, any partner, officer, or director:

8 (1) Has filed an application for registration under this section
9 which, as of its effective date, or as of any date after filing in the
10 case of an order denying effectiveness, was incomplete in any material
11 respect or contained any statement which was, in the light of the
12 circumstances under which it was made, false, or misleading with
13 respect to any material fact;

14 (2) Has willfully violated or willfully failed to comply with any
15 provision of this chapter or a predecessor act or any rule or order
16 under this chapter or a predecessor act, or any provision of chapter
17 21.30 RCW or any rule or order thereunder;

18 (3) Has been convicted, within the past five years, of any
19 misdemeanor involving a security, or a commodity contract or commodity
20 option as defined in RCW 21.30.010, or any aspect of the securities or
21 investment commodities business, or any felony involving moral
22 turpitude;

23 (4) Is permanently or temporarily enjoined by any court of
24 competent jurisdiction from engaging in or continuing any conduct or
25 practice involving any aspect of the securities or investment
26 commodities business;

27 (5) Is the subject of an order of the director denying, suspending,
28 or revoking registration as a broker-dealer, salesperson, investment
29 adviser, or investment adviser representative;

30 (6) Is the subject of an order entered within the past five years
31 by the securities administrator of any other state or by the federal
32 securities and exchange commission denying or revoking registration as
33 a broker-dealer or salesperson, or a commodity broker-dealer or sales
34 representative, or the substantial equivalent of those terms as defined
35 in this chapter or by the commodity futures trading commission denying
36 or revoking registration as a commodity merchant as defined in RCW
37 21.30.010, or is the subject of an order of suspension or expulsion
38 from membership in or association with a self-regulatory organization
39 registered under the securities exchange act of 1934 or the federal

1 commodity exchange act, or is the subject of a United States post
2 office fraud order; but (a) the director may not institute a revocation
3 or suspension proceeding under this clause more than one year from the
4 date of the order relied on, and (b) the director may not enter any
5 order under this clause on the basis of an order unless that order was
6 based on facts which would currently constitute a ground for an order
7 under this section;

8 (7) Has engaged in dishonest or unethical practices in the
9 securities or investment commodities business;

10 (8) Is insolvent, either in the sense that his or her liabilities
11 exceed his or her assets or in the sense that he or she cannot meet his
12 or her obligations as they mature; but the director may not enter an
13 order against a broker-dealer or investment adviser under this clause
14 without a finding of insolvency as to the broker-dealer or investment
15 adviser;

16 (9) Has not complied with a condition imposed by the director under
17 RCW 21.20.100, or is not qualified on the basis of such factors as
18 training, experience, or knowledge of the securities business; or

19 (10)(a) Has failed to supervise reasonably a salesperson or an
20 investment adviser representative. For the purposes of this
21 subsection, no person fails to supervise reasonably another person, if:

22 (i) There are established procedures, and a system for applying
23 those procedures, that would reasonably be expected to prevent and
24 detect, insofar as practicable, any violation by another person of this
25 chapter, or a rule or order under this chapter; and

26 (ii) The supervising person has reasonably discharged the duties
27 and obligations required by these procedures and system without
28 reasonable cause to believe that another person was violating this
29 chapter or rules or orders under this chapter.

30 (b) The director may issue a summary order pending final
31 determination of a proceeding under this section upon a finding that it
32 is in the public interest and necessary or appropriate for the
33 protection of investors. The director may not impose a fine under this
34 section except after notice and opportunity for hearing. The fine
35 imposed under this section may not exceed five thousand dollars for
36 each act or omission that constitutes the basis for issuing the order.

37 The director shall immediately suspend the license or certificate
38 of a person who either has been certified pursuant to section 502 of
39 this act by the department of social and health services as a person

1 who is not in compliance with a support order, or has been certified
2 pursuant to section 607 of this act by a court as a person who is not
3 in compliance with a residential or visitation order. If the person
4 has continued to meet all other requirements for reinstatement during
5 the suspension, reissuance of the license or certificate shall be
6 automatic upon the director's receipt of a written release issued by
7 the department of social and health services or a court stating that
8 the licensee is in compliance with the order.

9 NEW SECTION. Sec. 578. A new section is added to chapter 48.17
10 RCW to read as follows:

11 (1) No person who has been certified by the department of social
12 and health services as a person who is not in compliance with a support
13 order as provided in section 502 of this act, or is certified by a
14 court as a person who is not in compliance with a residential or
15 visitation order as provided in section 607 of this act may be issued
16 a license or certificate under this chapter. The application of a
17 person so certified by the department of social and health services or
18 by a court may be reviewed for issuance of a license or certificate
19 under this chapter after the person provides the department with a
20 written release issued by the department of social and health services
21 or a court stating that the person is in compliance with the order.

22 (2) The commissioner shall immediately suspend the license or
23 certificate of a person who either (a) has been certified pursuant to
24 section 502 of this act by the department of social and health services
25 as a person who is not in compliance with a support order, or (b) has
26 been certified pursuant to section 607 of this act by a court as a
27 person who is not in compliance with a residential or visitation order.
28 If the person has continued to meet all other requirements for
29 reinstatement during the suspension, reissuance of the license or
30 certificate shall be automatic upon the commissioner's receipt of a
31 written release issued by the department of social and health services
32 or a court stating that the licensee is in compliance with the order.

33 NEW SECTION. Sec. 579. A new section is added to chapter 74.15
34 RCW to read as follows:

35 (1) No person who has been certified by the department of social
36 and health services as a person who is not in compliance with a support
37 order as provided in section 502 of this act, or is certified by a

1 court as a person who is not in compliance with a residential or
2 visitation order as provided in section 607 of this act may be issued
3 a license or certificate under this chapter. The application of a
4 person so certified by the department of social and health services or
5 by a court may be reviewed for issuance of a license or certificate
6 under this chapter after the person provides the department with a
7 written release issued by the department of social and health services
8 or a court stating that the person is in compliance with the order.

9 (2) The secretary shall immediately suspend the license or
10 certificate of a person who either (a) has been certified pursuant to
11 section 502 of this act by the department of social and health services
12 as a person who is not in compliance with a support order, or (b) has
13 been certified pursuant to section 607 of this act by a court as a
14 person who is not in compliance with a residential or visitation order.
15 If the person has continued to meet all other requirements for
16 reinstatement during the suspension, reissuance of the license or
17 certificate shall be automatic upon the secretary's receipt of a
18 written release issued by the department of social and health services
19 or a court stating that the licensee is in compliance with the order.

20 NEW SECTION. **Sec. 580.** A new section is added to chapter 47.68
21 RCW to read as follows:

22 (1) No person who has been certified by the department of social
23 and health services as a person who is not in compliance with a support
24 order as provided in section 502 of this act, or is certified by a
25 court as a person who is not in compliance with a residential or
26 visitation order as provided in section 607 of this act may be issued
27 a license or certificate under this chapter. The application of a
28 person so certified by the department of social and health services or
29 by a court may be reviewed for issuance of a license or certificate
30 under this chapter after the person provides the department with a
31 written release issued by the department of social and health services
32 or a court stating that the person is in compliance with the order.

33 (2) The department shall immediately suspend the license or
34 certificate of a person who either (a) has been certified pursuant to
35 section 502 of this act by the department of social and health services
36 as a person who is not in compliance with a support order, or (b) has
37 been certified pursuant to section 607 of this act by a court as a
38 person who is not in compliance with a residential or visitation order.

1 If the person has continued to meet all other requirements for
2 reinstatement during the suspension, reissuance of the license or
3 certificate shall be automatic upon the department's receipt of a
4 written release issued by the department of social and health services
5 or a court stating that the licensee is in compliance with the order.

6 NEW SECTION. **Sec. 581.** A new section is added to chapter 71.12
7 RCW to read as follows:

8 (1) No person who has been certified by the department of social
9 and health services as a person who is not in compliance with a support
10 order as provided in section 502 of this act, or is certified by a
11 court as a person who is not in compliance with a residential or
12 visitation order as provided in section 607 of this act may be issued
13 a license or certificate under this chapter. The application of a
14 person so certified by the department of social and health services or
15 by a court may be reviewed for issuance of a license or certificate
16 under this chapter after the person provides the department with a
17 written release issued by the department of social and health services
18 or a court stating that the person is in compliance with the order.

19 (2) The department of health shall immediately suspend the license
20 or certificate of a person who either (a) has been certified pursuant
21 to section 502 of this act by the department of social and health
22 services as a person who is not in compliance with a support order, or
23 (b) has been certified pursuant to section 607 of this act by a court
24 as a person who is not in compliance with a residential or visitation
25 order. If the person has continued to meet all other requirements for
26 reinstatement during the suspension, reissuance of the license or
27 certificate shall be automatic upon the department of health's receipt
28 of a written release issued by the department of social and health
29 services or a court stating that the licensee is in compliance with the
30 order.

31 **Sec. 582.** RCW 66.20.320 and 1995 c 51 s 4 are each amended to read
32 as follows:

33 (1) The board shall regulate a required alcohol server education
34 program that includes:

35 (a) Development of the curriculum and materials for the education
36 program;

37 (b) Examination and examination procedures;

1 (c) Certification procedures, enforcement policies, and penalties
2 for education program instructors and providers;

3 (d) The curriculum for an approved class 12 alcohol permit training
4 program that includes but is not limited to the following subjects:

5 (i) The physiological effects of alcohol including the effects of
6 alcohol in combination with drugs;

7 (ii) Liability and legal information;

8 (iii) Driving while intoxicated;

9 (iv) Intervention with the problem customer, including ways to stop
10 service, ways to deal with the belligerent customer, and alternative
11 means of transportation to get the customer safely home;

12 (v) Methods for checking proper identification of customers;

13 (vi) Nationally recognized programs, such as TAM (Techniques in
14 Alcohol Management) and TIPS (Training for Intervention Programs)
15 modified to include Washington laws and regulations.

16 (2) The board shall provide the program through liquor licensee
17 associations, independent contractors, private persons, private or
18 public schools certified by the board, or any combination of such
19 providers.

20 (3) Except as provided in section 584 of this act, each training
21 entity shall provide a class 12 permit to the manager or bartender who
22 has successfully completed a course the board has certified. A list of
23 the individuals receiving the class 12 permit shall be forwarded to the
24 board on the completion of each course given by the training entity.

25 (4) After July 1, 1996, the board shall require all alcohol servers
26 applying for a class 13 alcohol server permit to view a video training
27 session. Retail liquor licensees shall fully compensate employees for
28 the time spent participating in this training session.

29 (5) When requested by a retail liquor licensee, the board shall
30 provide copies of videotaped training programs that have been produced
31 by private vendors and make them available for a nominal fee to cover
32 the cost of purchasing and shipment, with the fees being deposited in
33 the liquor revolving fund for distribution to the board as needed.

34 (6) Each training entity may provide the board with a video program
35 of not less than one hour that covers the subjects in subsection (1)(d)
36 (i) through (v) of this section that will be made available to a
37 licensee for the training of a class 13 alcohol server.

1 (7) Except as provided in section 584 of this act, applicants shall
2 be given a class 13 permit upon the successful completion of the
3 program.

4 (8) A list of the individuals receiving the class 13 permit shall
5 be forwarded to the board on the completion of each video training
6 program.

7 (9) The board shall develop a model permit for the class 12 and 13
8 permits. The board may provide such permits to training entities or
9 licensees for a nominal cost to cover production.

10 (10) Persons who have completed a nationally recognized alcohol
11 management or intervention program since July 1, 1993, may be issued a
12 class 12 or 13 permit upon providing proof of completion of such
13 training to the board.

14 NEW SECTION. Sec. 583. A new section is added to chapter 66.20
15 RCW to read as follows:

16 (1) No person who has been certified by the department of social
17 and health services as a person who is not in compliance with a support
18 order as provided in section 502 of this act, or is certified by a
19 court as a person who is not in compliance with a residential or
20 visitation order as provided in section 607 of this act may be issued
21 a license under this chapter. The application of a person so certified
22 by the department of social and health services or by a court may be
23 reviewed for issuance of a license under this chapter after the person
24 provides the department with a written release issued by the department
25 of social and health services or a court stating that the person is in
26 compliance with the order.

27 (2) The board shall immediately suspend the license of a person who
28 either (a) has been certified pursuant to section 502 of this act by
29 the department of social and health services as a person who is not in
30 compliance with a support order, or (b) has been certified pursuant to
31 section 607 of this act by a court as a person who is not in compliance
32 with a residential or visitation order. If the person has continued to
33 meet all other requirements for reinstatement during the suspension,
34 reissuance of the license shall be automatic upon the board's receipt
35 of a written release issued by the department of social and health
36 services or a court stating that the licensee is in compliance with the
37 order.

1 NEW SECTION. **Sec. 584.** A new section is added to chapter 66.24
2 RCW to read as follows:

3 (1) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 502 of this act, or is certified by a
6 court as a person who is not in compliance with a residential or
7 visitation order as provided in section 607 of this act may be issued
8 a license under this chapter. The application of a person so certified
9 by the department of social and health services or by a court may be
10 reviewed for issuance of a license under this chapter after the person
11 provides the department with a written release issued by the department
12 of social and health services or a court stating that the person is in
13 compliance with the order.

14 (2) The board shall immediately suspend the license of a person who
15 either (a) has been certified pursuant to section 502 of this act by
16 the department of social and health services as a person who is not in
17 compliance with a support order, or (b) has been certified pursuant to
18 section 607 of this act by a court as a person who is not in compliance
19 with a residential or visitation order. If the person has continued to
20 meet all other requirements for reinstatement during the suspension,
21 reissuance of the license shall be automatic upon the board's receipt
22 of a written release issued by the department of social and health
23 services or a court stating that the licensee is in compliance with the
24 order.

25 NEW SECTION. **Sec. 585.** A new section is added to chapter 88.02
26 RCW to read as follows:

27 (1) No person who has been certified by the department of social
28 and health services as a person who is not in compliance with a support
29 order as provided in section 502 of this act, or is certified by a
30 court as a person who is not in compliance with a residential or
31 visitation order as provided in section 607 of this act may be issued
32 a vessel registration or a vessel dealer's registration under this
33 chapter. The application of a person so certified by the department of
34 social and health services or by a court may be reviewed for issuance
35 of registration under this chapter after the person provides the
36 department with a written release issued by the department of social
37 and health services or a court stating that the person is in compliance
38 with the order.

1 (2) The department shall immediately suspend the vessel
2 registration or vessel dealer's registration of a person who either (a)
3 has been certified pursuant to section 502 of this act by the
4 department of social and health services as a person who is not in
5 compliance with a support order, or (b) has been certified pursuant to
6 section 607 of this act by a court as a person who is not in compliance
7 with a residential or visitation order. If the person has continued to
8 meet all other requirements for reinstatement during the suspension,
9 reissuance of the registration shall be automatic upon the department's
10 receipt of a written release issued by the department of social and
11 health services or a court stating that the licensee is in compliance
12 with the order.

13 **Sec. 586.** RCW 67.08.040 and 1993 c 278 s 14 are each amended to
14 read as follows:

15 Except as provided in RCW 67.08.100, upon the approval by the
16 department of any application for a license, as hereinabove provided,
17 and the filing of the bond the department shall forthwith issue such
18 license.

19 **Sec. 587.** RCW 67.08.100 and 1993 c 278 s 20 are each amended to
20 read as follows:

21 (1) The department may grant annual licenses upon application in
22 compliance with the rules and regulations prescribed by the director,
23 and the payment of the fees, the amount of which is to be set by the
24 director in accordance with RCW 43.24.086, prescribed to promoters,
25 managers, referees, boxers, wrestlers, and seconds: PROVIDED, That the
26 provisions of this section shall not apply to contestants or
27 participants in strictly amateur contests and/or fraternal
28 organizations and/or veterans' organizations chartered by congress or
29 the defense department or any bona fide athletic club which is a member
30 of the Pacific northwest association of the amateur athletic union of
31 the United States, holding and promoting athletic contests and where
32 all funds are used primarily for the benefit of their members.

33 (2) Any such license may be revoked by the department for any cause
34 which it shall deem sufficient.

35 (3) No person shall participate or serve in any of the above
36 capacities unless licensed as provided in this chapter.

1 (4) The referee for any boxing contest shall be designated by the
2 department from among such licensed referees.

3 (5) The referee for any wrestling exhibition or show shall be
4 provided by the promoter and licensed by the department.

5 (6) No person who has been certified by the department of social
6 and health services as a person who is not in compliance with a support
7 order as provided in section 502 of this act, or is certified by a
8 court as a person who is not in compliance with a residential or
9 visitation order as provided in section 607 of this act may be issued
10 a license or certificate under this chapter. The application of a
11 person so certified by the department of social and health services or
12 by a court may be reviewed for issuance of a license or certificate
13 under this chapter after the person provides the department with a
14 written release issued by the department of social and health services
15 or a court stating that the person is in compliance with the order.

16 (7) The department shall immediately suspend the license or
17 certificate of a person who either (a) has been certified pursuant to
18 section 502 of this act by the department of social and health services
19 as a person who is not in compliance with a support order, or (b) has
20 been certified pursuant to section 607 of this act by a court as a
21 person who is not in compliance with a residential or visitation order.
22 If the person has continued to meet all other requirements for
23 reinstatement during the suspension, reissuance of the license or
24 certificate shall be automatic upon the department's receipt of a
25 written release issued by the department of social and health services
26 or a court stating that the licensee is in compliance with the order.

27 **Sec. 588.** RCW 19.02.100 and 1991 c 72 s 8 are each amended to read
28 as follows:

29 (1) The department shall not issue or renew a master license to any
30 person if:

31 (a) The person does not have a valid tax registration, if required;

32 (b) The person is a corporation delinquent in fees or penalties
33 owing to the secretary of state or is not validly registered under
34 Title 23B RCW, chapter 18.100 RCW, Title 24 RCW, and any other statute
35 now or hereafter adopted which gives corporate or business licensing
36 responsibilities to the secretary of state; ((or))

37 (c) The person has not submitted the sum of all fees and deposits
38 required for the requested individual license endorsements, any

1 outstanding master license delinquency fee, or other fees and penalties
2 to be collected through the system; or

3 (d) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 502 of this act, or is certified by a
6 court as a person who is not in compliance with a residential or
7 visitation order as provided in section 607 of this act may be issued
8 a license or certificate under this chapter. The application of a
9 person so certified by the department of social and health services or
10 by a court may be reviewed for issuance of a license or certificate
11 under this chapter after the person provides the department with a
12 written release issued by the department of social and health services
13 or a court stating that the person is in compliance with the order.

14 (2) Nothing in this section shall prevent registration by the state
15 of an employer for the purpose of paying an employee of that employer
16 industrial insurance or unemployment insurance benefits.

17 (3) The department shall immediately suspend the license or
18 certificate of a person who either (a) has been certified pursuant to
19 section 502 of this act by the department of social and health services
20 as a person who is not in compliance with a support order, or (b) has
21 been certified pursuant to section 607 of this act by a court as a
22 person who is not in compliance with a residential or visitation order.
23 If the person has continued to meet all other requirements for
24 reinstatement during the suspension, reissuance of the license or
25 certificate shall be automatic upon the department's receipt of a
26 written release issued by the department of social and health services
27 or a court stating that the licensee is in compliance with the order.

28 **Sec. 589.** RCW 43.24.080 and 1979 c 158 s 99 are each amended to
29 read as follows:

30 Except as provided in section 592 of this act, at the close of each
31 examination the department of licensing shall prepare the proper
32 licenses, where no further fee is required to be paid, and issue
33 licenses to the successful applicants signed by the director and notify
34 all successful applicants, where a further fee is required, of the fact
35 that they are entitled to receive such license upon the payment of such
36 further fee to the department of licensing and notify all applicants
37 who have failed to pass the examination of that fact.

1 **Sec. 590.** RCW 43.24.110 and 1986 c 259 s 149 are each amended to
2 read as follows:

3 Except as provided in section 592 of this act, whenever there is
4 filed in a matter under the jurisdiction of the director of licensing
5 any complaint charging that the holder of a license has been guilty of
6 any act or omission which by the provisions of the law under which the
7 license was issued would warrant the revocation thereof, verified in
8 the manner provided by law, the director of licensing shall request the
9 governor to appoint, and the governor shall appoint within thirty days
10 of the request, two qualified practitioners of the profession or
11 calling of the person charged, who, with the director or his duly
12 appointed representative, shall constitute a committee to hear and
13 determine the charges and, in case the charges are sustained, impose
14 the penalty provided by law. In addition, the governor shall appoint
15 a consumer member of the committee.

16 The decision of any three members of such committee shall be the
17 decision of the committee.

18 The appointed members of the committee shall be compensated in
19 accordance with RCW 43.03.240 and shall be reimbursed for their travel
20 expenses, in accordance with RCW 43.03.050 and 43.03.060.

21 **Sec. 591.** RCW 43.24.120 and 1987 c 202 s 212 are each amended to
22 read as follows:

23 Except as provided in section 592 of this act, any person feeling
24 aggrieved by the refusal of the director to issue a license, or to
25 renew one, or by the revocation or suspension of a license shall have
26 a right of appeal to superior court from the decision of the director
27 of licensing, which shall be taken, prosecuted, heard, and determined
28 in the manner provided in chapter 34.05 RCW.

29 The decision of the superior court may be reviewed by the supreme
30 court or the court of appeals in the same manner as other civil cases.

31 NEW SECTION. **Sec. 592.** A new section is added to chapter 43.24
32 RCW to read as follows:

33 (1) No person who has been certified by the department of social
34 and health services as a person who is not in compliance with a support
35 order as provided in section 502 of this act, or is certified by a
36 court as a person who is not in compliance with a residential or
37 visitation order as provided in section 607 of this act may be issued

1 a license by the department of licensing. The application of a person
2 so certified by the department of social and health services or by a
3 court may be reviewed for issuance of registration under this chapter
4 after the person provides the department with a written release issued
5 by the department of social and health services or a court stating that
6 the person is in compliance with the order.

7 (2) The department shall immediately suspend any license issued by
8 the department of licensing of a person who either (a) has been
9 certified pursuant to section 502 of this act by the department of
10 social and health services as a person who is not in compliance with a
11 support order, or (b) has been certified pursuant to section 607 of
12 this act by a court as a person who is not in compliance with a
13 residential or visitation order. If the person has continued to meet
14 all other requirements for reinstatement during the suspension,
15 reissuance of the license shall be automatic upon the department's
16 receipt of a written release issued by the department of social and
17 health services or a court stating that the licensee is in compliance
18 with the order.

19 **Sec. 593.** RCW 70.74.110 and 1988 c 198 s 5 are each amended to
20 read as follows:

21 All persons engaged in the manufacture of explosives, or any
22 process involving explosives, or where explosives are used as a
23 component part in the manufacture of any article or device, on (~~the~~
24 ~~date when this 1969 amendatory act takes effect~~) August 11, 1969,
25 shall within sixty days thereafter, and all persons engaging in the
26 manufacture of explosives, or any process involving explosives, or
27 where explosives are used as a component part in the manufacture of any
28 article or device after (~~this act takes effect~~) August 11, 1969,
29 shall, before so engaging, make an application in writing, subscribed
30 to by such person or his agent, to the department of labor and
31 industries, the application stating:

32 (1) Location of place of manufacture or processing;

33 (2) Kind of explosives manufactured, processed or used;

34 (3) The distance that such explosives manufacturing building is
35 located or intended to be located from the other factory buildings,
36 magazines, inhabited buildings, railroads and highways and public
37 utility transmission systems;

38 (4) The name and address of the applicant;

- 1 (5) The reason for desiring to manufacture explosives;
- 2 (6) The applicant's citizenship, if the applicant is an individual;
- 3 (7) If the applicant is a partnership, the names and addresses of
- 4 the partners, and their citizenship;
- 5 (8) If the applicant is an association or corporation, the names
- 6 and addresses of the officers and directors thereof, and their
- 7 citizenship; and
- 8 (9) Such other pertinent information as the director of labor and
- 9 industries shall require to effectuate the purpose of this chapter.

10 There shall be kept in the main office on the premises of each

11 explosives manufacturing plant a plan of said plant showing the

12 location of all explosives manufacturing buildings and the distance

13 they are located from other factory buildings where persons are

14 employed and from magazines, and these plans shall at all times be open

15 to inspection by duly authorized inspectors of the department of labor

16 and industries. The superintendent of each plant shall upon demand of

17 said inspector furnish the following information:

18 (a) The maximum amount and kind of explosive material which is or

19 will be present in each building at one time.

20 (b) The nature and kind of work carried on in each building and

21 whether or not said buildings are surrounded by natural or artificial

22 barricades.

23 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the

24 department of labor and industries shall as soon as possible after

25 receiving such application cause an inspection to be made of the

26 explosives manufacturing plant, and if found to be in accordance with

27 RCW 70.74.030 and 70.74.050 and 70.74.061, such department shall issue

28 a license to the person applying therefor showing compliance with the

29 provisions of this chapter if the applicant demonstrates that either

30 the applicant or the officers, agents or employees of the applicant are

31 sufficiently experienced in the manufacture of explosives and the

32 applicant meets the qualifications for a license under RCW 70.74.360.

33 Such license shall continue in full force and effect until expired,

34 suspended, or revoked by the department pursuant to this chapter.

35 **Sec. 594.** RCW 70.74.130 and 1988 c 198 s 7 are each amended to

36 read as follows:

1 Every person desiring to engage in the business of dealing in
2 explosives shall apply to the department of labor and industries for a
3 license therefor. Said application shall state, among other things:

4 (1) The name and address of applicant;

5 (2) The reason for desiring to engage in the business of dealing in
6 explosives;

7 (3) Citizenship, if an individual applicant;

8 (4) If a partnership, the names and addresses of the partners and
9 their citizenship;

10 (5) If an association or corporation, the names and addresses of
11 the officers and directors thereof and their citizenship; and

12 (6) Such other pertinent information as the director of labor and
13 industries shall require to effectuate the purpose of this chapter.

14 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the
15 department of labor and industries shall issue the license if the
16 applicant demonstrates that either the applicant or the principal
17 officers, agents, or employees of the applicant are experienced in the
18 business of dealing in explosives, possess suitable facilities
19 therefor, have not been convicted of any crime that would warrant
20 revocation or nonrenewal of a license under this chapter, and have
21 never had an explosives-related license revoked under this chapter or
22 under similar provisions of any other state.

23 **Sec. 595.** RCW 70.74.135 and 1988 c 198 s 8 are each amended to
24 read as follows:

25 All persons desiring to purchase explosives except handloader
26 components shall apply to the department of labor and industries for a
27 license. Said application shall state, among other things:

28 (1) The location where explosives are to be used;

29 (2) The kind and amount of explosives to be used;

30 (3) The name and address of the applicant;

31 (4) The reason for desiring to use explosives;

32 (5) The citizenship of the applicant if the applicant is an
33 individual;

34 (6) If the applicant is a partnership, the names and addresses of
35 the partners and their citizenship;

36 (7) If the applicant is an association or corporation, the names
37 and addresses of the officers and directors thereof and their
38 citizenship; and

1 (8) Such other pertinent information as the director of the
2 department of labor and industries shall require to effectuate the
3 purpose of this chapter.

4 The department of labor and industries shall issue the license if
5 the applicant demonstrates that either the applicant or the officers,
6 agents or employees of the applicant are sufficiently experienced in
7 the use of explosives to authorize a purchase license. However, no
8 purchaser's license may be issued to any person who cannot document
9 proof of possession or right to use approved and licensed storage
10 facilities unless the person signs a statement certifying that
11 explosives will not be stored. No person who has been certified by the
12 department of social and health services as a person who is not in
13 compliance with a support order as provided in section 502 of this act,
14 or is certified by a court as a person who is not in compliance with a
15 residential or visitation order as provided in section 607 of this act
16 may be issued a license or certificate under this chapter. The
17 application of a person so certified by the department of social and
18 health services or by a court may be reviewed for issuance of a license
19 or certificate under this chapter after the person provides the
20 department with a written release issued by the department of social
21 and health services or a court stating that the person is in compliance
22 with the order.

23 **Sec. 596.** RCW 70.74.360 and 1988 c 198 s 3 are each amended to
24 read as follows:

25 (1) The director of labor and industries shall require, as a
26 condition precedent to the original issuance or renewal of any
27 explosive license, fingerprinting and criminal history record
28 information checks of every applicant. In the case of a corporation,
29 fingerprinting and criminal history record information checks shall be
30 required for the management officials directly responsible for the
31 operations where explosives are used if such persons have not
32 previously had their fingerprints recorded with the department of labor
33 and industries. In the case of a partnership, fingerprinting and
34 criminal history record information checks shall required of all
35 general partners. Such fingerprints as are required by the department
36 of labor and industries shall be submitted on forms provided by the
37 department to the identification section of the Washington state patrol
38 and to the identification division of the federal bureau of

1 investigation in order that these agencies may search their records for
2 prior convictions of the individuals fingerprinted. The Washington
3 state patrol shall provide to the director of labor and industries such
4 criminal record information as the director may request. The applicant
5 shall give full cooperation to the department of labor and industries
6 and shall assist the department of labor and industries in all aspects
7 of the fingerprinting and criminal history record information check.
8 The applicant may be required to pay a fee not to exceed twenty dollars
9 to the agency that performs the fingerprinting and criminal history
10 process.

11 (2) The director of labor and industries shall not issue a license
12 to manufacture, purchase, store, use, or deal with explosives to:

13 (a) Any person under twenty-one years of age;

14 (b) Any person whose license is suspended or whose license has been
15 revoked, except as provided in RCW 70.74.370;

16 (c) Any person who has been convicted in this state or elsewhere of
17 a violent offense as defined in RCW 9.94A.030, perjury, false swearing,
18 or bomb threats or a crime involving a schedule I or II controlled
19 substance, or any other drug or alcohol related offense, unless such
20 other drug or alcohol related offense does not reflect a drug or
21 alcohol dependency. However, the director of labor and industries may
22 issue a license if the person suffering a drug or alcohol related
23 dependency is participating in or has completed an alcohol or drug
24 recovery program acceptable to the department of labor and industries
25 and has established control of their alcohol or drug dependency. The
26 director of labor and industries shall require the applicant to provide
27 proof of such participation and control; ((or))

28 (d) Any person who has previously been adjudged to be mentally ill
29 or insane, or to be incompetent due to any mental disability or disease
30 and who has not at the time of application been restored to competency
31 i or

32 (e) Any person who has been certified by the department of social
33 and health services as a person who is not in compliance with a support
34 order as provided in section 502 of this act, or is certified by a
35 court as a person who is not in compliance with a residential or
36 visitation order as provided in section 607 of this act. The
37 application of a person so certified by the department of social and
38 health services or by a court may be reviewed for issuance of a license
39 or certificate under this chapter after the person provides the

1 director of labor and industries with a written release issued by the
2 department of social and health services or a court stating that the
3 person is in compliance with the order.

4 (3) The director of labor and industries may establish reasonable
5 licensing fees for the manufacture, dealing, purchase, use, and storage
6 of explosives.

7 **Sec. 597.** RCW 70.74.370 and 1988 c 198 s 4 are each amended to
8 read as follows:

9 (1) The department of labor and industries shall revoke and not
10 renew the license of any person holding a manufacturer, dealer,
11 purchaser, user, or storage license upon conviction of any of the
12 following offenses, which conviction has become final:

13 (a) A violent offense as defined in RCW 9.94A.030;

14 (b) A crime involving perjury or false swearing, including the
15 making of a false affidavit or statement under oath to the department
16 of labor and industries in an application or report made pursuant to
17 this title;

18 (c) A crime involving bomb threats;

19 (d) A crime involving a schedule I or II controlled substance, or
20 any other drug or alcohol related offense, unless such other drug or
21 alcohol related offense does not reflect a drug or alcohol dependency.
22 However, the department of labor and industries may condition renewal
23 of the license to any convicted person suffering a drug or alcohol
24 dependency who is participating in an alcoholism or drug recovery
25 program acceptable to the department of labor and industries and has
26 established control of their alcohol or drug dependency. The
27 department of labor and industries shall require the licensee to
28 provide proof of such participation and control;

29 (e) A crime relating to possession, use, transfer, or sale of
30 explosives under this chapter or any other chapter of the Revised Code
31 of Washington.

32 (2) The department of labor and industries shall revoke the license
33 of any person adjudged to be mentally ill or insane, or to be
34 incompetent due to any mental disability or disease. The director
35 shall not renew the license until the person has been restored to
36 competency.

37 (3) The department of labor and industries is authorized to
38 suspend, for a period of time not to exceed six months, the license of

1 any person who has violated this chapter or the rules promulgated
2 pursuant to this chapter.

3 (4) The department of labor and industries may revoke the license
4 of any person who has repeatedly violated this chapter or the rules
5 promulgated pursuant to this chapter, or who has twice had his or her
6 license suspended under this chapter.

7 (5) The department of labor and industries shall immediately
8 suspend the license or certificate of a person who either (a) has been
9 certified pursuant to section 502 of this act by the department of
10 social and health services as a person who is not in compliance with a
11 support order, or (b) has been certified pursuant to section 607 of
12 this act by a court as a person who is not in compliance with a
13 residential or visitation order. If the person has continued to meet
14 all other requirements for reinstatement during the suspension,
15 reissuance of the license or certificate shall be automatic upon the
16 department of labor and industries' receipt of a written release issued
17 by the department of social and health services or a court stating that
18 the licensee is in compliance with the order.

19 (6) Upon receipt of notification by the department of labor and
20 industries of revocation or suspension, a licensee must surrender
21 immediately to the department any or all such licenses revoked or
22 suspended.

23 **Sec. 598.** RCW 66.24.010 and 1995 c 232 s 1 are each amended to
24 read as follows:

25 (1) Every license shall be issued in the name of the applicant, and
26 the holder thereof shall not allow any other person to use the license.

27 (2) For the purpose of considering any application for a license,
28 the board may cause an inspection of the premises to be made, and may
29 inquire into all matters in connection with the construction and
30 operation of the premises. For the purpose of reviewing any
31 application for a license and for considering the denial, suspension or
32 revocation of any license, the liquor control board may consider any
33 prior criminal conduct of the applicant and the provisions of RCW
34 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The
35 board may, in its discretion, grant or refuse the license applied for.
36 Authority to approve an uncontested or unopposed license may be granted
37 by the board to any staff member the board designates in writing.

1 Conditions for granting such authority shall be adopted by rule. No
2 retail license of any kind may be issued to:

3 (a) A person who has not resided in the state for at least one
4 month prior to making application, except in cases of licenses issued
5 to dining places on railroads, boats, or aircraft;

6 (b) A copartnership, unless all of the members thereof are
7 qualified to obtain a license, as provided in this section;

8 (c) A person whose place of business is conducted by a manager or
9 agent, unless such manager or agent possesses the same qualifications
10 required of the licensee;

11 (d) A corporation, unless it was created under the laws of the
12 state of Washington or holds a certificate of authority to transact
13 business in the state of Washington; or

14 (e) Any person who has been certified by the department of social
15 and health services as a person who is not in compliance with a support
16 order as provided in section 502 of this act, or is certified by a
17 court as a person who is not in compliance with a residential or
18 visitation order as provided in section 607 of this act. The
19 application of a person so certified by the department of social and
20 health services or by a court may be reviewed for issuance of a license
21 or certificate under this chapter after the person provides the board
22 with a written release issued by the department of social and health
23 services or a court stating that the person is in compliance with the
24 order.

25 (3)(a) The board may, in its discretion, subject to the provisions
26 of RCW 66.08.150, suspend or cancel any license; and all rights of the
27 licensee to keep or sell liquor thereunder shall be suspended or
28 terminated, as the case may be.

29 (b) The board shall immediately suspend the license or certificate
30 of a person who either (i) has been certified pursuant to section 502
31 of this act by the department of social and health services as a person
32 who is not in compliance with a support order, or (ii) has been
33 certified pursuant to section 607 of this act by a court as a person
34 who is not in compliance with a residential or visitation order. If
35 the person has continued to meet all other requirements for
36 reinstatement during the suspension, reissuance of the license or
37 certificate shall be automatic upon the board's receipt of a written
38 release issued by the department of social and health services or a
39 court stating that the licensee is in compliance with the order.

1 (c) The board may request the appointment of administrative law
2 judges under chapter 34.12 RCW who shall have power to administer
3 oaths, issue subpoenas for the attendance of witnesses and the
4 production of papers, books, accounts, documents, and testimony,
5 examine witnesses, and to receive testimony in any inquiry,
6 investigation, hearing, or proceeding in any part of the state, under
7 such rules and regulations as the board may adopt.

8 (d) Witnesses shall be allowed fees and mileage each way to and
9 from any such inquiry, investigation, hearing, or proceeding at the
10 rate authorized by RCW 34.05.446, as now or hereafter amended. Fees
11 need not be paid in advance of appearance of witnesses to testify or to
12 produce books, records, or other legal evidence.

13 (e) In case of disobedience of any person to comply with the order
14 of the board or a subpoena issued by the board, or any of its members,
15 or administrative law judges, or on the refusal of a witness to testify
16 to any matter regarding which he or she may be lawfully interrogated,
17 the judge of the superior court of the county in which the person
18 resides, on application of any member of the board or administrative
19 law judge, shall compel obedience by contempt proceedings, as in the
20 case of disobedience of the requirements of a subpoena issued from said
21 court or a refusal to testify therein.

22 (4) Upon receipt of notice of the suspension or cancellation of a
23 license, the licensee shall forthwith deliver up the license to the
24 board. Where the license has been suspended only, the board shall
25 return the license to the licensee at the expiration or termination of
26 the period of suspension. The board shall notify all vendors in the
27 city or place where the licensee has its premises of the suspension or
28 cancellation of the license; and no employee may allow or cause any
29 liquor to be delivered to or for any person at the premises of that
30 licensee.

31 (5)(a) At the time of the original issuance of a class H license,
32 the board shall prorate the license fee charged to the new licensee
33 according to the number of calendar quarters, or portion thereof,
34 remaining until the first renewal of that license is required.

35 (b) Unless sooner canceled, every license issued by the board shall
36 expire at midnight of the thirtieth day of June of the fiscal year for
37 which it was issued. However, if the board deems it feasible and
38 desirable to do so, it may establish, by rule pursuant to chapter 34.05
39 RCW, a system for staggering the annual renewal dates for any and all

1 licenses authorized by this chapter. If such a system of staggered
2 annual renewal dates is established by the board, the license fees
3 provided by this chapter shall be appropriately prorated during the
4 first year that the system is in effect.

5 (6) Every license issued under this section shall be subject to all
6 conditions and restrictions imposed by this title or by the regulations
7 in force from time to time. All conditions and restrictions imposed by
8 the board in the issuance of an individual license shall be listed on
9 the face of the individual license along with the trade name, address,
10 and expiration date.

11 (7) Every licensee shall post and keep posted its license, or
12 licenses, in a conspicuous place on the premises.

13 (8) Before the board shall issue a license to an applicant it shall
14 give notice of such application to the chief executive officer of the
15 incorporated city or town, if the application be for a license within
16 an incorporated city or town, or to the county legislative authority,
17 if the application be for a license outside the boundaries of
18 incorporated cities or towns; and such incorporated city or town,
19 through the official or employee selected by it, or the county
20 legislative authority or the official or employee selected by it, shall
21 have the right to file with the board within twenty days after date of
22 transmittal of such notice, written objections against the applicant or
23 against the premises for which the license is asked, and shall include
24 with such objections a statement of all facts upon which such
25 objections are based, and in case written objections are filed, may
26 request and the liquor control board may in its discretion hold a
27 formal hearing subject to the applicable provisions of Title 34 RCW.
28 Upon the granting of a license under this title the board shall send a
29 duplicate of the license or written notification to the chief executive
30 officer of the incorporated city or town in which the license is
31 granted, or to the county legislative authority if the license is
32 granted outside the boundaries of incorporated cities or towns.

33 (9) Before the board issues any license to any applicant, it shall
34 give (a) due consideration to the location of the business to be
35 conducted under such license with respect to the proximity of churches,
36 schools, and public institutions and (b) written notice by certified
37 mail of the application to churches, schools, and public institutions
38 within five hundred feet of the premises to be licensed. The board
39 shall issue no beer retailer license class A, B, D, or E or wine

1 retailer license class C or F or class H license covering any premises
2 not now licensed, if such premises are within five hundred feet of the
3 premises of any tax-supported public elementary or secondary school
4 measured along the most direct route over or across established public
5 walks, streets, or other public passageway from the outer property line
6 of the school grounds to the nearest public entrance of the premises
7 proposed for license, and if, after receipt by the school or public
8 institution of the notice as provided in this subsection, the board
9 receives written notice, within twenty days after posting such notice,
10 from an official representative or representatives of the school within
11 five hundred feet of said proposed licensed premises, indicating to the
12 board that there is an objection to the issuance of such license
13 because of proximity to a school. For the purpose of this section,
14 church shall mean a building erected for and used exclusively for
15 religious worship and schooling or other activity in connection
16 therewith. No liquor license may be issued or reissued by the board to
17 any motor sports facility or licensee operating within the motor sports
18 facility unless the motor sports facility enforces a program reasonably
19 calculated to prevent alcohol or alcoholic beverages not purchased
20 within the facility from entering the facility and such program is
21 approved by local law enforcement agencies. It is the intent under
22 this subsection that a retail license shall not be issued by the board
23 where doing so would, in the judgment of the board, adversely affect a
24 private school meeting the requirements for private schools under Title
25 28A RCW, which school is within five hundred feet of the proposed
26 licensee. The board shall fully consider and give substantial weight
27 to objections filed by private schools. If a license is issued despite
28 the proximity of a private school, the board shall state in a letter
29 addressed to the private school the board's reasons for issuing the
30 license.

31 (10) The restrictions set forth in subsection (9) of this section
32 shall not prohibit the board from authorizing the assumption of
33 existing licenses now located within the restricted area by other
34 persons or licenses or relocations of existing licensed premises within
35 the restricted area. In no case may the licensed premises be moved
36 closer to a church or school than it was before the assumption or
37 relocation.

38 (11) Nothing in this section prohibits the board, in its
39 discretion, from issuing a temporary retail or wholesaler license to an

1 applicant assuming an existing retail or wholesaler license to continue
2 the operation of the retail or wholesaler premises during the period
3 the application for the license is pending and when the following
4 conditions exist:

5 (a) The licensed premises has been operated under a retail or
6 wholesaler license within ninety days of the date of filing the
7 application for a temporary license;

8 (b) The retail or wholesaler license for the premises has been
9 surrendered pursuant to issuance of a temporary operating license;

10 (c) The applicant for the temporary license has filed with the
11 board an application to assume the retail or wholesaler license at such
12 premises to himself or herself; and

13 (d) The application for a temporary license is accompanied by a
14 temporary license fee established by the board by rule.

15 A temporary license issued by the board under this section shall be
16 for a period not to exceed sixty days. A temporary license may be
17 extended at the discretion of the board for an additional sixty-day
18 period upon payment of an additional fee and upon compliance with all
19 conditions required in this section.

20 Refusal by the board to issue or extend a temporary license shall
21 not entitle the applicant to request a hearing. A temporary license
22 may be canceled or suspended summarily at any time if the board
23 determines that good cause for cancellation or suspension exists. RCW
24 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

25 Application for a temporary license shall be on such form as the
26 board shall prescribe. If an application for a temporary license is
27 withdrawn before issuance or is refused by the board, the fee which
28 accompanied such application shall be refunded in full.

29 **Sec. 599.** RCW 43.63B.040 and 1994 c 284 s 19 are each amended to
30 read as follows:

31 (1) The department shall issue a certificate of manufactured home
32 installation to an applicant who has taken the training course, passed
33 the examination, paid the fees, and in all other respects (~~meet[s]~~)
34 meets the qualifications. The certificate shall bear the date of
35 issuance, a certification identification number, and is renewable every
36 three years upon application and completion of a continuing education
37 program as determined by the department. A renewal fee shall be
38 assessed for each certificate. If a person fails to renew a

1 certificate by the renewal date, the person must retake the examination
2 and pay the examination fee.

3 (2) The certificate of manufactured home installation provided for
4 in this chapter grants the holder the right to engage in manufactured
5 home installation throughout the state, without any other installer
6 certification.

7 (3) No person who has been certified by the department of social
8 and health services as a person who is not in compliance with a support
9 order as provided in section 502 of this act, or is certified by a
10 court as a person who is not in compliance with a residential or
11 visitation order as provided in section 607 of this act may be issued
12 a license or certificate under this chapter. The application of a
13 person so certified by the department of social and health services or
14 by a court may be reviewed for issuance of a license or certificate
15 under this chapter after the person provides the department with a
16 written release issued by the department of social and health services
17 or a court stating that the person is in compliance with the order.

18 (4) The department shall immediately suspend the license or
19 certificate of a person who either (a) has been certified pursuant to
20 section 502 of this act by the department of social and health services
21 as a person who is not in compliance with a support order, or (b) has
22 been certified pursuant to section 607 of this act by a court as a
23 person who is not in compliance with a residential or visitation order.
24 If the person has continued to meet all other requirements for
25 reinstatement during the suspension, reissuance of the license or
26 certificate shall be automatic upon the department's receipt of a
27 written release issued by the department of social and health services
28 or a court stating that the licensee is in compliance with the order.

29 **Sec. 600.** RCW 70.95D.040 and 1989 c 431 s 68 are each amended to
30 read as follows:

31 (1) The department shall establish a process to certify incinerator
32 and landfill operators. To the greatest extent possible, the
33 department shall rely on the certification standards and procedures
34 developed by national organizations and the federal government.

35 (2) Operators shall be certified if they:

36 (a) Attend the required training sessions;

37 (b) Successfully complete required examinations; and

38 (c) Pay the prescribed fee.

1 (3) By January 1, 1991, the department shall adopt rules to require
2 incinerator and appropriate landfill operators to:

3 (a) Attend a training session concerning the operation of the
4 relevant type of landfill or incinerator;

5 (b) Demonstrate sufficient skill and competency for proper
6 operation of the incinerator or landfill by successfully completing an
7 examination prepared by the department; and

8 (c) Renew the certificate of competency at reasonable intervals
9 established by the department.

10 (4) The department shall provide for the collection of fees for the
11 issuance and renewal of certificates. These fees shall be sufficient
12 to recover the costs of the certification program.

13 (5) The department shall establish an appeals process for the
14 denial or revocation of a certificate.

15 (6) The department shall establish a process to automatically
16 certify operators who have received comparable certification from
17 another state, the federal government, a local government, or a
18 professional association.

19 (7) Upon July 23, 1989, and prior to January 1, 1992, the owner or
20 operator of an incinerator or landfill may apply to the department for
21 interim certification. Operators shall receive interim certification
22 if they:

23 (a) Have received training provided by a recognized national
24 organization, educational institution, or the federal government that
25 is acceptable to the department; or

26 (b) Have received individualized training in a manner approved by
27 the department; and

28 (c) Have successfully completed any required examinations.

29 (8) No interim certification shall be valid after January 1, 1992,
30 and interim certification shall not automatically qualify operators for
31 certification pursuant to subsections (2) through (4) of this section.

32 (9) No person who has been certified by the department of social
33 and health services as a person who is not in compliance with a support
34 order as provided in section 502 of this act, or is certified by a
35 court as a person who is not in compliance with a residential or
36 visitation order as provided in section 607 of this act may be issued
37 a license or certificate under this chapter. The application of a
38 person so certified by the department of social and health services or
39 by a court may be reviewed for issuance of a license or certificate

1 under this chapter after the person provides the department with a
2 written release issued by the department of social and health services
3 or a court stating that the person is in compliance with the order.

4 (10) The department shall immediately suspend the license or
5 certificate of a person who either (a) has been certified pursuant to
6 section 502 of this act by the department of social and health services
7 as a person who is not in compliance with a support order, or (b) has
8 been certified pursuant to section 607 of this act by a court as a
9 person who is not in compliance with a residential or visitation order.
10 If the person has continued to meet all other requirements for
11 reinstatement during the suspension, reissuance of the license or
12 certificate shall be automatic upon the department's receipt of a
13 written release issued by the department of social and health services
14 or a court stating that the licensee is in compliance with the order.

15 NEW SECTION. Sec. 601. A new section is added to chapter 70.95B
16 RCW to read as follows:

17 (1) No person who has been certified by the department of social
18 and health services as a person who is not in compliance with a support
19 order as provided in section 502 of this act, or is certified by a
20 court as a person who is not in compliance with a residential or
21 visitation order as provided in section 607 of this act may be issued
22 a license or certificate under this chapter. The application of a
23 person so certified by the department of social and health services or
24 by a court may be reviewed for issuance of a license or certificate
25 under this chapter after the person provides the department with a
26 written release issued by the department of social and health services
27 or a court stating that the person is in compliance with the order.

28 (2) The director shall immediately suspend the license or
29 certificate of a person who either (a) has been certified pursuant to
30 section 502 of this act by the department of social and health services
31 as a person who is not in compliance with a support order, or (b) has
32 been certified pursuant to section 607 of this act by a court as a
33 person who is not in compliance with a residential or visitation order.
34 If the person has continued to meet all other requirements for
35 reinstatement during the suspension, reissuance of the license or
36 certificate shall be automatic upon the director's receipt of a written
37 release issued by the department of social and health services or a
38 court stating that the licensee is in compliance with the order.

1 **Sec. 602.** RCW 17.21.130 and 1994 c 283 s 15 are each amended to
2 read as follows:

3 Any license, permit, or certification provided for in this chapter
4 may be revoked or suspended, and any license, permit, or certification
5 application may be denied by the director for cause. If the director
6 suspends a license under this chapter with respect to activity of a
7 continuing nature under chapter 34.05 RCW, the director may elect to
8 suspend the license for a subsequent license year during a period that
9 coincides with the period commencing thirty days before and ending
10 thirty days after the date of the incident or incidents giving rise to
11 the violation.

12 The director shall immediately suspend the license or certificate
13 of a person who either (1) has been certified pursuant to section 502
14 of this act by the department of social and health services as a person
15 who is not in compliance with a support order, or (2) has been
16 certified pursuant to section 607 of this act by a court as a person
17 who is not in compliance with a residential or visitation order. If
18 the person has continued to meet all other requirements for
19 reinstatement during the suspension, reissuance of the license or
20 certificate shall be automatic upon the director's receipt of a written
21 release issued by the department of social and health services or a
22 court stating that the licensee is in compliance with the order.

23 **Sec. 603.** RCW 17.21.132 and 1994 c 283 s 16 are each amended to
24 read as follows:

25 Any person applying for a license or certification authorized under
26 the provisions of this chapter shall file an application on a form
27 prescribed by the director.

28 (1) The application shall state the license or certification and
29 the classification(s) for which the applicant is applying and the
30 method in which the pesticides are to be applied.

31 (2) For all classes of licenses except private applicator, all
32 applicants shall be at least eighteen years of age on the date that the
33 application is made. Applicants for a private pesticide applicator
34 license shall be at least sixteen years of age on the date that the
35 application is made.

36 (3) Application for a license to apply pesticides shall be
37 accompanied by the required fee. No license may be issued until the
38 required license fee has been received by the department. License fees

1 shall be prorated where necessary to accommodate staggering of
2 expiration dates of a license or licenses.

3 (4) Each classification of license issued under this chapter shall
4 expire annually on a date set by rule by the director. License
5 expiration dates may be staggered for administrative purposes. Renewal
6 applications shall be filed on or before the applicable expiration
7 date.

8 No person who has been certified by the department of social and
9 health services as a person who is not in compliance with a support
10 order as provided in section 502 of this act, or is certified by a
11 court as a person who is not in compliance with a residential or
12 visitation order as provided in section 607 of this act may be issued
13 a license or certificate under this chapter. The application of a
14 person so certified by the department of social and health services or
15 by a court may be reviewed for issuance of a license or certificate
16 under this chapter after the person provides the department with a
17 written release issued by the department of social and health services
18 or a court stating that the person is in compliance with the order.

19 **Sec. 604.** RCW 64.44.060 and 1990 c 213 s 7 are each amended to
20 read as follows:

21 (1) After January 1, 1991, a contractor may not perform
22 decontamination, demolition, or disposal work unless issued a
23 certificate by the state department of health. The department shall
24 establish performance standards for contractors by rule in accordance
25 with chapter 34.05 RCW, the administrative procedure act. The
26 department shall train and test, or may approve courses to train and
27 test, contractors and their employees on the essential elements in
28 assessing property used as an illegal drug manufacturing or storage
29 site to determine hazard reduction measures needed, techniques for
30 adequately reducing contaminants, use of personal protective equipment,
31 methods for proper demolition, removal, and disposal of contaminated
32 property, and relevant federal and state regulations. Upon successful
33 completion of the training, the contractor or employee shall be
34 certified.

35 (2) The department may require the successful completion of annual
36 refresher courses provided or approved by the department for the
37 continued certification of the contractor or employee.

1 (3) The department shall provide for reciprocal certification of
2 any individual trained to engage in decontamination, demolition, or
3 disposal work in another state when the prior training is shown to be
4 substantially similar to the training required by the department. The
5 department may require such individuals to take an examination or
6 refresher course before certification.

7 (4) The department may deny, suspend, or revoke a certificate for
8 failure to comply with the requirements of this chapter or any rule
9 adopted pursuant to this chapter. A certificate may be denied,
10 suspended, or revoked on any of the following grounds:

11 (a) Failing to perform decontamination, demolition, or disposal
12 work under the supervision of trained personnel;

13 (b) Failing to file a work plan;

14 (c) Failing to perform work pursuant to the work plan;

15 (d) Failing to perform work that meets the requirements of the
16 department; ~~((or))~~

17 (e) The certificate was obtained by error, misrepresentation, or
18 fraud; or

19 (f) If the person has either (i) been certified pursuant to section
20 502 of this act by the department of social and health services as a
21 person who is not in compliance with a support order, or (ii) has been
22 certified pursuant to section 607 of this act by a court as a person
23 who is not in compliance with a residential or visitation order. If
24 the person has continued to meet all other requirements for
25 reinstatement during the suspension, reissuance of the license or
26 certificate shall be automatic upon the department's receipt of a
27 written release issued by the department of social and health services
28 or a court stating that the person is in compliance with the order.

29 (5) No person who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 502 of this act, or is certified by a
32 court as a person who is not in compliance with a residential or
33 visitation order as provided in section 607 of this act may be issued
34 a license or certificate under this chapter. The application of a
35 person so certified by the department of social and health services or
36 by a court may be reviewed for issuance of a license or certificate
37 under this chapter after the person provides the department with a
38 written release issued by the department of social and health services
39 or a court stating that the person is in compliance with the order.

1 (6) A contractor who violates any provision of this chapter may be
2 assessed a fine not to exceed five hundred dollars for each violation.

3 ~~((+6+))~~ (7) The department of health shall prescribe fees as
4 provided for in RCW 43.70.250 for the issuance and renewal of
5 certificates, the administration of examinations, and for the review of
6 training courses.

7 ~~((+7+))~~ (8) The decontamination account is hereby established in
8 the state treasury. All fees collected under this chapter shall be
9 deposited in this account. Moneys in the account may only be spent
10 after appropriation for costs incurred by the department in the
11 administration and enforcement of this chapter.

12 **Sec. 605.** RCW 19.146.210 and 1994 c 33 s 10 are each amended to
13 read as follows:

14 (1) The director shall issue and deliver a mortgage broker license
15 to an applicant if, after investigation, the director makes the
16 following findings:

17 (a) The applicant has paid the required license fees;

18 (b) The applicant has complied with RCW 19.146.205;

19 (c) Neither the applicant nor any of its principals has had a
20 license issued under this chapter or any similar state statute
21 suspended or revoked within five years of the filing of the present
22 application;

23 (d) Neither the applicant nor any of its principals has been
24 convicted of a gross misdemeanor involving dishonesty or financial
25 misconduct or a felony within seven years of the filing of the present
26 application;

27 (e) Either the applicant or one of its principals, who may be
28 designated by the applicant, (i) has at least two years of experience
29 in the residential mortgage loan industry or has completed the
30 educational requirements established by rule of the director and (ii)
31 has passed a written examination whose content shall be established by
32 rule of the director; and

33 (f) The applicant has demonstrated financial responsibility,
34 character, and general fitness such as to command the confidence of the
35 community and to warrant a belief that the business will be operated
36 honestly, fairly, and efficiently within the purposes of this chapter.

37 (2) If the director does not find the conditions of subsection (1)
38 of this section have been met, the director shall not issue the

1 license. The director shall notify the applicant of the denial and
2 return to the applicant the bond or approved alternative and any
3 remaining portion of the license fee that exceeds the department's
4 actual cost to investigate the license.

5 (3) No person who has been certified by the department of social
6 and health services as a person who is not in compliance with a support
7 order as provided in section 502 of this act, or is certified by a
8 court as a person who is not in compliance with a residential or
9 visitation order as provided in section 607 of this act may be issued
10 a license or certificate under this chapter. The application of a
11 person so certified by the department of social and health services or
12 by a court may be reviewed for issuance of a license or certificate
13 under this chapter after the person provides the department with a
14 written release issued by the department of social and health services
15 or a court stating that the person is in compliance with the order.

16 (4) The director shall issue a license under this chapter to any
17 licensee issued a license under chapter 468, Laws of 1993, that has a
18 valid license and is otherwise in compliance with the provisions of
19 this chapter.

20 (~~(+4)~~) (5) A license issued pursuant to this chapter is valid from
21 the date of issuance with no fixed date of expiration.

22 (~~(+5)~~) (6) A licensee may surrender a license by delivering to the
23 director written notice of surrender, but the surrender does not affect
24 the licensee's civil or criminal liability arising from acts or
25 omissions occurring before such surrender.

26 **Sec. 606.** RCW 19.146.220 and 1994 c 33 s 12 are each amended to
27 read as follows:

28 (1) The director shall enforce all laws and rules relating to the
29 licensing of mortgage brokers, grant or deny licenses to mortgage
30 brokers, and hold hearings. The director may impose any one or more of
31 the following sanctions:

32 (a) Suspend or revoke licenses, deny applications for licenses, or
33 impose penalties upon violators of cease and desist orders issued under
34 this chapter. The director may impose fines, as established by rule by
35 the director, for violations of or failure to comply with any lawful
36 directive, order, or requirement of the director. Each day's
37 continuance of the violation or failure to comply is a separate and
38 distinct violation or failure;

1 (b) Issue an order directing a licensee, its employee or loan
2 originator, or other person subject to this chapter to cease and desist
3 from conducting business in a manner that is injurious to the public or
4 violates any provision of this chapter, or to pay restitution to an
5 injured borrower; or

6 (c) Issue an order removing from office or prohibiting from
7 participation in the conduct of the affairs of a licensed mortgage
8 broker, or both, any officer, principal, employee, or loan originator,
9 as the case may be, of any licensed mortgage broker.

10 (2) The director may take those actions specified in subsection (1)
11 of this section if the director finds any of the following:

12 (a) The licensee has failed to pay a fee due the state of
13 Washington under this chapter or, to maintain in effect the bond or
14 approved alternative required under this chapter; or

15 (b) The licensee, employee or loan originator of the licensee, or
16 person subject to the license requirements or prohibited practices of
17 this chapter has failed to comply with any specific order or demand of
18 the director lawfully made and directed to the licensee, employee, or
19 loan originator of the licensee in accordance with this chapter; or

20 (c) The licensee, its employee or loan originator, or other person
21 subject to this chapter has violated any provision of this chapter or
22 a rule adopted under this chapter; or

23 (d) The licensee made false statements on the application or
24 omitted material information that, if known, would have allowed the
25 director to deny the application for the original license.

26 (3) The director shall establish by rule standards for licensure of
27 applicants licensed in other jurisdictions. Every licensed mortgage
28 broker that does not maintain a physical office within the state must
29 maintain a registered agent within the state to receive service of any
30 lawful process in any judicial or administrative noncriminal suit,
31 action, or proceeding, against the licensed mortgage broker which
32 arises under this chapter or any rule or order under this chapter, with
33 the same force and validity as if served personally on the licensed
34 mortgage broker. Service upon the registered agent shall be effective
35 if the plaintiff, who may be the director in a suit, action, or
36 proceeding instituted by him or her, sends notice of the service and a
37 copy of the process by registered mail to the defendant or respondent
38 at the last address of the respondent or defendant on file with the
39 director. In any judicial action, suit, or proceeding arising under

1 this chapter or any rule or order adopted under this chapter between
2 the department or director and a licensed mortgage broker who does not
3 maintain a physical office in this state, venue shall be exclusively in
4 the superior court of Thurston county.

5 (4) The director shall immediately suspend the license or
6 certificate of a person who either (a) has been certified pursuant to
7 section 502 of this act by the department of social and health services
8 as a person who is not in compliance with a support order, or (b) has
9 been certified pursuant to section 607 of this act by a court as a
10 person who is not in compliance with a residential or visitation order.
11 If the person has continued to meet all other requirements for
12 reinstatement during the suspension, reissuance of the license or
13 certificate shall be automatic upon the director's receipt of a written
14 release issued by the department of social and health services or a
15 court stating that the licensee is in compliance with the order.

16 NEW SECTION. Sec. 607. A new section is added to chapter 26.09
17 RCW to read as follows:

18 (1) Unless the context clearly requires otherwise, the definitions
19 in this section apply in this section.

20 (a) "License" means a license, certificate, registration, permit,
21 approval, or other similar document issued by a licensing entity
22 evidencing admission to or granting authority to engage in a
23 profession, occupation, business, or industry.

24 (b) "Licensee" means any individual holding a license, certificate,
25 registration, permit, approval, or other similar document issued by a
26 licensing entity evidencing admission to or granting authority to
27 engage in a profession, occupation, business, or industry.

28 (c) "Licensing entity" includes any department, board, commission,
29 or other organization of the state authorized to issue, renew, suspend,
30 or revoke a license authorizing an individual to engage in a business,
31 occupation, profession, or industry, and the Washington state bar
32 association.

33 (d) "Noncompliance with a residential or visitation order" means
34 that a court has found the parent in contempt of court, under RCW
35 26.09.160 for failure to comply with a residential provision of a
36 court-ordered parenting plan on two occasions within three years.

1 (e) "Residential or visitation order" means the residential
2 schedule or visitation schedule contained in a court-ordered parenting
3 plan.

4 (2) If a court determines under RCW 26.09.160 that a parent is not
5 in compliance with a provision of a residential or visitation order
6 under RCW 26.09.160, the court shall enter an order directed to the
7 appropriate licensing entity certifying that the parent is not in
8 compliance with a residential or visitation order. The order shall
9 contain the noncomplying parent's name, address, and social security
10 number, and shall indicate whether the obligor is believed to be a
11 licensee who has a license, is in the process of applying for a
12 license, or may seek renewal of a license issued directly by the
13 licensing entity or through a board affiliated with the licensing
14 entity. The court clerk shall forward the order to the licensing
15 entity.

16 (3) The court shall set a review hearing date to determine whether
17 the noncomplying parent becomes in compliance with the residential or
18 visitation order. If the court determines at the review hearing that
19 the parent is in compliance with the residential or visitation order,
20 the court shall provide the parent with a written release stating that
21 the parent is in compliance with the residential or visitation order.

22 (4) Upon receipt of the court order, the licensing entity shall
23 refuse to issue or renew a license to the licensee or shall suspend the
24 licensee's license until the licensee provides the licensing entity
25 with a release from the court that states the licensee is in compliance
26 with the residential or visitation order.

27 **Sec. 608.** RCW 26.09.160 and 1991 c 367 s 4 are each amended to
28 read as follows:

29 (1) The performance of parental functions and the duty to provide
30 child support are distinct responsibilities in the care of a child. If
31 a party fails to comply with a provision of a decree or temporary order
32 of injunction, the obligation of the other party to make payments for
33 support or maintenance or to permit contact with children is not
34 suspended. An attempt by a parent, in either the negotiation or the
35 performance of a parenting plan, to condition one aspect of the
36 parenting plan upon another, to condition payment of child support upon
37 an aspect of the parenting plan, to refuse to pay ordered child
38 support, to refuse to perform the duties provided in the parenting

1 plan, or to hinder the performance by the other parent of duties
2 provided in the parenting plan, shall be deemed bad faith and shall be
3 punished by the court by holding the party in contempt of court and by
4 awarding to the aggrieved party reasonable attorneys' fees and costs
5 incidental in bringing a motion for contempt of court.

6 (2)(a) A motion may be filed to initiate a contempt action to
7 coerce a parent to comply with an order establishing residential
8 provisions for a child. If the court finds there is reasonable cause
9 to believe the parent has not complied with the order, the court may
10 issue an order to show cause why the relief requested should not be
11 granted.

12 (b) If, based on all the facts and circumstances, the court finds
13 after hearing that the parent, in bad faith, has not complied with the
14 order establishing residential provisions for the child, the court
15 shall find the parent in contempt of court. Upon a finding of
16 contempt, the court shall order:

17 (i) The noncomplying parent to provide the moving party additional
18 time with the child. The additional time shall be equal to the time
19 missed with the child, due to the parent's noncompliance;

20 (ii) The parent to pay, to the moving party, all court costs and
21 reasonable attorneys' fees incurred as a result of the noncompliance,
22 and any reasonable expenses incurred in locating or returning a child;
23 and

24 (iii) The parent to pay, to the moving party, a civil penalty, not
25 less than the sum of one hundred dollars.

26 The court may also order the parent to be imprisoned in the county
27 jail, if the parent is presently able to comply with the provisions of
28 the court-ordered parenting plan and is presently unwilling to comply.
29 The parent may be imprisoned until he or she agrees to comply with the
30 order, but in no event for more than one hundred eighty days.

31 (3) On a second failure within three years to comply with a
32 residential provision of a court-ordered parenting plan, a motion may
33 be filed to initiate contempt of court proceedings according to the
34 procedure set forth in subsection (2) (a) and (b) of this section. On
35 a finding of contempt under this subsection, the court shall (~~order~~):

36 (a) Order the noncomplying parent to provide the other parent or
37 party additional time with the child. The additional time shall be
38 twice the amount of the time missed with the child, due to the parent's
39 noncompliance;

1 (b) Order the noncomplying parent to pay, to the other parent or
2 party, all court costs and reasonable attorneys' fees incurred as a
3 result of the noncompliance, and any reasonable expenses incurred in
4 locating or returning a child; ((and))

5 (c) Order the noncomplying parent to pay, to the moving party, a
6 civil penalty of not less than two hundred fifty dollars; and

7 (d) Enter an order under section 607 of this act directed to the
8 appropriate licensing entity certifying that the parent is not in
9 compliance with the residential schedule or visitation schedule of a
10 permanent parenting plan.

11 The court may also order the parent to be imprisoned in the county
12 jail, if the parent is presently able to comply with the provisions of
13 the court-ordered parenting plan and is presently unwilling to comply.
14 The parent may be imprisoned until he or she agrees to comply with the
15 order but in no event for more than one hundred eighty days.

16 (4) For purposes of subsections (1), (2), and (3) of this section,
17 the parent shall be deemed to have the present ability to comply with
18 the order establishing residential provisions unless he or she
19 establishes otherwise by a preponderance of the evidence. The parent
20 shall establish a reasonable excuse for failure to comply with the
21 residential provision of a court-ordered parenting plan by a
22 preponderance of the evidence.

23 (5) Any monetary award ordered under subsections (1), (2), and (3)
24 of this section may be enforced, by the party to whom it is awarded, in
25 the same manner as a civil judgment.

26 (6) Subsections (1), (2), and (3) of this section authorize the
27 exercise of the court's power to impose remedial sanctions for contempt
28 of court and in addition to any other contempt power the court may
29 possess.

30 (7) Upon motion for contempt of court under subsections (1) through
31 (3) of this section, if the court finds the motion was brought without
32 reasonable basis, the court shall order the moving party to pay to the
33 nonmoving party, all costs, reasonable attorneys' fees, and a civil
34 penalty of not less than one hundred dollars.

35 **Sec. 609.** RCW 26.09.165 and 1994 c 162 s 2 are each amended to
36 read as follows:

1 All court orders containing parenting plan provisions or orders of
2 contempt, entered pursuant to RCW 26.09.160, shall include the
3 following language:

4 WARNING: VIOLATION OF THE RESIDENTIAL PROVISIONS OF THIS ORDER
5 WITH ACTUAL KNOWLEDGE OF ITS TERMS IS PUNISHABLE BY CONTEMPT OF
6 COURT, MAY CAUSE THE VIOLATOR TO BE DENIED OR HAVE SUSPENDED OR
7 NOT RENEWED A PROFESSIONAL, DRIVER'S, OR OTHER LICENSE, AND MAY
8 BE A CRIMINAL OFFENSE UNDER RCW 9A.40.060(2) or 9A.40.070(2).
9 VIOLATION OF THIS ORDER MAY SUBJECT A VIOLATOR TO ARREST.

10 **Sec. 610.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to
11 read as follows:

12 (1) If the office of support enforcement is providing support
13 enforcement services under RCW 26.23.045, or if a party is applying for
14 support enforcement services by signing the application form on the
15 bottom of the support order, the superior court shall include in all
16 court orders that establish or modify a support obligation:

17 (a) A provision that orders and directs the responsible parent to
18 make all support payments to the Washington state support registry;

19 (b) A statement that a notice of payroll deduction may be issued,
20 or other income withholding action under chapter 26.18 or 74.20A RCW
21 may be taken, without further notice to the responsible parent at any
22 time after entry of the court order, unless:

23 (i) One of the parties demonstrates, and the court finds, that
24 there is good cause not to require immediate income withholding and
25 that withholding should be delayed until a payment is past due; or

26 (ii) The parties reach a written agreement that is approved by the
27 court that provides for an alternate arrangement; (~~and~~)

28 (c) A statement that the receiving parent might be required to
29 submit an accounting of how the support is being spent to benefit the
30 child; and

31 (d) A statement that the responsible parent's privileges to obtain
32 and maintain a license, as defined in section 502 of this act, may be
33 denied, not renewed, or suspended if the parent is not in compliance
34 with a support order as defined in section 502 of this act.

35 As used in this subsection and subsection (3) of this section,
36 "good cause not to require immediate income withholding" means a
37 written determination of why implementing immediate wage withholding

1 would not be in the child's best interests and, in modification cases,
2 proof of timely payment of previously ordered support.

3 (2) In all other cases not under subsection (1) of this section,
4 the court may order the responsible parent to make payments directly to
5 the person entitled to receive the payments, to the Washington state
6 support registry, or may order that payments be made in accordance with
7 an alternate arrangement agreed upon by the parties.

8 (a) The superior court shall include in all orders under this
9 subsection that establish or modify a support obligation:

10 (i) A statement that a notice of payroll deduction may be issued or
11 other income withholding action under chapter 26.18 or 74.20A RCW may
12 be taken, without further notice to the responsible parent at any time
13 after entry of the court order, unless:

14 (A) One of the parties demonstrates, and the court finds, that
15 there is good cause not to require immediate income withholding and
16 that withholding should be delayed until a payment is past due; or

17 (B) The parties reach a written agreement that is approved by the
18 court that provides for an alternate arrangement; and

19 (ii) A statement that the receiving parent may be required to
20 submit an accounting of how the support is being spent to benefit the
21 child.

22 As used in this subsection, "good cause not to require immediate
23 income withholding" is any reason that the court finds appropriate.

24 (b) The superior court may order immediate or delayed income
25 withholding as follows:

26 (i) Immediate income withholding may be ordered if the responsible
27 parent has earnings. If immediate income withholding is ordered under
28 this subsection, all support payments shall be paid to the Washington
29 state support registry. The superior court shall issue a mandatory
30 wage assignment order as set forth in chapter 26.18 RCW when the
31 support order is signed by the court. The parent entitled to receive
32 the transfer payment is responsible for serving the employer with the
33 order and for its enforcement as set forth in chapter 26.18 RCW.

34 (ii) If immediate income withholding is not ordered, the court
35 shall require that income withholding be delayed until a payment is
36 past due. The support order shall contain a statement that a notice of
37 payroll deduction may be issued, or other income-withholding action
38 under chapter 26.18 or 74.20A RCW may be taken, without further notice
39 to the responsible parent, after a payment is past due.

1 (c) If a mandatory wage withholding order under chapter 26.18 RCW
2 is issued under this subsection and the office of support enforcement
3 provides support enforcement services under RCW 26.23.045, the existing
4 wage withholding assignment is prospectively superseded upon the office
5 of support enforcement's subsequent service of an income withholding
6 notice.

7 (3) The office of administrative hearings and the department of
8 social and health services shall require that all support obligations
9 established as administrative orders include a provision which orders
10 and directs that the responsible parent shall make all support payments
11 to the Washington state support registry. All administrative orders
12 shall also state that the responsible parent's privileges to obtain and
13 maintain a license, as defined in section 502 of this act, may be
14 denied, not renewed, or suspended if the parent is not in compliance
15 with a support order as defined in section 502 of this act. All
16 administrative orders shall also state that a notice of payroll
17 deduction may be issued, or other income withholding action taken
18 without further notice to the responsible parent at any time after
19 entry of the order, unless:

20 (a) One of the parties demonstrates, and the presiding officer
21 finds, that there is good cause not to require immediate income
22 withholding; or

23 (b) The parties reach a written agreement that is approved by the
24 presiding officer that provides for an alternate agreement.

25 (4) If the support order does not include the provision ordering
26 and directing that all payments be made to the Washington state support
27 registry and a statement that a notice of payroll deduction may be
28 issued if a support payment is past due or at any time after the entry
29 of the order, or that a parent's licensing privileges may be denied,
30 not renewed, or suspended, the office of support enforcement may serve
31 a notice on the responsible parent stating such requirements and
32 authorizations. Service may be by personal service or any form of mail
33 requiring a return receipt.

34 (5) Every support order shall state:

35 (a) The address where the support payment is to be sent;

36 (b) That a notice of payroll deduction may be issued or other
37 income withholding action under chapter 26.18 or 74.20A RCW may be
38 taken, without further notice to the responsible parent at any time
39 after entry of an order by the court, unless:

1 (i) One of the parties demonstrates, and the court finds, that
2 there is good cause not to require immediate income withholding; or
3 (ii) The parties reach a written agreement that is approved by the
4 court that provides for an alternate arrangement;
5 (c) The income of the parties, if known, or that their income is
6 unknown and the income upon which the support award is based;
7 (d) The support award as a sum certain amount;
8 (e) The specific day or date on which the support payment is due;
9 (f) The social security number, residence address, and name and
10 address of the employer of the responsible parent;
11 (g) The social security number and residence address of the
12 physical custodian except as provided in subsection (6) of this
13 section;
14 (h) The names, dates of birth, and social security numbers, if any,
15 of the dependent children;
16 (i) In cases requiring payment to the Washington state support
17 registry, that the parties are to notify the Washington state support
18 registry of any change in residence address. The responsible parent
19 shall notify the registry of the name and address of his or her current
20 employer, whether he or she has access to health insurance coverage at
21 reasonable cost and, if so, the health insurance policy information;
22 (j) That any parent owing a duty of child support shall be
23 obligated to provide health insurance coverage for his or her child if
24 coverage that can be extended to cover the child is or becomes
25 available to that parent through employment or is union-related as
26 provided under RCW 26.09.105;
27 (k) That if proof of health insurance coverage or proof that the
28 coverage is unavailable is not provided within twenty days, the obligee
29 or the department may seek direct enforcement of the coverage through
30 the obligor's employer or union without further notice to the obligor
31 as provided under chapter 26.18 RCW; ((and))
32 (l) The reasons for not ordering health insurance coverage if the
33 order fails to require such coverage; and
34 (m) That the responsible parent's privileges to obtain and maintain
35 a license, as defined in section 502 of this act, may be denied, not
36 renewed, or suspended if the parent is not in compliance with a support
37 order as defined in section 502 of this act.
38 (6) The physical custodian's address:

1 (a) Shall be omitted from an order entered under the administrative
2 procedure act. When the physical custodian's address is omitted from
3 an order, the order shall state that the custodian's address is known
4 to the office of support enforcement.

5 (b) A responsible parent may request the physical custodian's
6 residence address by submission of a request for disclosure under RCW
7 26.23.120 to the office of support enforcement.

8 (7) The superior court clerk, the office of administrative
9 hearings, and the department of social and health services shall,
10 within five days of entry, forward to the Washington state support
11 registry, a true and correct copy of all superior court orders or
12 administrative orders establishing or modifying a support obligation
13 which provide that support payments shall be made to the support
14 registry. If a superior court order entered prior to January 1, 1988,
15 directs the responsible parent to make support payments to the clerk,
16 the clerk shall send a true and correct copy of the support order and
17 the payment record to the registry for enforcement action when the
18 clerk identifies that a payment is more than fifteen days past due.
19 The office of support enforcement shall reimburse the clerk for the
20 reasonable costs of copying and sending copies of court orders to the
21 registry at the reimbursement rate provided in Title IV-D of the social
22 security act.

23 (8) Receipt of a support order by the registry or other action
24 under this section on behalf of a person or persons who have not made
25 a written application for support enforcement services to the office of
26 support enforcement and who are not recipients of public assistance is
27 deemed to be a request for payment services only.

28 (9) After the responsible parent has been ordered or notified to
29 make payments to the Washington state support registry under this
30 section, the responsible parent shall be fully responsible for making
31 all payments to the Washington state support registry and shall be
32 subject to payroll deduction or other income withholding action. The
33 responsible parent shall not be entitled to credit against a support
34 obligation for any payments made to a person or agency other than to
35 the Washington state support registry except as provided under RCW
36 74.20.101. A civil action may be brought by the payor to recover
37 payments made to persons or agencies who have received and retained
38 support moneys paid contrary to the provisions of this section.

1 **Sec. 611.** RCW 26.18.100 and 1994 c 230 s 4 are each amended to
2 read as follows:

3 The wage assignment order shall be substantially in the following
4 form:

5 IN THE SUPERIOR COURT OF THE
6 STATE OF WASHINGTON IN AND FOR THE
7 COUNTY OF

8 ,
9 Obligee No.
10 vs.
11 , WAGE ASSIGNMENT
12 Obligor ORDER
13 ,
14 Employer

15 THE STATE OF WASHINGTON TO:
16 Employer

17 AND TO:
18 Obligor

19 The above-named obligee claims that the above-named obligor is
20 subject to a support order requiring immediate income withholding or is
21 more than fifteen days past due in either child support or spousal
22 maintenance payments, or both, in an amount equal to or greater than
23 the child support or spousal maintenance payable for one month. The
24 amount of the accrued child support or spousal maintenance debt as of
25 this date is dollars, the amount of arrearage payments
26 specified in the support or spousal maintenance order (if applicable)
27 is dollars per , and the amount of the current
28 and continuing support or spousal maintenance obligation under the
29 order is dollars per

30 You are hereby commanded to answer this order by filling in the
31 attached form according to the instructions, and you must mail or
32 deliver the original of the answer to the court, one copy to the
33 Washington state support registry, one copy to the obligee or obligee's
34 attorney, and one copy to the obligor within twenty days after service
35 of this wage assignment order upon you.

36 If you possess any earnings or other remuneration for employment
37 due and owing to the obligor, then you shall do as follows:

1 (1) Withhold from the obligor's earnings or remuneration each
2 month, or from each regular earnings disbursement, the lesser of:

3 (a) The sum of the accrued support or spousal maintenance debt and
4 the current support or spousal maintenance obligation;

5 (b) The sum of the specified arrearage payment amount and the
6 current support or spousal maintenance obligation; or

7 (c) Fifty percent of the disposable earnings or remuneration of the
8 obligor.

9 (2) The total amount withheld above is subject to the wage
10 assignment order, and all other sums may be disbursed to the obligor.

11 (3) Upon receipt of this wage assignment order you shall make
12 immediate deductions from the obligor's earnings or remuneration and
13 remit to the Washington state support registry or other address
14 specified below the proper amounts at each regular pay interval.

15 You shall continue to withhold the ordered amounts from nonexempt
16 earnings or remuneration of the obligor until notified by:

17 (a) The court that the wage assignment has been modified or
18 terminated; or

19 (b) The addressee specified in the wage assignment order under this
20 section that the accrued child support or spousal maintenance debt has
21 been paid.

22 You shall promptly notify the court and the addressee specified in
23 the wage assignment order under this section if and when the employee
24 is no longer employed by you, or if the obligor no longer receives
25 earnings or remuneration from you. If you no longer employ the
26 employee, the wage assignment order shall remain in effect for one year
27 after the employee has left your employment or you are no longer in
28 possession of any earnings or remuneration owed to the employee,
29 whichever is later. You shall continue to hold the wage assignment
30 order during that period. If the employee returns to your employment
31 during the one-year period you shall immediately begin to withhold the
32 employee's earnings according to the terms of the wage assignment
33 order. If the employee has not returned to your employment within one
34 year, the wage assignment will cease to have effect at the expiration
35 of the one-year period, unless you still owe the employee earnings or
36 other remuneration.

37 You shall deliver the withheld earnings or remuneration to the
38 Washington state support registry or other address stated below at each
39 regular pay interval.

1 (2) The office of support enforcement shall serve a notice of
2 payroll deduction upon a responsible parent's employer or upon the
3 employment security department for the state in possession of or owing
4 any benefits from the unemployment compensation fund to the responsible
5 parent pursuant to Title 50 RCW by personal service or by any form of
6 mail requiring a return receipt.

7 (3) Service of a notice of payroll deduction upon an employer or
8 employment security department requires the employer or employment
9 security department to immediately make a mandatory payroll deduction
10 from the responsible parent's unpaid disposable earnings or
11 unemployment compensation benefits. The employer or employment
12 security department shall thereafter deduct each pay period the amount
13 stated in the notice divided by the number of pay periods per month.
14 The payroll deduction each pay period shall not exceed fifty percent of
15 the responsible parent's disposable earnings.

16 (4) A notice of payroll deduction for support shall have priority
17 over any wage assignment, garnishment, attachment, or other legal
18 process.

19 (5) The notice of payroll deduction shall be in writing and
20 include:

21 (a) The name and social security number of the responsible parent;

22 (b) The amount to be deducted from the responsible parent's
23 disposable earnings each month, or alternate amounts and frequencies as
24 may be necessary to facilitate processing of the payroll deduction;

25 (c) A statement that the total amount withheld shall not exceed
26 fifty percent of the responsible parent's disposable earnings; ~~((and))~~

27 (d) The address to which the payments are to be mailed or
28 delivered; and

29 (e) A notice to the responsible parent warning the responsible
30 parent that, despite the payroll deduction, the responsible parent's
31 privileges to obtain and maintain a license, as defined in section 502
32 of this act, may be denied, not renewed, or suspended if the parent is
33 not in compliance with a support order as defined in section 502 of
34 this act.

35 (6) An informational copy of the notice of payroll deduction shall
36 be mailed to the last known address of the responsible parent by
37 regular mail.

38 (7) An employer or employment security department that receives a
39 notice of payroll deduction shall make immediate deductions from the

1 responsible parent's unpaid disposable earnings and remit proper
2 amounts to the Washington state support registry on each date the
3 responsible parent is due to be paid.

4 (8) An employer, or the employment security department, upon whom
5 a notice of payroll deduction is served, shall make an answer to the
6 office of support enforcement within twenty days after the date of
7 service. The answer shall confirm compliance and institution of the
8 payroll deduction or explain the circumstances if no payroll deduction
9 is in effect. The answer shall also state whether the responsible
10 parent is employed by or receives earnings from the employer or
11 receives unemployment compensation benefits from the employment
12 security department, whether the employer or employment security
13 department anticipates paying earnings or unemployment compensation
14 benefits and the amount of earnings. If the responsible parent is no
15 longer employed, or receiving earnings from the employer, the answer
16 shall state the present employer's name and address, if known. If the
17 responsible parent is no longer receiving unemployment compensation
18 benefits from the employment security department, the answer shall
19 state the present employer's name and address, if known.

20 (9) The employer or employment security department may deduct a
21 processing fee from the remainder of the responsible parent's earnings
22 after withholding under the notice of payroll deduction, even if the
23 remainder is exempt under RCW 26.18.090. The processing fee may not
24 exceed: (a) Ten dollars for the first disbursement made to the
25 Washington state support registry; and (b) one dollar for each
26 subsequent disbursement to the registry.

27 (10) The notice of payroll deduction shall remain in effect until
28 released by the office of support enforcement, the court enters an
29 order terminating the notice and approving an alternate arrangement
30 under RCW 26.23.050(2), or one year has expired since the employer has
31 employed the responsible parent or has been in possession of or owing
32 any earnings to the responsible parent or the employment security
33 department has been in possession of or owing any unemployment
34 compensation benefits to the responsible parent.

35 **PART VII. WELFARE EVALUATION AND EFFECTIVENESS STUDIES**

36 NEW SECTION. **Sec. 701.** A new section is added to chapter 44.28
37 RCW to read as follows:

1 (1) The legislative budget committee shall conduct an evaluation of
2 the effectiveness of the programs described in chapter . . . , Laws of
3 1996 (this act). The evaluation shall assess the success of the
4 programs in assisting clients to become employed and to reduce their
5 use of aid to families with dependent children. It may include, but
6 not be limited to:

7 (a) The costs and effectiveness of the programs;

8 (b) The extent to which work and job training opportunities have
9 led to employment outcomes and economic independence;

10 (c) An analysis of aid to families with dependent children
11 outcomes, including grant amounts and program exits, for clients; and

12 (d) An audit of performance-based contracts to providers offering
13 job opportunities and basic skills training program services.

14 (2) Administrative data shall be provided by the department of
15 social and health services, the employment security department, the
16 state board for community and technical colleges, local government
17 providers, and private contractors. The department of social and
18 health services shall require contractors to provide administrative and
19 outcome data needed for this evaluation.

20 (3) Additional data may be collected directly from clients if not
21 available from administrative records.

22 (4) The legislative budget committee may convene an evaluation
23 advisory group to assist in the study process. It may contract for
24 services necessary to accomplish the purposes of this section.

25 (5) The legislative budget committee shall present an evaluation
26 plan to the legislature after consultation with the federal government
27 on the design of the evaluation.

28 (6) The legislative budget committee shall submit annual reports to
29 the legislature, beginning in December 1999, with a final report due in
30 December 2003, unless an earlier date is recommended by the committee.

31 **PART VIII. MISCELLANEOUS**

32 **Sec. 801.** RCW 74.04.005 and 1992 c 165 s 1 and 1992 c 136 s 1 are
33 each reenacted and amended to read as follows:

34 For the purposes of this title, unless the context indicates
35 otherwise, the following definitions shall apply:

36 (1) "Public assistance" or "assistance"«Public aid to persons in
37 need thereof for any cause, including services, medical care,

1 assistance grants, disbursing orders, work relief, general assistance
2 and federal-aid assistance.

3 (2) "Department"«The department of social and health services.

4 (3) "County or local office"«The administrative office for one or
5 more counties or designated service areas.

6 (4) "Director" or "secretary" means the secretary of social and
7 health services.

8 (5) "Federal-aid assistance"«The specific categories of assistance
9 for which provision is made in any federal law existing or hereafter
10 passed by which payments are made from the federal government to the
11 state in aid or in respect to payment by the state for public
12 assistance rendered to any category of needy persons for which
13 provision for federal funds or aid may from time to time be made, or a
14 federally administered needs-based program.

15 (6)(a) "General assistance"«Aid to persons in need who:

16 (i) Are not eligible to receive federal-aid assistance, other than
17 food stamps and medical assistance; however, an individual who refuses
18 or fails to cooperate in obtaining federal-aid assistance, without good
19 cause, is not eligible for general assistance;

20 (ii) Meet one of the following conditions:

21 (A) Pregnant: PROVIDED, That need is based on the current income
22 and resource requirements of the federal aid to families with dependent
23 children program: PROVIDED FURTHER, That during any period in which an
24 aid for dependent children employable program is not in operation, only
25 those pregnant women who are categorically eligible for medicaid are
26 eligible for general assistance; or

27 (B) Subject to chapter 165, Laws of 1992, incapacitated from
28 gainful employment by reason of bodily or mental infirmity that will
29 likely continue for a minimum of ninety days as determined by the
30 department.

31 (C) Persons who are unemployable due to alcohol or drug addiction
32 are not eligible for general assistance. Persons receiving general
33 assistance on July 26, 1987, or becoming eligible for such assistance
34 thereafter, due to an alcohol or drug-related incapacity, shall be
35 referred to appropriate assessment, treatment, shelter, or supplemental
36 security income referral services as authorized under chapter 74.50
37 RCW. Referrals shall be made at the time of application or at the time
38 of eligibility review. Alcoholic and drug addicted clients who are
39 receiving general assistance on July 26, 1987, may remain on general

1 assistance if they otherwise retain their eligibility until they are
2 assessed for services under chapter 74.50 RCW. Subsection
3 (6)(a)(ii)(B) of this section shall not be construed to prohibit the
4 department from granting general assistance benefits to alcoholics and
5 drug addicts who are incapacitated due to other physical or mental
6 conditions that meet the eligibility criteria for the general
7 assistance program;

8 (iii) Are citizens or aliens lawfully admitted for permanent
9 residence or otherwise residing in the United States under color of
10 law; and

11 (iv) Have furnished the department their social security account
12 number. If the social security account number cannot be furnished
13 because it has not been issued or is not known, an application for a
14 number shall be made prior to authorization of assistance, and the
15 social security number shall be provided to the department upon
16 receipt.

17 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),
18 and (c) of this section, general assistance shall be provided to the
19 following recipients of federal-aid assistance:

20 (i) Recipients of supplemental security income whose need, as
21 defined in this section, is not met by such supplemental security
22 income grant because of separation from a spouse; or

23 (ii) To the extent authorized by the legislature in the biennial
24 appropriations act, to recipients of aid to families with dependent
25 children whose needs are not being met because of a temporary reduction
26 in monthly income below the entitled benefit payment level caused by
27 loss or reduction of wages or unemployment compensation benefits or
28 some other unforeseen circumstances. The amount of general assistance
29 authorized shall not exceed the difference between the entitled benefit
30 payment level and the amount of income actually received.

31 (c) General assistance shall be provided only to persons who are
32 not members of assistance units receiving federal aid assistance,
33 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,
34 and will accept available services which can reasonably be expected to
35 enable the person to work or reduce the need for assistance unless
36 there is good cause to refuse. Failure to accept such services shall
37 result in termination until the person agrees to cooperate in accepting
38 such services and subject to the following maximum periods of
39 ineligibility after reapplication:

1 (i) First failure: One week;
2 (ii) Second failure within six months: One month;
3 (iii) Third and subsequent failure within one year: Two months.
4 (d) Persons found eligible for general assistance based on
5 incapacity from gainful employment may, if otherwise eligible, receive
6 general assistance pending application for federal supplemental
7 security income benefits. Any general assistance that is subsequently
8 duplicated by the person's receipt of supplemental security income for
9 the same period shall be considered a debt due the state and shall by
10 operation of law be subject to recovery through all available legal
11 remedies.
12 (e) The department shall adopt by rule medical criteria for general
13 assistance eligibility to ensure that eligibility decisions are
14 consistent with statutory requirements and are based on clear,
15 objective medical information.
16 (f) The process implementing the medical criteria shall involve
17 consideration of opinions of the treating or consulting physicians or
18 health care professionals regarding incapacity, and any eligibility
19 decision which rejects uncontroverted medical opinion must set forth
20 clear and convincing reasons for doing so.
21 (g) Recipients of general assistance based upon a finding of
22 incapacity from gainful employment who remain otherwise eligible shall
23 not have their benefits terminated absent a clear showing of material
24 improvement in their medical or mental condition or specific error in
25 the prior determination that found the recipient eligible by reason of
26 incapacitation. Recipients of general assistance based upon pregnancy
27 who relinquish their child for adoption, remain otherwise eligible, and
28 are not eligible to receive benefits under the federal aid to families
29 with dependent children program shall not have their benefits
30 terminated until the end of the month in which the period of six weeks
31 following the birth of the recipient's child falls. Recipients of the
32 federal aid to families with dependent children program who lose their
33 eligibility solely because of the birth and relinquishment of the
34 qualifying child may receive general assistance through the end of the
35 month in which the period of six weeks following the birth of the child
36 falls.
37 (7) "Applicant"«Any person who has made a request, or on behalf of
38 whom a request has been made, to any county or local office for
39 assistance.

1 (8) "Recipient"«Any person receiving assistance and in addition
2 those dependents whose needs are included in the recipient's
3 assistance.

4 (9) "Standards of assistance"«The level of income required by an
5 applicant or recipient to maintain a level of living specified by the
6 department.

7 (10) "Resource"«Any asset, tangible or intangible, owned by or
8 available to the applicant at the time of application, which can be
9 applied toward meeting the applicant's need, either directly or by
10 conversion into money or its equivalent: PROVIDED, That an applicant
11 may retain the following described resources and not be ineligible for
12 public assistance because of such resources.

13 (a) A home, which is defined as real property owned and used by an
14 applicant or recipient as a place of residence, together with a
15 reasonable amount of property surrounding and contiguous thereto, which
16 is used by and useful to the applicant. Whenever a recipient shall
17 cease to use such property for residential purposes, either for himself
18 or his dependents, the property shall be considered as a resource which
19 can be made available to meet need, and if the recipient or his
20 dependents absent themselves from the home for a period of ninety
21 consecutive days such absence, unless due to hospitalization or health
22 reasons or a natural disaster, shall raise a rebuttable presumption of
23 abandonment: PROVIDED, That if in the opinion of three physicians the
24 recipient will be unable to return to the home during his lifetime, and
25 the home is not occupied by a spouse or dependent children or disabled
26 sons or daughters, such property shall be considered as a resource
27 which can be made available to meet need.

28 (b) Household furnishings and personal effects and other personal
29 property having great sentimental value to the applicant or recipient,
30 as limited by the department consistent with limitations on resources
31 and exemptions for federal aid assistance.

32 (c) A motor vehicle, other than a motor home, used and useful
33 having an equity value not to exceed (~~one~~) five thousand (~~five~~
34 ~~hundred~~) dollars.

35 (d) All other resources, including any excess of values exempted,
36 not to exceed one thousand dollars or other limit as set by the
37 department, to be consistent with limitations on resources and
38 exemptions necessary for federal aid assistance. The department shall
39 also allow recipients of aid to families with dependent children to

1 exempt savings accounts with combined balances of up to an additional
2 three thousand dollars.

3 (e) Applicants for or recipients of general assistance shall have
4 their eligibility based on resource limitations consistent with the aid
5 to families with dependent children program rules adopted by the
6 department.

7 (f) If an applicant for or recipient of public assistance possesses
8 property and belongings in excess of the ceiling value, such value
9 shall be used in determining the need of the applicant or recipient,
10 except that: (i) The department may exempt resources or income when
11 the income and resources are determined necessary to the applicant's or
12 recipient's restoration to independence, to decrease the need for
13 public assistance, or to aid in rehabilitating the applicant or
14 recipient or a dependent of the applicant or recipient; and (ii) the
15 department may provide grant assistance for a period not to exceed nine
16 months from the date the agreement is signed pursuant to this section
17 to persons who are otherwise ineligible because of excess real property
18 owned by such persons when they are making a good faith effort to
19 dispose of that property: PROVIDED, That:

20 (A) The applicant or recipient signs an agreement to repay the
21 lesser of the amount of aid received or the net proceeds of such sale;

22 (B) If the owner of the excess property ceases to make good faith
23 efforts to sell the property, the entire amount of assistance may
24 become an overpayment and a debt due the state and may be recovered
25 pursuant to RCW 43.20B.630;

26 (C) Applicants and recipients are advised of their right to a fair
27 hearing and afforded the opportunity to challenge a decision that good
28 faith efforts to sell have ceased, prior to assessment of an
29 overpayment under this section; and

30 (D) At the time assistance is authorized, the department files a
31 lien without a sum certain on the specific property.

32 (11) "Income"«(a) All appreciable gains in real or personal
33 property (cash or kind) or other assets, which are received by or
34 become available for use and enjoyment by an applicant or recipient
35 during the month of application or after applying for or receiving
36 public assistance. The department may by rule and regulation exempt
37 income received by an applicant for or recipient of public assistance
38 which can be used by him to decrease his need for public assistance or
39 to aid in rehabilitating him or his dependents, but such exemption

1 shall not, unless otherwise provided in this title, exceed the
2 exemptions of resources granted under this chapter to an applicant for
3 public assistance. In determining the amount of assistance to which an
4 applicant or recipient of aid to families with dependent children is
5 entitled, the department is hereby authorized to disregard as a
6 resource or income the earned income exemptions consistent with federal
7 requirements. The department may permit the above exemption of
8 earnings of a child to be retained by such child to cover the cost of
9 special future identifiable needs even though the total exceeds the
10 exemptions or resources granted to applicants and recipients of public
11 assistance, but consistent with federal requirements. In formulating
12 rules and regulations pursuant to this chapter, the department shall
13 define income and resources and the availability thereof, consistent
14 with federal requirements. All resources and income not specifically
15 exempted, and any income or other economic benefit derived from the use
16 of, or appreciation in value of, exempt resources, shall be considered
17 in determining the need of an applicant or recipient of public
18 assistance.

19 (b) If, under applicable federal requirements, the state has the
20 option of considering property in the form of lump sum compensatory
21 awards or related settlements received by an applicant or recipient as
22 income or as a resource, the department shall consider such property to
23 be a resource.

24 (12) "Need"«The difference between the applicant's or recipient's
25 standards of assistance for himself and the dependent members of his
26 family, as measured by the standards of the department, and value of
27 all nonexempt resources and nonexempt income received by or available
28 to the applicant or recipient and the dependent members of his family.

29 (13) "Caretaker" means the parent of the dependent child or
30 children who is head of the household. However, in situations where
31 there are two parents in the household, "caretaker" means that parent
32 who, as a parent, has received assistance under the program for the
33 longest period.

34 (14) For purposes of determining eligibility for public assistance
35 and participation levels in the cost of medical care, the department
36 shall exempt restitution payments made to people of Japanese and Aleut
37 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian
38 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,
39 including all income and resources derived therefrom.

1 (~~(14)~~) (15) In the construction of words and phrases used in this
2 title, the singular number shall include the plural, the masculine
3 gender shall include both the feminine and neuter genders and the
4 present tense shall include the past and future tenses, unless the
5 context thereof shall clearly indicate to the contrary.

6 (16) Except for subsections (17) and (18) of this section, section
7 601, chapter . . ., Laws of 1996 (this section) shall not take effect
8 if sections 301, 302, 305, and 306 of this act do not become law.

9 (17) Section 1, chapter 136, Laws of 1992 is repealed if sections
10 301, 302, 305, and 306 of this act do not become law.

11 (18) Section 1, chapter 165, Laws of 1992 is repealed if sections
12 301, 302, 305, and 306 of this act do not become law.

13 NEW SECTION. Sec. 802. A new section is added to chapter 26.23
14 RCW to read as follows:

15 (1) The office of support enforcement shall enter into contracts
16 with collection agencies for collection of accounts that the office of
17 support enforcement is unsuccessful in collecting after twelve months.
18 The listing collection agency shall not assess the department of social
19 and health services any fee. All fees collected shall be in addition
20 to the amount of the debt owed by the delinquent party and shall be
21 assessed to the delinquent party not to exceed twenty percent of the
22 amount owed. All child support collected by the collection agency
23 shall be paid to the state.

24 (2) The department of social and health services shall monitor each
25 case that it refers to a collection agency.

26 (3) The department of social and health services shall evaluate the
27 effectiveness of entering into contracts for services under this
28 section.

29 (4) The department of social and health services shall provide
30 annual reports to the legislature on the results of its analysis under
31 subsections (2) and (3) of this section for the first three years after
32 the effective date of this section.

33 NEW SECTION. Sec. 803. If any part of this act is found to be in
34 conflict with federal requirements that are a prescribed condition to
35 the allocation of federal funds to the state, the conflicting part of
36 this act is inoperative solely to the extent of the conflict and with
37 respect to the agencies directly affected, and this finding does not

1 affect the operation of the remainder of this act in its application to
2 the agencies concerned. The rules under this act shall meet federal
3 requirements that are a necessary condition to the receipt of federal
4 funds by the state. As used in this section, "allocation of federal
5 funds to the state" means the allocation of federal funds that are
6 appropriated by the legislature to the department of social and health
7 services and on which the department depends for carrying out any
8 provision of the operating budget applicable to it.

9 **Sec. 804.** RCW 74.08.025 and 1981 1st ex.s. c 6 s 9 are each
10 amended to read as follows:

11 Public assistance (~~shall~~) may be awarded to any applicant:

12 (1) Who is in need and otherwise meets the eligibility requirements
13 of department assistance programs; and

14 (2) Who has not made a voluntary assignment of property or cash for
15 the purpose of qualifying for an assistance grant; and

16 (3) Who is not an inmate of a public institution except as a
17 patient in a medical institution or except as an inmate in a public
18 institution who could qualify for federal aid assistance: PROVIDED,
19 That the assistance paid by the department to recipients in nursing
20 homes, or receiving nursing home care, may cover the cost of clothing
21 and incidentals and general maintenance exclusive of medical care and
22 health services. The department may pay a grant to cover the cost of
23 clothing and personal incidentals in public or private medical
24 institutions and institutions for tuberculosis. The department shall
25 allow recipients in nursing homes to retain, in addition to the grant
26 to cover the cost of clothing and incidentals, wages received for work
27 as a part of a training or rehabilitative program designed to prepare
28 the recipient for less restrictive placement to the extent permitted
29 under Title XIX of the federal social security act.

30 **Sec. 805.** RCW 74.08.080 and 1989 c 175 s 145 are each amended to
31 read as follows:

32 (1)(a) A public assistance applicant or recipient who is aggrieved
33 by a decision of the department or an authorized agency of the
34 department has the right to an adjudicative proceeding. A current or
35 former recipient who is aggrieved by a department claim that he or she
36 owes a debt for an overpayment of assistance or food stamps, or both,
37 has the right to an adjudicative proceeding.

1 (b) An applicant or recipient has no right to an adjudicative
2 proceeding when the sole basis for the department's decision is a state
3 or federal law that requires an assistance adjustment for a class of
4 recipients.

5 (c) An applicant or recipient may not use the defense of equitable
6 estoppel or any other equitable defenses in any adjudicative proceeding
7 involving public assistance.

8 (2) The adjudicative proceeding is governed by the Administrative
9 Procedure Act, chapter 34.05 RCW, and this subsection.

10 (a) The applicant or recipient must file the application for an
11 adjudicative proceeding with the secretary within ninety days after
12 receiving notice of the aggrieving decision.

13 (b) The hearing shall be conducted at the local community services
14 office or other location in Washington convenient to the appellant.

15 (c) The appellant or his or her representative has the right to
16 inspect his or her department file and, upon request, to receive copies
17 of department documents relevant to the proceedings free of charge.

18 (d) The appellant has the right to a copy of the tape recording of
19 the hearing free of charge.

20 (e) The department is limited to recovering an overpayment arising
21 from assistance being continued pending the adjudicative proceeding to
22 the amount recoverable up to the sixtieth day after the secretary's
23 receipt of the application for an adjudicative proceeding.

24 (f) If the final adjudicative order is made in favor of the
25 appellant, assistance shall be paid from the date of denial of the
26 application for assistance or thirty days following the date of
27 application for aid to families with dependent children or forty-five
28 days after date of application for all other programs, whichever is
29 sooner; or in the case of a recipient, from the effective date of the
30 local community services office decision.

31 (g) This subsection applies only to an adjudicative proceeding in
32 which the appellant is an applicant for or recipient of medical
33 assistance or the limited casualty program for the medically needy and
34 the issue is his or her eligibility or ineligibility due to the
35 assignment or transfer of a resource. The burden is on the department
36 to prove by a preponderance of the evidence that the person knowingly
37 and willingly assigned or transferred the resource at less than market
38 value for the purpose of qualifying or continuing to qualify for
39 medical assistance or the limited casualty program for the medically

1 needy. If the prevailing party in the adjudicative proceeding is the
2 applicant or recipient, he or she is entitled to reasonable attorney's
3 fees.

4 (3)(a) When a person files a petition for judicial review as
5 provided in RCW 34.05.514 of an adjudicative order entered in a public
6 assistance program, no filing fee shall be collected from the person
7 and no bond shall be required on any appeal. In the event that the
8 superior court, the court of appeals, or the supreme court renders a
9 decision in favor of the appellant, said appellant shall be entitled to
10 reasonable attorney's fees and costs. If a decision of the court is
11 made in favor of the appellant, assistance shall be paid from date of
12 the denial of the application for assistance or thirty days after the
13 application for aid to families with dependent children or forty-five
14 days following the date of application, whichever is sooner; or in the
15 case of a recipient, from the effective date of the local community
16 services office decision.

17 **Sec. 806.** RCW 74.08.340 and 1959 c 26 s 74.08.340 are each amended
18 to read as follows:

19 All assistance granted under this title shall be deemed to be
20 granted and to be held subject to the provisions of any amending or
21 repealing act that may hereafter be enacted, and no recipient shall
22 have any claim for compensation, or otherwise, by reason of his
23 assistance being affected in any way by such amending or repealing act.
24 There is no entitlement to public assistance. Public assistance shall
25 be considered solely as a charitable gesture or gift on the part of the
26 state, which at any time may be discontinued.

27 NEW SECTION. **Sec. 807.** The following acts or parts of acts are
28 each repealed:

29 (1) RCW 74.08.120 and 1992 c 108 s 2, 1987 c 75 s 39, 1981 1st
30 ex.s. c 6 s 15, 1981 c 8 s 12, 1979 c 141 s 326, 1969 ex.s. c 259 s 1,
31 1969 ex.s. c 159 s 1, 1965 ex.s. c 102 s 1, & 1959 c 26 s 74.08.120;

32 (2) RCW 74.08.125 and 1993 c 22 s 1 & 1992 c 108 s 3; and

33 (3) RCW 74.12.420 and 1994 c 299 s 9.

34 NEW SECTION. **Sec. 808.** The child care coordinating council shall
35 develop a proposal to exempt from time limits specified in chapter
36 . . ., Laws of 1996 (this act), caretakers who provide paid child care

1 services for other caretakers who participate in either job
2 opportunities and basic skills training program activities or paid
3 employment. The proposal shall specify the minimum hours of child care
4 to be provided, reimbursement rates for services rendered, the number
5 of children who may be cared for, and recommended training and
6 licensing standards. The council shall submit the proposal to the
7 appropriate committees of the senate and house of representatives no
8 later than December 1, 1996.

9 NEW SECTION. **Sec. 809.** Until July 1, 1998, the governor shall
10 report quarterly to the appropriate committees of the legislature on
11 the efforts to secure the federal changes to permit full implementation
12 of this act at the earliest possible date.

13 NEW SECTION. **Sec. 810.** The table of contents, part headings,
14 subheadings, and captions used in this act do not constitute any part
15 of the law.

16 NEW SECTION. **Sec. 811.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 812.** This act shall be submitted to the people
21 for their adoption and ratification, or rejection, at the next
22 succeeding general election to be held in this state, in accordance
23 with Article II, section 1 of the state Constitution, as amended, and
24 the laws adopted to facilitate the operation thereof."

25 **E3SSB 6062** - H AMD
26 By Representative

27

28 On page 1, line 1 of the title, after "work;" strike the remainder
29 of the title and insert "amending RCW 74.25.010, 74.25.020, 26.16.205,
30 74.20A.020, 74.12.255, 74.04.0052, 13.34.160, 74.12.250, 46.20.291,
31 46.20.311, 18.04.335, 18.08.350, 18.08.350, 18.11.160, 18.16.100,
32 18.27.030, 18.27.060, 18.28.060, 18.39.181, 18.46.050, 18.51.054,
33 18.96.120, 18.96.150, 18.104.110, 18.106.070, 18.130.050, 18.130.120,

1 18.130.150, 18.160.080, 18.165.160, 18.170.170, 43.20A.205, 43.70.115,
2 19.28.120, 19.28.125, 19.28.310, 19.28.550, 19.28.580, 19.30.030,
3 19.30.060, 19.16.110, 19.16.120, 19.31.100, 19.31.130, 19.32.040,
4 19.32.060, 19.105.330, 19.105.380, 19.105.440, 19.138.130, 19.158.050,
5 19.166.040, 21.20.070, 21.20.110, 66.20.320, 67.08.040, 67.08.100,
6 19.02.100, 43.24.080, 43.24.110, 43.24.120, 70.74.110, 70.74.130,
7 70.74.135, 70.74.360, 70.74.370, 66.24.010, 43.63B.040, 70.95D.040,
8 17.21.130, 17.21.132, 64.44.060, 19.146.210, 19.146.220, 26.09.160,
9 26.09.165, 26.23.050, 26.18.100, 26.23.060, 74.08.025, 74.08.080, and
10 74.08.340; reenacting and amending RCW 18.145.080 and 74.04.005; adding
11 new sections to chapter 74.25 RCW; adding a new section to chapter
12 74.13 RCW; adding new sections to chapter 74.12 RCW; adding new
13 sections to chapter 74.20A RCW; adding a new section to chapter 48.22
14 RCW; adding a new section to chapter 2.48 RCW; adding a new section to
15 chapter 18.04 RCW; adding a new section to chapter 18.08 RCW; adding a
16 new section to chapter 18.16 RCW; adding a new section to chapter 18.20
17 RCW; adding a new section to chapter 18.28 RCW; adding a new section to
18 chapter 18.39 RCW; adding a new section to chapter 18.43 RCW; adding a
19 new section to chapter 18.44 RCW; adding a new section to chapter 18.51
20 RCW; adding a new section to chapter 18.76 RCW; adding a new section to
21 chapter 18.85 RCW; adding a new section to chapter 18.96 RCW; adding a
22 new section to chapter 18.104 RCW; adding a new section to chapter
23 18.106 RCW; adding a new section to chapter 18.130 RCW; adding a new
24 section to chapter 18.140 RCW; adding a new section to chapter 18.145
25 RCW; adding a new section to chapter 18.165 RCW; adding a new section
26 to chapter 18.170 RCW; adding a new section to chapter 18.175 RCW;
27 adding a new section to chapter 18.185 RCW; adding a new section to
28 chapter 28A.410 RCW; adding a new section to chapter 20.01 RCW; adding
29 a new section to chapter 48.17 RCW; adding a new section to chapter
30 74.15 RCW; adding a new section to chapter 47.68 RCW; adding a new
31 section to chapter 71.12 RCW; adding a new section to chapter 66.20
32 RCW; adding a new section to chapter 66.24 RCW; adding a new section to
33 chapter 88.02 RCW; adding a new section to chapter 43.24 RCW; adding a
34 new section to chapter 70.95B RCW; adding a new section to chapter
35 26.09 RCW; adding a new section to chapter 44.28 RCW; adding a new
36 section to chapter 26.23 RCW; creating new sections; repealing RCW
37 74.08.120, 74.08.125, and 74.12.420; repealing 1993 c 312 s 7;
38 repealing 1992 c 136 s 1; repealing 1992 c 165 s 1; providing

1 contingent effective dates; and providing for submission of this act to
2 a vote of the people."

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