

2 **E3SSB 6062** - H AMD 441 ADOPTED 3-1-96

3 By Representative Cooke

4

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

7 **"MAKING WELFARE WORK**

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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                   **PART III.   CONTRACTS FOR PERSONAL RESPONSIBILITY**

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

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

8           (2) The contract shall (a) be entered into by the department and  
9 caretaker on a form prescribed by the department; (b) contain a list of  
10 the available benefits to which the family is eligible, including  
11 referral to available community resources; (c) contain a summary of the  
12 responsibilities that the caretaker must exercise for receipt of such  
13 benefits, including, where appropriate, high school completion or GED  
14 programs; (d) contain a statement of the rule in section 302 of this  
15 act prohibiting additional assistance for additional children; (e)  
16 contain a statement of the rules in section 305 of this act governing  
17 the duration of the contract; and (f) contain a statement of the rules  
18 in section 306 of this act governing time limits.

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

21           (a) The caretaker is incapacitated or needed in the home to care  
22 for a member of the household who is incapacitated. The caretaker  
23 shall submit documentation of the incapacity indicating the incapacity  
24 will last at least ninety days. Such documentation shall be obtained  
25 by the caretaker from a health care practitioner regulated under Title  
26 18 RCW whose scope of practice includes diagnosis and treatment of the  
27 condition purported to cause the incapacity;

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

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

1 (d) The caretaker is a minor.

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

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

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

12 The monthly benefit payment paid to a caretaker shall not be  
13 increased as a result of the caretaker's becoming the biological parent  
14 of any additional child or children born more than three hundred days  
15 after the day on which the caretaker first applied for assistance under  
16 this chapter. Caretakers receiving assistance under this chapter on  
17 the effective date of this section shall, for purposes of this section,  
18 be considered to have first applied for assistance on the effective  
19 date of this section.

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

22 If a caretaker receiving cash assistance under the aid to families  
23 with dependent children program does not receive additional cash  
24 benefits for an additional child born more than three hundred days  
25 after aid to families with dependent children benefits were first  
26 applied for, as provided in section 302 of this act, the department  
27 must pay to the caretaker the full amount of any child support payments  
28 made to the department by the responsible parent on behalf of the  
29 additional child.

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

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

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

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

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

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

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

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

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

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

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

35        (b) The reduced monthly benefits to a caretaker who qualifies under  
36 (a) of this subsection shall be as follows: For the twenty-fifth  
37 through the thirtieth month, the department shall reduce the monthly  
38 benefit payment to eighty percent of the payment standard; for the

1 thirty-first through the thirty-sixth month, the department shall  
2 reduce the monthly benefit payment to sixty percent of the payment  
3 standard; for the thirty-seventh through the forty-second month, the  
4 department shall reduce the monthly benefit payment to forty percent of  
5 the payment standard. Following the receipt of forty-two monthly  
6 benefit payments, a caretaker is forever ineligible to apply for or  
7 receive any further assistance under this chapter.

8 (3) For the purposes of applying the rules of this section, the  
9 department shall count both consecutive and nonconsecutive months in  
10 which a caretaker received a monthly benefit payment or a portion of a  
11 monthly benefit payment.

12 (4) The department shall refer caretakers who require specialized  
13 assistance to appropriate department programs, crime victims' programs  
14 through the department of community, trade, and economic development,  
15 or the crime victims' compensation program of the department of labor  
16 and industries.

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

19 For the purposes of determining whether an aid to families with  
20 dependent children recipient shall receive reduced monthly benefits as  
21 provided for by this chapter as now or hereafter amended, length of  
22 stay shall be determined based on actual months of receipt of public  
23 assistance, including months prior to the effective date of this  
24 section but not before June 9, 1994, the effective date of section 9,  
25 chapter 299, Laws of 1994 (Engrossed Second Substitute House Bill No.  
26 2798). In no case shall benefits be reduced under this chapter before  
27 July 1, 1997.

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

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

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

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

6 (2) The joint legislative oversight committee, consisting of two  
7 members from each caucus of the house of representatives and two  
8 members from each caucus of the senate, is created. Within sixty days  
9 after the effective date of this section, the department shall submit  
10 copies of its proposed rules under this section to the secretary of the  
11 senate and the chief clerk of the house of representatives for  
12 distribution to the joint committee. The committee shall review the  
13 proposed rules and shall provide the department with its comments, if  
14 any, on the proposed rules.

15 (3) When the committee comments on proposed rules, the committee  
16 shall give the department written notice of its findings and reasons  
17 therefor.

18 (4) The joint legislative oversight committee shall study the  
19 extent to which minor parents receiving aid to families with dependent  
20 children may be victimized by males fathering children for whom they do  
21 not provide support. The joint legislative oversight committee shall  
22 make recommendations to the appropriate committees of the legislature  
23 by December 1, 1996. The department of social and health services  
24 shall cooperate with the study by providing information as requested  
25 regarding the unmarried minor parents related to the aid to families  
26 with dependent children caseload, the extent to which aid to families  
27 with dependent children recipients in these circumstances receive  
28 ordered child support, and other information relevant to the subject of  
29 predatory nonsupport.

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

32 In order to be eligible for aid to families with dependent  
33 children, applicants shall, at the time of application for assistance,  
34 provide the names of both parents of their child or children, whether  
35 born or unborn, unless the applicant meets federal criteria for  
36 refusing such identification.

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

3       The expenses of the family and the education of the children,  
4 including stepchildren and any child of whom their minor child is a  
5 biological parent, are chargeable upon the property of both husband and  
6 wife, or either of them, and they may be sued jointly or separately.  
7 When a petition for dissolution of marriage or a petition for legal  
8 separation is filed, the court may, upon motion of the stepparent,  
9 terminate the obligation to support the stepchildren or children of the  
10 stepchildren. The obligation to support stepchildren and children of  
11 stepchildren shall cease upon the entry of a decree of dissolution,  
12 decree of legal separation, or death. The obligation of a husband and  
13 wife to support a child of their minor child terminates when their  
14 minor child reaches eighteen years of age, however, a stepparent's  
15 support obligation may be terminated earlier as provided for in this  
16 section.

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

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

22       (1) "Department" means the state department of social and health  
23 services.

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

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

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

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

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

35       (5) "Superior court order" means any judgment, decree, or order of  
36 the superior court of the state of Washington, or a court of comparable  
37 jurisdiction of another state, establishing the existence of a support  
38 obligation and ordering payment of a set or determinable amount of

1 support moneys to satisfy the support obligation. For purposes of RCW  
2 74.20A.055, orders for support which were entered under the uniform  
3 reciprocal enforcement of support act by a state where the responsible  
4 parent no longer resides shall not preclude the department from  
5 establishing an amount to be paid as current and future support.

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

12 (7) "Responsible parent" means a natural parent, adoptive parent,  
13 or stepparent of a dependent child or a person who has signed an  
14 affidavit acknowledging paternity which has been filed with the state  
15 office of vital statistics and includes the parent of an unmarried  
16 minor with a child.

17 (8) "Stepparent" means the present spouse of the person who is  
18 either the mother, father, or adoptive parent of a dependent child, and  
19 such status shall exist until terminated as provided for in RCW  
20 26.16.205.

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

26 (10) "Support debt" means any delinquent amount of support moneys  
27 which is due, owing, and unpaid under a superior court order or an  
28 administrative order, a debt for the payment of expenses for the  
29 reasonable or necessary care, support, and maintenance, including  
30 medical expenses, of a dependent child or other person for whom a  
31 support obligation is owed; or a debt under RCW 74.20A.100 or  
32 74.20A.270. Support debt also includes any accrued interest, fees, or  
33 penalties charged on a support debt, and attorneys fees and other costs  
34 of litigation awarded in an action to establish and enforce a support  
35 obligation or debt.

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

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

3       (1) The department shall determine, after consideration of all  
4 relevant factors and in consultation with the applicant, the most  
5 appropriate living situation for applicants under eighteen years of  
6 age, unmarried, and either pregnant or having a dependent child or  
7 children in the applicant's care. An appropriate living situation((s))  
8 shall include a place of residence that is maintained by the  
9 applicant's parents, parent, legal guardian, or other adult relative as  
10 their or his or her own home(, — or other)) and that the department  
11 finds would provide an appropriate supportive living arrangement  
12 ((supervised by an adult where feasible and consistent with federal  
13 regulations under 45 C.F.R. chapter II, section 233.107)). It also  
14 includes a living situation maintained by an agency that is licensed  
15 under chapter 74.15 RCW that the department finds would provide an  
16 appropriate supportive living arrangement. Grant assistance shall not  
17 be provided under this chapter if the applicant does not reside in the  
18 most appropriate living situation, as determined by the department.

19       (2) ~~((An applicant under eighteen years of age who is either~~  
20 ~~pregnant or has a dependent child and is not living in a situation~~  
21 ~~described in subsection (1) of this section shall be)) A minor parent  
22 or pregnant minor residing in the most appropriate living situation, as  
23 provided under subsection (1) of this section, is presumed to be unable  
24 to manage adequately the funds paid to the minor or on behalf of the  
25 dependent child or children and, unless the ((teenage custodial parent  
26 demonstrates otherwise)) minor provides sufficient evidence to rebut  
27 the presumption, shall be subject to the protective payee requirements  
28 provided for under RCW 74.12.250 and 74.08.280.~~

29       (3) The department shall consider any statements or opinions by  
30 either parent of the ~~((teen recipient))~~ unmarried minor as to an  
31 appropriate living situation for the ~~((teen))~~ minor and his or her  
32 children, whether in the parental home or other situation. If the  
33 parents or a parent of the ~~((teen head of household applicant for~~  
34 ~~assistance))~~ minor request, they or he or she shall be entitled to a  
35 hearing in juvenile court regarding ~~((the fitness and suitability of~~  
36 ~~their home as the top priority choice))~~ designation of the parental  
37 home or other relative placement as the most appropriate living  
38 situation for the pregnant or parenting ~~((teen applicant for~~  
39 ~~assistance))~~ minor.



1       The department shall provide the parents (~~((shall have))~~) or parent  
2 with the opportunity to make a showing(~~((, based on the preponderance of~~  
3 ~~the evidence,))~~) that the parental home, or home of the other relative  
4 placement, is the most appropriate living situation. It shall be  
5 presumed in any administrative or judicial proceeding conducted under  
6 this subsection that the parental home or other relative placement  
7 requested by the parents or parent is the most appropriate living  
8 situation. This presumption is rebuttable.

9       (4) In cases in which the (~~(head of household is under eighteen~~  
10 ~~years of age,)) minor is unmarried(~~((,))~~) and unemployed, (~~(and requests~~  
11 ~~information on adoption,))~~) the department shall, as part of the  
12 determination of the appropriate living situation, provide information  
13 about adoption including referral to community-based organizations  
14 (~~((for))~~) providing counseling.~~

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

17       (1) The department shall determine, after consideration of all  
18 relevant factors and in consultation with the applicant, the most  
19 appropriate living situation for applicants under eighteen years of  
20 age, unmarried, and pregnant who are eligible for general assistance as  
21 defined in RCW 74.04.005(6)(a)(ii)(A). An appropriate living  
22 situation(~~((s))~~) shall include a place of residence that is maintained by  
23 the applicant's parents, parent, legal guardian, or other adult  
24 relative as their or his or her own home(~~((, or other))~~) and that the  
25 department finds would provide an appropriate supportive living  
26 arrangement (~~((supervised by an adult where feasible and consistent with~~  
27 ~~federal regulations under 45 C.F.R. chapter II, section 233.107))~~). It  
28 also includes a living situation maintained by an agency that is  
29 licensed under chapter 74.15 RCW that the department finds would  
30 provide an appropriate supportive living arrangement. Grant assistance  
31 shall not be provided under this chapter if the applicant does not  
32 reside in the most appropriate living situation, as determined by the  
33 department.

34       (2) (~~((An applicant under eighteen years of age who is pregnant and~~  
35 ~~is not living in a situation described in subsection (1) of this~~  
36 ~~section shall be))~~) A pregnant minor residing in the most appropriate  
37 living situation, as provided under subsection (1) of this section, is  
38 presumed to be unable to manage adequately the funds paid to the minor

1 or on behalf of the dependent child or children and, unless the  
2 ~~((teenage custodial parent demonstrates otherwise))~~ minor provides  
3 sufficient evidence to rebut the presumption, shall be subject to the  
4 protective payee requirements provided for under RCW 74.12.250 and  
5 74.08.280.

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

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

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

30 NEW SECTION. Sec. 405. A new section is added to chapter 74.12  
31 RCW to read as follows:

32 The parents of an unmarried minor who has a child are responsible  
33 for the support of the minor and child. The unmarried minor and the  
34 minor's child shall be considered to be part of the household of the  
35 minor's parents or parent for purposes of determining eligibility for  
36 aid to families with dependent children and general assistance for  
37 pregnant women as defined in RCW 74.04.005(6)(a)(ii)(A); and as such,

1 the income and resources of the entire household are considered to be  
2 available to support the unmarried minor and his or her child.

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

5 (1) In an action brought under this chapter, the court may inquire  
6 into the ability of the parent or parents of the child to pay child  
7 support and may enter an order of child support as set forth in chapter  
8 26.19 RCW. The court may enforce the same by execution, or in any way  
9 in which a court of equity may enforce its decrees. All child support  
10 orders entered pursuant to this chapter shall be in compliance with the  
11 provisions of RCW 26.23.050.

12 (2) For purposes of this section, if a dependent child's parent is  
13 an unmarried minor, then the parent or parents of the minor shall also  
14 be deemed a parent or parents of the dependent child. However,  
15 liability for child support under this subsection only exists if the  
16 parent or parents of the unmarried minor parent are provided the  
17 opportunity for a hearing on their ability to provide support. Any  
18 child support order requiring such a parent or parents to provide  
19 support for the minor parent's child may be effective only until the  
20 minor parent reaches eighteen years of age.

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

23 If the department, after investigation, finds that any applicant  
24 for assistance under this chapter or any recipient of funds under ((an  
25 aid to families with dependent children grant)) this chapter would not  
26 use, or is not utilizing, the grant adequately for the needs of ((the))  
27 his or her child or children or would dissipate the grant or is  
28 ((otherwise)) dissipating such grant, or would be or is unable to  
29 manage adequately the funds paid on behalf of said child and that to  
30 provide or continue ((said)) payments to ((him)) the applicant or  
31 recipient would be contrary to the welfare of the child, the department  
32 may make such payments to another individual who is interested in or  
33 concerned with the welfare of such child and relative: PROVIDED, That  
34 the department shall provide such counseling and other services as are  
35 available and necessary to develop greater ability on the part of the  
36 relative to manage funds in such manner as to protect the welfare of  
37 the family. Periodic review of each case shall be made by the

1 department to determine if said relative is able to resume management  
2 of the assistance grant. If after a reasonable period of time the  
3 payments to the relative cannot be resumed, the department may request  
4 the attorney general to file a petition in the superior court for the  
5 appointment of a guardian for the child or children. Such petition  
6 shall set forth the facts warranting such appointment. Notice of the  
7 hearing on such petition shall be served upon the recipient and the  
8 department not less than ten days before the date set for such hearing.  
9 Such petition may be filed with the clerk of superior court and all  
10 process issued and served without payment of costs. If upon the  
11 hearing of such petition the court is satisfied that it is for the best  
12 interest of the child or children, and all parties concerned, that a  
13 guardian be appointed, he shall order the appointment, and may require  
14 the guardian to render to the court a detailed itemized account of  
15 expenditures of such assistance payments at such time as the court may  
16 deem advisable.

17 It is the intention of this section that the guardianship herein  
18 provided for shall be a special and limited guardianship solely for the  
19 purpose of safeguarding the assistance grants made to dependent  
20 children. Such guardianship shall terminate upon the termination of  
21 such assistance grant, or sooner on order of the court, upon good cause  
22 shown.

23 **PART V. LICENSE SUSPENSION**

24 NEW SECTION. **Sec. 501.** The legislature recognizes that the  
25 current statutory procedures for the collection of child support do not  
26 apply to all persons owing child support. In order to further insure  
27 that child support obligations are met, this act establishes a program  
28 by which certain licenses may be suspended, not issued, or not renewed  
29 if a person is one hundred eighty days or more in arrears on child  
30 support payments. With this program, it is the intent of the  
31 legislature to provide a strong incentive for persons owing support to  
32 make timely payments, and to cooperate with the department of social  
33 and health services to establish an appropriate schedule for the  
34 payment of any arrears. In addition, the legislature finds that  
35 disputes over child visitation comprises an often-cited reason why  
36 child support is unpaid. It is the intent of the legislature to

1 include custodial parents who deny visitation as persons subject to  
2 license suspension, nonrenewal, and denial.

3 In the implementation and management of this program, it is the  
4 legislature's intent that the objective of the department of social and  
5 health services be to obtain payment in full of arrears, or where that  
6 is not possible, to enter into agreements with delinquent obligors to  
7 make timely support payments and make reasonable payments towards the  
8 arrears. The legislature intends that if the obligor refuses to  
9 cooperate in establishing a fair and reasonable payment schedule for  
10 arrears, or if such payment schedule would cause a substantial  
11 hardship, or refuses to make timely support payments, the department  
12 shall proceed with certification to a licensing entity or the  
13 department of licensing that the person is not in compliance with a  
14 child support order.

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

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

19 (a) "Licensing entity" includes any department, board, commission,  
20 or other organization of the state authorized to issue, renew, suspend,  
21 or revoke a license authorizing an individual to engage in a business,  
22 occupation, profession, industry, or the operation of a motor vehicle,  
23 and includes the Washington state supreme court, to the extent that a  
24 rule has been adopted by the court to implement suspension of licenses  
25 related to the practice of law.

26 (b) "Noncompliance with a child support order" means a responsible  
27 parent has:

28 (i) Accumulated arrears totaling more than six months of child  
29 support payments;

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

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

36 (c) "License" means a license, certificate, registration, permit,  
37 approval, or other similar document issued by a licensing entity  
38 evidencing admission to or granting authority to engage in a

1 profession, occupation, business, industry, or the operation of a motor  
2 vehicle.

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

8 (2) The department may serve upon a responsible parent a notice  
9 informing the responsible parent of the department's intent to submit  
10 the parent's name to the department of licensing and any appropriate  
11 licensing entity as a licensee who is not in compliance with a child  
12 support order. The department shall attach a copy of the responsible  
13 parent's child support order to the notice. Service of the notice must  
14 be by certified mail, return receipt requested. If, after seven  
15 mailing days, the department does not receive a return receipt, service  
16 shall be by personal service.

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

20 (a) The parent may request an adjudicative proceeding to contest  
21 the issue of compliance. The only issues that may be considered at the  
22 adjudicative proceeding are whether the parent is required to pay child  
23 support under a child support order and whether the parent is in  
24 compliance with that order;

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

28 (c) If the parent requests an adjudicative proceeding within twenty  
29 days of service, the department will stay action to certify the parent  
30 to the department of licensing and any licensing entity for  
31 noncompliance with a child support order pending entry of a written  
32 decision after the adjudicative proceeding;

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

38 (e) The department will stay action to certify the parent to the  
39 department of licensing and any licensing entity for noncompliance if

1 the parent agrees to make timely payments of current support and agrees  
2 to a reasonable payment schedule for payment of the arrears. It is the  
3 parent's responsibility to contact in person or by mail the  
4 department's division of child support office indicated on the notice  
5 within twenty days of service of the notice to arrange for a payment  
6 schedule. The department may stay certification for up to thirty days  
7 after contact from a parent to arrange for a payment schedule;

8 (f) If the department certifies the responsible parent to the  
9 department of licensing and a licensing entity for noncompliance with  
10 a child support order, the licensing entity will suspend, not renew, or  
11 not issue the parent's license and the department of licensing will  
12 suspend, not renew, or not issue any driver's license that the parent  
13 holds until the parent provides the department of licensing and the  
14 licensing entity with a written release from the department stating  
15 that the responsible parent is in compliance with the child support  
16 order;

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

20 (h) If after receiving the notice of noncompliance with a child  
21 support order, the responsible parent files a motion to modify support  
22 with the court or requests the department to amend a support obligation  
23 established by an administrative decision, the department or the court  
24 shall stay action to certify the parent to the department of licensing  
25 and any licensing entity for noncompliance with a child support order  
26 until a final decision or order is entered. If a motion for  
27 modification of a court or administrative order for child support is  
28 pending prior to service of the notice, any action to certify the  
29 parent to a licensing entity for noncompliance with a child support  
30 order shall be automatically stayed until entry of a final order or  
31 decision in the modification proceedings. The responsible parent has  
32 the obligation to notify the department that a modification proceeding  
33 is pending and provide a copy of the motion or request for  
34 modification; and

35 (i) If the responsible parent subsequently becomes in compliance  
36 with the child support order, the department will promptly provide the  
37 parent with a written release stating that the parent is in compliance  
38 with the order, and the parent may request that the licensing entity or  
39 the department of licensing reinstate the suspended license.

1 (4) A responsible parent may request an adjudicative proceeding  
2 upon service of the notice described in subsection (2) of this section.  
3 The request for an adjudicative proceeding must be received by the  
4 department within twenty days of service. The request must be in  
5 writing and indicate the current mailing address and daytime phone  
6 number, if available, of the responsible parent. The proceedings under  
7 this subsection shall be conducted in accordance with the requirements  
8 of chapter 34.05 RCW. The issues that may be considered at the  
9 adjudicative proceeding are limited to whether the responsible parent  
10 is required to pay child support under a child support order and  
11 whether the responsible parent is in compliance with the order.

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

16 (6) If a responsible parent contacts the department's division of  
17 child support office indicated on the notice of noncompliance within  
18 twenty days of service of the notice and requests arrangement of a  
19 payment schedule, the department shall stay the certification of  
20 noncompliance during negotiation of the schedule for payment of  
21 arrears. In no event shall the stay continue for more than thirty days  
22 from the date of contact by the parent. The department shall establish  
23 a schedule for payment of arrears that is fair and reasonable, and that  
24 considers the financial situation of the responsible parent and the  
25 needs of all children who rely on the responsible parent for support.  
26 At the end of the thirty days, if no payment schedule has been agreed  
27 to in writing, the department shall proceed with certification of  
28 noncompliance.

29 (7) If a responsible parent timely requests an adjudicative  
30 proceeding to contest the issue of compliance, the department may not  
31 certify the name of the parent to the department of licensing or a  
32 licensing entity for noncompliance with a child support order unless  
33 the adjudicative proceeding results in a finding that the responsible  
34 parent is not in compliance with the order.

35 (8) The department may certify in writing to the department of  
36 licensing and any appropriate licensing entity the name of a  
37 responsible parent who is not in compliance with a child support order  
38 if:



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

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

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

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

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

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

22 (10) When a responsible parent who is served notice under  
23 subsection (2) of this section subsequently complies with the child  
24 support order, the department shall promptly provide the parent with a  
25 written release stating that the responsible parent is in compliance  
26 with the order. A copy of that release shall be transmitted to the  
27 appropriate licensing entities.

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

30 (12) Nothing in this section prohibits a responsible parent from  
31 filing a motion to modify support with the court or from requesting the  
32 department to amend a support obligation established by an  
33 administrative decision. If there is a reasonable likelihood that the  
34 motion or request will significantly change the amount of the child  
35 support obligation, the department or the court may stay action to  
36 certify the responsible parent to the department of licensing and any  
37 licensing entity for noncompliance with a child support order until a  
38 final decision or order is entered. If a motion for modification of a  
39 court or administrative order for child support is pending prior to

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

7 (13) The department of licensing and a licensing entity may issue,  
8 renew, reinstate, or otherwise extend a license in accordance with the  
9 licensing entity's or the department of licensing's rules after the  
10 licensing entity or the department of licensing receives a copy of the  
11 written release specified in subsection (10) of this section. The  
12 department of licensing and a licensing entity may waive any applicable  
13 requirement for reissuance, renewal, or other extension if it  
14 determines that the imposition of that requirement places an undue  
15 burden on the person and that waiver of the requirement is consistent  
16 with the public interest.

17 (14) Consistent with the intent of chapter . . . , Laws of 1996  
18 (this act), the department shall develop rules and procedures for  
19 implementing the requirements of this section and applying the  
20 standards provided in this section. The department shall deliver a  
21 copy of these rules and procedures to the appropriate committees of the  
22 senate and the house of representatives no later than June 30, 1997.

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

25 (1) The department of social and health services and all of the  
26 various licensing entities subject to section 502 of this act shall  
27 enter into such agreements as are necessary to carry out the  
28 requirements of the license suspension program established in section  
29 502 of this act, but only to the extent the departments and the  
30 licensing entities determine it is cost-effective.

31 (2) On or before January 1, 1997, and quarterly thereafter, the  
32 department of social and health services and all licensing entities  
33 subject to section 502 of this act shall perform a comparison of  
34 responsible parents who are not in compliance with a child support  
35 order, as defined in section 502 of this act, with all licensees  
36 subject to chapter . . . , Laws of 1996 (this act). The comparison may  
37 be conducted electronically, or by any other means that is jointly  
38 agreeable between the department and the particular licensing entity.

1 The data shared shall be limited to those items necessary to  
2 implementation of chapter . . . , Laws of 1996 (this act). The purpose  
3 of the comparison shall be to identify current licensees who are not in  
4 compliance with a child support order, and to provide to the department  
5 of social and health services the following information regarding those  
6 licensees:

7 (a) Name;

8 (b) Date of birth;

9 (c) Address of record;

10 (d) Federal employer identification number or social security  
11 number;

12 (e) Type of license;

13 (f) Effective date of license or renewal;

14 (g) Expiration date of license; and

15 (h) Active or inactive status.

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

18 In furtherance of the public policy of increasing collection of  
19 child support and to assist in evaluation of the program established in  
20 section 502 of this act, the department shall report the following to  
21 the legislature and the governor on December 1, 1997, and annually  
22 thereafter:

23 (1) The number of responsible parents identified as licensees  
24 subject to section 502 of this act;

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

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

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

31 (5) The number of adjudicative proceedings held, and the results of  
32 the adjudicative proceedings;

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

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

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

3 (9) Recommendations for the addition of specific licenses in the  
4 program or exclusion of specific licenses from the program, and reasons  
5 for such recommendations; and

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

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

10 The department is authorized to suspend the license of a driver  
11 upon a showing by its records or other sufficient evidence that the  
12 licensee:

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

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

18 (3) Has been convicted of offenses against traffic regulations  
19 governing the movement of vehicles, or found to have committed traffic  
20 infractions, with such frequency as to indicate a disrespect for  
21 traffic laws or a disregard for the safety of other persons on the  
22 highways;

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

25 (5) Has failed to respond to a notice of traffic infraction, failed  
26 to appear at a requested hearing, violated a written promise to appear  
27 in court, or has failed to comply with the terms of a notice of traffic  
28 infraction or citation, as provided in RCW 46.20.289; ((or))

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

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

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

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

29 (2) Any person whose license or privilege to drive a motor vehicle  
30 on the public highways has been revoked, unless the revocation was for  
31 a cause which has been removed, is not entitled to have the license or  
32 privilege renewed or restored until: (a) After the expiration of one  
33 year from the date the license or privilege to drive was revoked; (b)  
34 after the expiration of the applicable revocation period provided by  
35 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for  
36 persons convicted of vehicular homicide; or (d) after the expiration of  
37 the applicable revocation period provided by RCW 46.20.265. After the  
38 expiration of the appropriate period, the person may make application  
39 for a new license as provided by law together with a reissue fee in the

1 amount of twenty dollars, but if the revocation is the result of a  
2 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee  
3 shall be fifty dollars. If the revocation is the result of a violation  
4 of RCW 46.61.502 or 46.61.504, the department shall determine the  
5 person's eligibility for licensing based upon the reports provided by  
6 the alcoholism agency or probation department designated under RCW  
7 46.61.5056 and shall deny reissuance of a license, permit, or privilege  
8 to drive until enrollment and participation in an approved program has  
9 been established and the person is otherwise qualified. Except for a  
10 revocation under RCW 46.20.265, the department shall not then issue a  
11 new license unless it is satisfied after investigation of the driving  
12 ability of the person that it will be safe to grant the privilege of  
13 driving a motor vehicle on the public highways, and until the person  
14 gives and thereafter maintains proof of financial responsibility for  
15 the future as provided in chapter 46.29 RCW. For a revocation under  
16 RCW 46.20.265, the department shall not issue a new license unless it  
17 is satisfied after investigation of the driving ability of the person  
18 that it will be safe to grant that person the privilege of driving a  
19 motor vehicle on the public highways.

20 (3) Whenever the driver's license of any person is suspended  
21 pursuant to Article IV of the nonresident violators compact or RCW  
22 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue  
23 to the person any new or renewal license until the person pays a  
24 reissue fee of twenty dollars. If the suspension is the result of a  
25 violation of the laws of this or any other state, province, or other  
26 jurisdiction involving (a) the operation or physical control of a motor  
27 vehicle upon the public highways while under the influence of  
28 intoxicating liquor or drugs, or (b) the refusal to submit to a  
29 chemical test of the driver's blood alcohol content, the reissue fee  
30 shall be fifty dollars.

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

33 A motor vehicle liability insurance policy that contains any  
34 provision excluding insurance coverage for an unlicensed driver shall  
35 not apply for ninety days from the date of suspension in the event that  
36 the department of licensing suspends a driver's license solely for the  
37 nonpayment of child support as provided in chapter 74.20A RCW or for

1 noncompliance with a residential or visitation order as provided in  
2 chapter 26.09 RCW.

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

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

13 ATTORNEYS. The Washington state supreme court may provide by rule  
14 that no person who has been certified by the department of social and  
15 health services as a person who is in noncompliance 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 admitted  
19 to the practice of law in this state, and that any member of the  
20 Washington state bar association who has been certified by the  
21 department of social and health services as a person who is in  
22 noncompliance with a support order as provided in section 502 of this  
23 act or by a court as in noncompliance with a residential or visitation  
24 order under section 607 of this act shall be immediately suspended from  
25 membership. The court's rules may provide for review of an application  
26 for admission or reinstatement of membership after the department of  
27 social and health services or a court has issued a written release  
28 stating that the person is in compliance with the order.

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

31 (1) No person who has been certified by the department of social  
32 and health services as a person who is not in compliance with a support  
33 order as provided in section 502 of this act, or is certified by a  
34 court as a person who is not in compliance with a residential or  
35 visitation order as provided in section 607 of this act may be issued  
36 a certificate of "certified public accountant." The application of a

1 person so certified by the department of social and health services or  
2 by a court may be reviewed for issuance of a certificate under this  
3 chapter after the person provides the board a written release issued by  
4 the department of social and health services or a court stating that  
5 the person is in compliance with the order.

6 (2) The board shall immediately suspend the certificate or license  
7 of a person who either (a) has been certified pursuant to section 502  
8 of this act by the department of social and health services as a person  
9 who is not in compliance with a support order, or (b) has been  
10 certified pursuant to section 607 of this act by a court as a person  
11 who is not in compliance with a residential or visitation order. If  
12 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 board'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. 511.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to  
18 read as follows:

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

21 ~~((1))~~ (a) Modify the suspension of, or reissue a certificate or  
22 license to, an individual whose certificate has been revoked or  
23 suspended; or

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

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

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



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

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

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

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

17 (b) Have eight years' practical architectural work experience  
18 approved by the board. Each year spent in an accredited architectural  
19 program approved by the board shall be considered one year of practical  
20 experience. At least four years' practical work experience shall be  
21 under the direct supervision of an architect; or

22 (c) Be a person who has been designing buildings as a principal  
23 activity for eight years, or has an equivalent combination of education  
24 and experience, but who was not registered under chapter 323, Laws of  
25 1959, as amended, as it existed before July 28, 1992, provided that  
26 application is made within four years after July 28, 1992. Nothing in  
27 this chapter prevents such a person from designing buildings for four  
28 years after July 28, 1992, or the five-year period allowed for  
29 completion of the examination process, after that person has applied  
30 for registration. A person who has been designing buildings and is  
31 qualified under this subsection shall, upon application to the board of  
32 registration for architects, be allowed to take the examination for  
33 architect registration on an equal basis with other applicants.

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

36 (1) Except as provided in section 514 of this act, a certificate of  
37 registration shall be granted by the director to all qualified  
38 applicants who are certified by the board as having passed the required

1 examination and as having given satisfactory proof of completion of the  
2 required experience.

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

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

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

14 (b) Have eight years' practical architectural work experience  
15 approved by the board. Each year spent in an accredited architectural  
16 program approved by the board shall be considered one year of practical  
17 experience. At least four years' practical work experience shall be  
18 under the direct supervision of an architect.

19 NEW SECTION. **Sec. 514.** A new section is added to chapter 18.08  
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 certificate of registration under this chapter. The application of  
27 a person so certified by the department of social and health services  
28 or by a court may be reviewed for issuance of a certificate of  
29 registration under this chapter after the person provides the board a  
30 written release issued by the department of social and health services  
31 or a court stating that the person is in compliance with the order.

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

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

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

8 (1) No license shall be issued by the department to any person who  
9 has been convicted of forgery, embezzlement, obtaining money under  
10 false pretenses, extortion, criminal conspiracy, fraud, theft,  
11 receiving stolen goods, unlawful issuance of checks or drafts, or other  
12 similar offense, or to any partnership of which the person is a member,  
13 or to any association or corporation of which the person is an officer  
14 or in which as a stockholder the person has or exercises a controlling  
15 interest either directly or indirectly.

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

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

30 (a) Misrepresentation or concealment of material facts in obtaining  
31 a license;

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

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

36 (d) Misleading or false advertising;

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

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

3 (g) Nonpayment of an administrative fine prior to renewal of a  
4 license;

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

7 (i) Any other violations of this chapter.

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

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

21 (1) Upon payment of the proper fee, except as provided in section  
22 517 of this act the director shall issue the appropriate license to any  
23 person who:

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

25 (b) Has completed and graduated from a course approved by the  
26 director of sixteen hundred hours of training in cosmetology, one  
27 thousand hours of training in barbering, five hundred hours of training  
28 in manicuring, five hundred hours of training in esthetics, and/or five  
29 hundred hours of training as an instructor-trainee; and

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

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

36 (3) Upon payment of the proper fee, the director shall issue a  
37 salon/shop license to the operator of a salon/shop if the salon/shop

1 meets the other requirements of this chapter as demonstrated by  
2 information submitted by the operator.

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

6 NEW SECTION. **Sec. 517.** A new section is added to chapter 18.16  
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 under this chapter. The application of a person so certified  
14 by the department of social and health services or by a court may be  
15 reviewed for issuance of a license under this chapter after the person  
16 provides the department a written release issued by the department of  
17 social and health services or a court stating that the person is in  
18 compliance with the order.

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

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

32 (1) 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 under this chapter. The application of a person so certified

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

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

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

19 (1) An applicant for registration as a contractor shall submit an  
20 application under oath upon a form to be prescribed by the director and  
21 which shall include the following information pertaining to the  
22 applicant:

23 (a) Employer social security number.

24 (b) As applicable: (i) The industrial insurance account number  
25 covering employees domiciled in Washington; and (ii) evidence of  
26 workers' compensation coverage in the applicant's state of domicile for  
27 the applicant's employees working in Washington who are not domiciled  
28 in Washington.

29 (c) Employment security department number.

30 (d) State excise tax registration number.

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

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

36 (g) The name and address of each partner if the applicant be a firm  
37 or partnership, or the name and address of the owner if the applicant  
38 be an individual proprietorship, or the name and address of the

1 corporate officers and statutory agent, if any, if the applicant be a  
2 corporation. The information contained in such application shall be a  
3 matter of public record and open to public inspection.

4 (2) The department may verify the workers' compensation coverage  
5 information provided by the applicant under subsection (1)(b) of this  
6 section, including but not limited to information regarding the  
7 coverage of an individual employee of the applicant. If coverage is  
8 provided under the laws of another state, the department may notify the  
9 other state that the applicant is employing employees in Washington.

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

15 (4) Registration shall be denied if the applicant has been  
16 certified by the department of social and health services as a person  
17 who is not in compliance with a support order as provided in section  
18 502 of this act, or is certified by a court as a person who is not in  
19 compliance with a residential or visitation order as provided in  
20 section 607 of this act. The application of a person so certified by  
21 the department of social and health services or by a court may be  
22 reviewed and the person may be registered under this chapter if the  
23 person provides the department a written release issued by the  
24 department of social and health services or a court stating that the  
25 person is in compliance with the order.

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

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

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

35 (a) One year;

36 (b) Until the bond expires; or

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

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

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

9 (5) The department shall immediately suspend the certificate of  
10 registration of a contractor who has been certified by the department  
11 of social and health services as a person who either (a) is not in  
12 compliance with a support order as provided in section 502 of this act,  
13 or (b) has been certified pursuant to section 607 of this act by a  
14 court as a person who is not in compliance with a residential or  
15 visitation order. The certificate of registration shall not be  
16 reissued or renewed unless the person provides to the department a  
17 written release from the department of social and health services or a  
18 court stating that he or she is in compliance with the order and the  
19 person has continued to meet all other requirements for certification  
20 during the suspension.

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

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

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

27 (2) Neither an individual applicant, nor any of the applicant's  
28 members if the applicant is a partnership or association, nor any of  
29 the applicant's officers or directors if the applicant is a  
30 corporation: (a) Has ever been convicted of forgery, embezzlement,  
31 obtaining money under false pretenses, larceny, extortion, conspiracy  
32 to defraud or any other like offense, or has been disbarred from the  
33 practice of law; (b) has participated in a violation of this chapter or  
34 of any valid rules, orders or decisions of the director promulgated  
35 under this chapter; (c) has had a license to engage in the business of  
36 debt adjusting revoked or removed for any reason other than for failure  
37 to pay licensing fees in this or any other state; or (d) is an employee  
38 or owner of a collection agency, or process serving business.



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

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

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

14 NEW SECTION. **Sec. 522.** A new section is added to chapter 18.28  
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 director a written release issued by the department of  
25 social and health services or a court stating that the person is in  
26 compliance with the order.

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

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

3       The director shall have the following powers and duties:

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

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

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

7       (~~and~~)

8       (4) To deny issuing or immediately suspend the license of a person  
9 who has been certified pursuant to section 502 of this act by the  
10 department of social and health services as a person who is not in  
11 compliance with a support order, or (b) has been certified pursuant to  
12 section 607 of this act by a court as a person who is not in compliance  
13 with a residential or visitation order; and

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

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

19       (1) In the case of a person who has been denied the issuance of a  
20 license under this chapter because the person was certified either (a)  
21 by the department of social and health services as a person who is not  
22 in compliance with section 502 of this act or (b) by a court as a  
23 person who is not in compliance with a residential or visitation order  
24 as provided in section 607 of this act, the application of that person  
25 may be reviewed by the director for issuance of a license after the  
26 person provides the director a written release issued by the department  
27 of social and health services or a court stating that the person is in  
28 compliance with the order.

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

36       NEW SECTION. **Sec. 525.** A new section is added to chapter 18.43  
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 board a  
10 written release issued by the department of social and health services  
11 or a court stating that the person is in compliance with the order.

12 (2) The board shall immediately suspend the registration of a  
13 person who either (a) has been certified pursuant to section 502 of  
14 this act by the department of social and health services as a person  
15 who is not in compliance with a support order, or (b) 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 membership  
19 during the suspension, reissuance of the certificate of registration  
20 shall be automatic upon the board's receipt of a written release issued  
21 by 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. 526.** A new section is added to chapter 18.44  
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 under this chapter after the person provides the  
34 department a written release issued by the department of social and  
35 health services or a court stating that the person is in compliance  
36 with the order.

37 (2) The department shall immediately suspend the certificate of  
38 registration of a person who either (a) has been certified pursuant to

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

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

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

16 (2) The department shall deny a license in any case where the  
17 applicant has been certified under section 502 of this act by the  
18 department of social and health services as a person who is not in  
19 compliance with a support order, or is certified by a court as a person  
20 who is not in compliance with a residential or visitation order as  
21 provided in section 607 of this act. The application of a person so  
22 certified by the department of social and health services or by a court  
23 may be reviewed for issuance of a license under this chapter after the  
24 person provides the department a written release issued by the  
25 department of social and health services or a court stating that the  
26 person is in compliance with the order.

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

1 RCW 43.70.115 governs notice of a license denial, revocation,  
2 suspension, or modification and provides the right to an adjudicative  
3 proceeding.

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

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

9 (1) Operated a nursing home without a license or under a revoked or  
10 suspended license; or

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

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

17 (4) Willfully prevented, interfered with, or attempted to impede in  
18 any way (a) the work of any authorized representative of the department  
19 or (b) the lawful enforcement of any provision of this chapter or  
20 chapter 74.42 RCW; or

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

26 (6) Has been certified pursuant to section 502 of this act by the  
27 department of social and health services, division of child support, as  
28 a person who is not in compliance with a support order, or is certified  
29 by a court as a person who is not in compliance with a residential or  
30 visitation order as provided in section 607 of this act. The  
31 application of a person so certified by the department of social and  
32 health services or by a court may be reviewed for issuance of a license  
33 under this chapter after the person provides the department a written  
34 release issued by the department of social and health services,  
35 division of child support, or a court stating that the person is in  
36 compliance with the order.

1        NEW SECTION.    **Sec. 529.**    A new section is added to chapter 18.51  
2    RCW to read as follows:

3        The department shall immediately suspend the license of a person  
4    who either (a) has been certified pursuant to section 502 of this act  
5    by the department of social and health services, division of support,  
6    as a person who is not in compliance with a child support order, or (b)  
7    has 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 shall be  
11   automatic upon the department's receipt of a written release issued by  
12   the division of child support or a court stating that the person is in  
13   compliance with the order.

14       NEW SECTION.    **Sec. 530.**    A new section is added to chapter 18.76  
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 certificate under this chapter.    The application of a person so  
22    certified by the department of social and health services or by a court  
23    may be reviewed for issuance of a certificate under this chapter after  
24    the person provides the department a written release issued by the  
25    department of social and health services or a court stating that the  
26    person is in compliance with the order.

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

1        NEW SECTION.    **Sec. 531.**    A new section is added to chapter 18.85  
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 broker's or salesperson's license under this chapter.    The  
9    application of a person so certified by the department of social and  
10   health services or by a court may be reviewed for issuance of a license  
11   under this chapter after the person provides the director a written  
12   release issued by the department of social and health services or a  
13   court stating that the person is in compliance with the order.

14        (2) The director shall immediately suspend the license of a broker  
15   or salesperson who either (a) has been certified pursuant to section  
16   502 of this act by the department of social and health services as a  
17   person who is not in compliance with a support order, or (b) has been  
18   certified pursuant to section 607 of this act by a court as a person  
19   who is not in compliance with a residential or visitation order.    If  
20   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 director's receipt of a written release issued by  
23   the department of social and health services or a court stating that  
24   the person is in compliance with the order.

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

27        No person who has been certified by the department of social and  
28   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 of registration under this chapter.    The application of  
33   a person so certified by the department of social and health services  
34   or by a court may be reviewed for issuance of a certificate under this  
35   chapter after the person provides the director a written release issued  
36   by the department of social and health services or a court stating that  
37   the person is in compliance with the order.

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

3       (1) The director may refuse to renew, or may suspend or revoke, a  
4 certificate of registration to use the titles landscape architect,  
5 landscape architecture, or landscape architectural in this state upon  
6 the following grounds:

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

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

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

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

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

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

32       Except as provided in section 532 of this act, the director shall  
33 issue a certificate of registration upon payment of the registration  
34 fee as provided in this chapter to any applicant who has satisfactorily  
35 met all requirements for registration. All certificates of  
36 registration shall show the full name of the registrant, shall have a  
37 serial number and shall be signed by the chairman and the executive  
38 secretary of the board, and by the director.



1 Each registrant shall obtain a seal of a design authorized by the  
2 board, bearing the registrant's name and the legend, "registered  
3 landscape architect". All sheets of drawings and title pages of  
4 specifications prepared by the registrant shall be stamped with said  
5 seal.

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

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 under this chapter. The application of a person so certified  
14 by the department of social and health services or by a court may be  
15 reviewed for issuance of a license under this chapter after the person  
16 provides the department a written release issued by the department of  
17 social and health services or a court stating that the person is in  
18 compliance with the order.

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

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

24 ~~((1+))~~ (a) For fraud or deception in obtaining the license;

25 ~~((2+))~~ (b) For fraud or deception in reporting under RCW  
26 18.104.050;

27 ~~((3+))~~ (c) For violating the provisions of this chapter, or of any  
28 lawful rule or regulation of the department or the department of  
29 health.

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

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

4 (3) No license shall be suspended for more than six months, except  
5 that a suspension under section 502 or 607 of this act shall continue  
6 until the department receives 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 (4) No person whose license is revoked shall be eligible to apply  
10 for a license for one year from the effective date of the final order  
11 of revocation.

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

14 (1) Except as provided in section 538 of this act, the department  
15 shall issue a certificate of competency to all applicants who have  
16 passed the examination and have paid the fee for the certificate. The  
17 certificate shall bear the date of issuance, and shall expire on the  
18 birthdate of the holder immediately following the date of issuance.  
19 The certificate shall be renewable every other year, upon application,  
20 on or before the birthdate of the holder. A renewal fee shall be  
21 assessed for each certificate. If a person fails to renew the  
22 certificate by the renewal date, he or she must pay a doubled fee. If  
23 the person does not renew the certificate within ninety days of the  
24 renewal date, he or she must retake the examination and pay the  
25 examination fee.

26 The certificate of competency and the temporary permit provided for  
27 in this chapter grant the holder the right to engage in the work of  
28 plumbing as a journeyman plumber or specialty plumber in accordance  
29 with their provisions throughout the state and within any of its  
30 political subdivisions on any job or any employment without additional  
31 proof of competency or any other license or permit or fee to engage in  
32 the work. This section does not preclude employees from adhering to a  
33 union security clause in any employment where such a requirement  
34 exists.

35 (2) A person who is indentured in an apprenticeship program  
36 approved under chapter 49.04 RCW for the plumbing construction trade or  
37 who is learning the plumbing construction trade may work in the  
38 plumbing construction trade if supervised by a certified journeyman

1 plumber or a certified specialty plumber in that plumber's specialty.  
2 All apprentices and individuals learning the plumbing construction  
3 trade shall obtain a plumbing training certificate from the department.  
4 The certificate shall authorize the holder to learn the plumbing  
5 construction trade while under the direct supervision of a journeyman  
6 plumber or a specialty plumber working in his or her specialty. The  
7 holder of the plumbing training certificate shall renew the certificate  
8 annually. At the time of renewal, the holder shall provide the  
9 department with an accurate list of the holder's employers in the  
10 plumbing construction industry for the previous year and the number of  
11 hours worked for each employer. An annual fee shall be charged for the  
12 issuance or renewal of the certificate. The department shall set the  
13 fee by rule. The fee shall cover but not exceed the cost of  
14 administering and enforcing the trainee certification and supervision  
15 requirements of this chapter. Apprentices and individuals learning the  
16 plumbing construction trade shall have their plumbing training  
17 certificates in their possession at all times that they are performing  
18 plumbing work. They shall show their certificates to an authorized  
19 representative of the department at the representative's request.

20 (3) Any person who has been issued a plumbing training certificate  
21 under this chapter may work if that person is under supervision.  
22 Supervision shall consist of a person being on the same job site and  
23 under the control of either a journeyman plumber or an appropriate  
24 specialty plumber who has an applicable certificate of competency  
25 issued under this chapter. Either a journeyman plumber or an  
26 appropriate specialty plumber shall be on the same job site as the  
27 noncertified individual for a minimum of seventy-five percent of each  
28 working day unless otherwise provided in this chapter. The ratio of  
29 noncertified individuals to certified journeymen or specialty plumbers  
30 working on a job site shall be: (a) From July 28, 1985, through June  
31 30, 1988, not more than three noncertified plumbers working on any one  
32 job site for every certified journeyman or specialty plumber; (b)  
33 effective July 1, 1988, not more than two noncertified plumbers working  
34 on any one job site for every certified specialty plumber or journeyman  
35 plumber working as a specialty plumber; and (c) effective July 1, 1988,  
36 not more than one noncertified plumber working on any one job site for  
37 every certified journeyman plumber working as a journeyman plumber.

38 An individual who has a current training certificate and who has  
39 successfully completed or is currently enrolled in an approved

1 apprenticeship program or in a technical school program in the plumbing  
2 construction trade in a school approved by the (~~commission for~~  
3 ~~vocational education~~) work force training and education coordinating  
4 board, may work without direct on-site supervision during the last six  
5 months of meeting the practical experience requirements of this  
6 chapter.

7 NEW SECTION. **Sec. 538.** A new section is added to chapter 18.106  
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 of competency 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 certificate of competency  
17 under this chapter after the person provides the department a written  
18 release issued by the department of social and health services or a  
19 court stating that the person is in compliance with the order.

20 (2) The department shall immediately suspend any certificate of  
21 competency issued under this chapter if the holder of the certificate  
22 either (a) has been certified pursuant to section 502 of this act by  
23 the 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. If the person has continued to  
27 meet all other requirements for certification during the suspension,  
28 reissuance of the certificate of competency shall be automatic upon the  
29 department's receipt of 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 NEW SECTION. **Sec. 539.** A new section is added to chapter 18.130  
33 RCW to read as follows:

34 The disciplining authority shall immediately suspend the license of  
35 any person subject to this chapter who either (1) has been certified by  
36 the department of social and health services as a person who is not in  
37 compliance with a support order as provided in section 502 of this act,

1 or (2) has been certified pursuant to section 607 of this act by a  
2 court as a person who is not in compliance with a residential or  
3 visitation order.

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

6 The disciplining authority has the following authority:

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

9 (2) To investigate all complaints or reports of unprofessional  
10 conduct as defined in this chapter and to hold hearings as provided in  
11 this chapter;

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

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

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

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

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

23 (8) To use a presiding officer as authorized in RCW 18.130.095(3)  
24 or the office of administrative hearings as authorized in chapter 34.12  
25 RCW to conduct hearings. The disciplining authority shall make the  
26 final decision regarding disposition of the license unless the  
27 disciplining authority elects to delegate in writing the final decision  
28 to the presiding officer;

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

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

34 (11) To contract with licensees or other persons or organizations  
35 to provide services necessary for the monitoring and supervision of  
36 licensees who are placed on probation, whose professional activities  
37 are restricted, or who are for any authorized purpose subject to  
38 monitoring by the disciplining authority;

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

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

6 (14) To designate individuals authorized to sign subpoenas and  
7 statements of charges;

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

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

19 (17) To immediately suspend the license of a person who either (a)  
20 has been certified by the department of social and health services as  
21 not in compliance with a support order as provided in section 502 of  
22 this act, or (b) has been certified pursuant to section 607 of this act  
23 by a court as a person who is not in compliance with a residential or  
24 visitation order.

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

27 The department shall not issue any license to any person whose  
28 license has been denied, revoked, or suspended by the disciplining  
29 authority except in conformity with the terms and conditions of the  
30 certificate or order of denial, revocation, or suspension, or in  
31 conformity with any order of reinstatement issued by the disciplining  
32 authority, or in accordance with the final judgment in any proceeding  
33 for review instituted under this chapter.

34 The department shall not issue a license to a person who has been  
35 certified by the department of social and health services as a person  
36 who is not in compliance with a support order as provided in section  
37 502 of this act, or is certified by a court as a person who is not in  
38 compliance with a residential or visitation order as provided in

1 section 607 of this act. The license may be issued after the person  
2 provides the department a written release from the department of social  
3 and health services or a court stating that the person is in compliance  
4 with the order.

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

7 A person whose license has been suspended or revoked under this  
8 chapter may petition the disciplining authority for reinstatement after  
9 an interval as determined by the disciplining authority in the order.  
10 The disciplining authority shall hold hearings on the petition and may  
11 deny the petition or may order reinstatement and impose terms and  
12 conditions as provided in RCW 18.130.160 and issue an order of  
13 reinstatement. The disciplining authority may require successful  
14 completion of an examination as a condition of reinstatement.

15 A person whose license has been suspended for noncompliance with a  
16 support order under section 502 of this act or for noncompliance with  
17 a residential or visitation order under chapter 26.09 RCW may petition  
18 for reinstatement at any time by providing the disciplining authority  
19 a written release issued by the department of social and health  
20 services or a court stating that the person is in compliance with the  
21 order. If the person has continued to meet all other requirements for  
22 reinstatement during the suspension, the disciplining authority shall  
23 automatically reissue the person's license upon receipt of the release,  
24 and payment of a reinstatement fee, if any.

25 NEW SECTION. **Sec. 543.** A new section is added to chapter 18.140  
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 license or certificate under this chapter. The application of a  
33 person so certified by the department of social and health services or  
34 by a court may be reviewed for issuance of a license or certificate  
35 after the person provides the director 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 director shall immediately suspend any license or  
2 certificate issued under this chapter if the holder either (a) has been  
3 certified pursuant to section 502 of this act by the department of  
4 social and health services as a person who is not in compliance with a  
5 support order, or (b) has been certified pursuant to section 607 of  
6 this act by a court as a person who is not in compliance with a  
7 residential or visitation order. If the person has continued to meet  
8 all other requirements for reinstatement during the suspension,  
9 reissuance of the license or certificate shall be automatic upon the  
10 director'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 **Sec. 544.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8  
14 are each reenacted and amended to read as follows:

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

18 (1) Is holding one of the following:

19 (a) Certificate of proficiency, registered professional reporter,  
20 registered merit reporter, or registered diplomate reporter from [the]  
21 national court reporters association;

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

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

25 (2) Has passed an examination approved by the director or an  
26 examination that meets or exceeds the standards established by the  
27 director.

28 NEW SECTION. **Sec. 545.** A new section is added to chapter 18.145  
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 certificate under this chapter. 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 certificate after the person provides



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

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

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

17 (1) The state director of fire protection may refuse to issue or  
18 renew or may suspend or revoke the privilege of a licensed fire  
19 protection sprinkler system contractor or the certificate of a  
20 certificate of competency holder to engage in the fire protection  
21 sprinkler system business or in lieu thereof, establish penalties as  
22 prescribed by Washington state law, for any of the following reasons:

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

26 (b) Conviction of a felony;

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

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

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

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

37 (2) The state director of fire protection shall revoke the license  
38 of a licensed fire protection sprinkler system contractor or the

1 certificate of a certificate of competency holder who engages in the  
2 fire protection sprinkler system business while the license or  
3 certificate of competency is suspended.

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

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

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

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

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

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

32 (3) Not meeting the qualifications set forth in RCW 18.165.030,  
33 18.165.040, or 18.165.050;

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

36 (5) Carrying a firearm in the performance of his or her duties if  
37 not the holder of a valid armed private investigator license, or

1 carrying a firearm not meeting the provisions of this chapter while in  
2 the performance of his or her duties;

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

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

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

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

14 (10) Conviction of a gross misdemeanor or felony or the commission  
15 of any act involving moral turpitude, dishonesty, or corruption whether  
16 the act constitutes a crime or not. If the act constitutes a crime,  
17 conviction in a criminal proceeding is not a condition precedent to  
18 disciplinary action. Upon such a conviction, however, the judgment and  
19 sentence is conclusive evidence at the ensuing disciplinary hearing of  
20 the guilt of the license holder or applicant of the crime described in  
21 the indictment or information, and of the person's violation of the  
22 statute on which it is based. For the purposes of this section,  
23 conviction includes all instances in which a plea of guilty or nolo  
24 contendere is the basis for the conviction and all proceedings in which  
25 the sentence has been deferred or suspended;

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

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

29 (13) Suspension, revocation, or restriction of the individual's  
30 license to practice the profession by competent authority in any state,  
31 federal, or foreign jurisdiction, a certified copy of the order,  
32 stipulation, or agreement being conclusive evidence of the revocation,  
33 suspension, or restriction;

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

35 (a) Not furnishing any necessary papers or documents requested by  
36 the director for purposes of conducting an investigation for  
37 disciplinary action, denial, suspension, or revocation of a license  
38 under this chapter;

1 (b) Not furnishing in writing a full and complete explanation  
2 covering the matter contained in a complaint filed with the department;  
3 or

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

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

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

10 (17) Misrepresentation or fraud in any aspect of the conduct of the  
11 business or profession;

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

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

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

21 (21) Assisting a client to locate, trace, or contact a person when  
22 the investigator knows that the client is prohibited by any court order  
23 from harassing or contacting the person whom the investigator is being  
24 asked to locate, trace, or contact, as it pertains to domestic  
25 violence, stalking, or minor children;

26 (22) Failure to maintain bond or insurance; ((or))

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

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

31 **NEW SECTION.** **Sec. 548.** A new section is added to chapter 18.165  
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  
38 a license under this chapter. The application of a person so certified

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

6 (2) The director shall immediately suspend a license issued under  
7 this chapter if the holder 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 shall be  
14 automatic upon the director's receipt of a written release issued by  
15 the department of social and health services or a court stating that  
16 the person is in compliance with the order.

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

19 In addition to the provisions of section 550 of this act, the  
20 following acts are prohibited and constitute grounds for disciplinary  
21 action, assessing administrative penalties, or denial, suspension, or  
22 revocation of any license under this chapter, as deemed appropriate by  
23 the director:

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

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

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

30 (4) Not meeting the qualifications set forth in RCW 18.170.030,  
31 18.170.040, or 18.170.060;

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

34 (6) Carrying a firearm in the performance of his or her duties if  
35 not the holder of a valid armed private security guard license, or  
36 carrying a firearm not meeting the provisions of this chapter while in  
37 the performance of his or her duties;

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

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

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

9 (10) Conviction of a gross misdemeanor or felony or the commission  
10 of any act involving moral turpitude, dishonesty, or corruption whether  
11 the act constitutes a crime or not. If the act constitutes a crime,  
12 conviction in a criminal proceeding is not a condition precedent to  
13 disciplinary action. Upon such a conviction, however, the judgment and  
14 sentence is conclusive evidence at the ensuing disciplinary hearing of  
15 the guilt of the license holder or applicant of the crime described in  
16 the indictment or information, and of the person's violation of the  
17 statute on which it is based. For the purposes of this section,  
18 conviction includes all instances in which a plea of guilty or nolo  
19 contendere is the basis for the conviction and all proceedings in which  
20 the sentence has been deferred or suspended;

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

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

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

26 (14) Suspension, revocation, or restriction of the individual's  
27 license to practice the profession by competent authority in any state,  
28 federal, or foreign jurisdiction, a certified copy of the order,  
29 stipulation, or agreement being conclusive evidence of the revocation,  
30 suspension, or restriction;

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

32 (a) Not furnishing any necessary papers or documents requested by  
33 the director for purposes of conducting an investigation for  
34 disciplinary action, denial, suspension, or revocation of a license  
35 under this chapter;

36 (b) Not furnishing in writing a full and complete explanation  
37 covering the matter contained in a complaint filed with the department;

38 or

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

3 (16) Failure to comply with an order issued by the director or an  
4 assurance of discontinuance entered into with the disciplining  
5 authority;

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

8 (18) Misrepresentation or fraud in any aspect of the conduct of the  
9 business or profession;

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

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

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

19 (22) Failure to maintain insurance; and

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

21 NEW SECTION. **Sec. 550.** A new section is added to chapter 18.170  
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 license under this chapter. The application of a person so certified  
29 by the department of social and health services or by a court may be  
30 reviewed for issuance of a license after the person provides the  
31 director a written release issued by the department of social and  
32 health services or a court stating that the person is in compliance  
33 with the order.

34 (2) The director shall immediately suspend any license issued under  
35 this chapter if the holder either (a) has been certified pursuant to  
36 section 502 of this act by the department of social and health services  
37 as a person who is not in compliance with a support order, or (b) has  
38 been certified pursuant to section 607 of this act by a court as a

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

7 NEW SECTION. **Sec. 551.** A new section is added to chapter 18.175  
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 of registration under this chapter. The application of  
15 a person so certified by the department of social and health services  
16 or by a court may be reviewed for issuance of a certificate of  
17 registration after the person provides the director a written release  
18 issued by the department of social and health services or a court  
19 stating that the person is in compliance with the order.

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

32 NEW SECTION. **Sec. 552.** A new section is added to chapter 18.185  
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 license under this chapter. The application of a person so certified  
3 by the department of social and health services or by a court may be  
4 reviewed for issuance of a license after the person provides the  
5 director a written release issued by the department of social and  
6 health services or a court stating that the person is in compliance  
7 with the order.

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

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

21 This section governs the denial of an application for a license or  
22 the suspension, revocation, or modification of a license by the  
23 department.

24 (1) The department shall give written notice of the denial of an  
25 application for a license to the applicant or his or her agent. The  
26 department shall give written notice of revocation, suspension, or  
27 modification of a license to the licensee or his or her agent. The  
28 notice shall state the reasons for the action. The notice shall be  
29 personally served in the manner of service of a summons in a civil  
30 action or shall be given in ((an other)) another manner that shows  
31 proof of receipt.

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

36 (a) The department may make the date the action is effective later  
37 than twenty-eight days after receipt. If the department does so, it

1 shall state the effective date in the written notice given the licensee  
2 or agent.

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

8 (c) When the department has received certification pursuant to  
9 either (i) chapter 74.20A RCW from the division of child support that  
10 the licensee is a person who is not in compliance with a support order  
11 or (ii) chapter 26.09 RCW by a court that the licensee is not in  
12 compliance with a residential or visitation order, the department shall  
13 provide that the suspension is effective immediately upon receipt of  
14 the suspension notice by the licensee.

15 (3) Except for licensees suspended for noncompliance with a support  
16 order under chapter 74.20A RCW or a residential or visitation order  
17 under chapter 26.09 RCW, a license applicant or licensee who is  
18 aggrieved by a department denial, revocation, suspension, or  
19 modification has the right to an adjudicative proceeding. The  
20 proceeding is governed by the Administrative Procedure Act, chapter  
21 34.05 RCW. The application must be in writing, state the basis for  
22 contesting the adverse action, include a copy of the adverse notice, be  
23 served on and received by the department within twenty-eight days of  
24 the license applicant's or licensee's receiving the adverse notice, and  
25 be served in a manner that shows proof of receipt.

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

35 (b) If the department gives a licensee less than twenty-eight days  
36 notice of revocation, suspension, or modification and the licensee  
37 timely files a sufficient appeal, the department may implement the  
38 adverse action on the effective date stated in the notice. The  
39 presiding or reviewing officer may order the department to stay

1 implementation of part or all of the adverse action while the  
2 proceedings are pending if staying implementation is in the public  
3 interest or for other good cause.

4 NEW SECTION. **Sec. 554.** A new section is added to chapter 28A.410  
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 certificate or permit 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 certificate or permit  
14 after the person provides the authority authorized to grant the  
15 certificate or permit 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) Any certificate or permit authorized under this chapter or  
19 chapter 28A.405 RCW shall be suspended by the authority authorized to  
20 grant the certificate or permit if (a) either the department of social  
21 and health services certifies that the person is not in compliance with  
22 a support order as provided in section 502 of this act or (b) a court  
23 certifies that the person is not in compliance with a residential or  
24 visitation order under chapter 26.09 RCW. If the person continues to  
25 meet other requirements for reinstatement during the suspension,  
26 reissuance of the certificate or permit shall be automatic after the  
27 person provides the authority a written release issued by the  
28 department of social and health services or a court stating that the  
29 person is in compliance with the order.

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

32 This section governs the denial of an application for a license or  
33 the suspension, revocation, or modification of a license by the  
34 department. This section does not govern actions taken under chapter  
35 18.130 RCW.

36 (1) The department shall give written notice of the denial of an  
37 application for a license to the applicant or his or her agent. The

1 department shall give written notice of revocation, suspension, or  
2 modification of a license to the licensee or his or her agent. The  
3 notice shall state the reasons for the action. The notice shall be  
4 personally served in the manner of service of a summons in a civil  
5 action or shall be given in (~~(an other [another])~~) another manner that  
6 shows proof of receipt.

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

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

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

20 (c) When the department has received certification pursuant to  
21 either (i) chapter 74.20A RCW from the department of social and health  
22 services that the licensee is a person who is not in compliance with a  
23 child support order or (ii) chapter 26.09 RCW from a court that the  
24 licensee is a person who is not in compliance with a residential or  
25 visitation order, the department shall provide that the suspension is  
26 effective immediately upon receipt of the suspension notice by the  
27 licensee.

28 (3) Except for licensees suspended for noncompliance with a child  
29 support order under chapter 74.20A RCW or a residential or visitation  
30 order under chapter 26.09 RCW, a license applicant or licensee who is  
31 aggrieved by a department denial, revocation, suspension, or  
32 modification has the right to an adjudicative proceeding. The  
33 proceeding is governed by the Administrative Procedure Act, chapter  
34 34.05 RCW. The application must be in writing, state the basis for  
35 contesting the adverse action, include a copy of the adverse notice, be  
36 served on and received by the department within twenty-eight days of  
37 the license applicant's or licensee's receiving the adverse notice, and  
38 be served in a manner that shows proof of receipt.

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

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

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

20 (1) It is unlawful for any person, firm, partnership, corporation,  
21 or other entity to engage in, conduct, or carry on the business of  
22 installing or maintaining wires or equipment to convey electric  
23 current, or installing or maintaining equipment to be operated by  
24 electric current as it pertains to the electrical industry, without  
25 having an unrevoked, unsuspended, and unexpired electrical contractor  
26 license, issued by the department in accordance with this chapter. All  
27 electrical contractor licenses expire twenty-four calendar months  
28 following the day of their issue. The department may issue an  
29 electrical contractors license for a period of less than twenty-four  
30 months only for the purpose of equalizing the number of electrical  
31 contractor licenses which expire each month. Application for an  
32 electrical contractor license shall be made in writing to the  
33 department, accompanied by the required fee. The application shall  
34 state:

35 (a) The name and address of the applicant; in case of firms or  
36 partnerships, the names of the individuals composing the firm or  
37 partnership; in case of corporations, the names of the managing  
38 officials thereof;

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

3 (c) Employer social security number;

4 (d) As applicable: (i) The industrial insurance account number  
5 covering employees domiciled in Washington; and (ii) evidence of  
6 workers' compensation coverage in the applicant's state of domicile for  
7 the applicant's employees working in Washington who are not domiciled  
8 in Washington;

9 (e) Employment security department number;

10 (f) State excise tax registration number;

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

14 (h) Whether a general or specialty electrical contractor license is  
15 sought and, if the latter, the type of specialty. Electrical  
16 contractor specialties include, but are not limited to: Residential,  
17 domestic appliances, pump and irrigation, limited energy system, signs,  
18 nonresidential maintenance, and a combination specialty. A general  
19 electrical contractor license shall grant to the holder the right to  
20 engage in, conduct, or carry on the business of installing or  
21 maintaining wires or equipment to carry electric current, and  
22 installing or maintaining equipment, or installing or maintaining  
23 material to fasten or insulate such wires or equipment to be operated  
24 by electric current, in the state of Washington. A specialty  
25 electrical contractor license shall grant to the holder a limited right  
26 to engage in, conduct, or carry on the business of installing or  
27 maintaining wires or equipment to carry electrical current, and  
28 installing or maintaining equipment; or installing or maintaining  
29 material to fasten or insulate such wires or equipment to be operated  
30 by electric current in the state of Washington as expressly allowed by  
31 the license.

32 (2) The department may verify the workers' compensation coverage  
33 information provided by the applicant under subsection (1)(d) of this  
34 section, including but not limited to information regarding the  
35 coverage of an individual employee of the applicant. If coverage is  
36 provided under the laws of another state, the department may notify the  
37 other state that the applicant is employing employees in Washington.

38 (3) The application for a contractor license shall be accompanied  
39 by a bond in the sum of four thousand dollars with the state of

1 Washington named as obligee in the bond, with good and sufficient  
2 surety, to be approved by the department. The bond shall at all times  
3 be kept in full force and effect, and any cancellation or revocation  
4 thereof, or withdrawal of the surety therefrom, suspends the license  
5 issued to the principal until a new bond has been filed and approved as  
6 provided in this section. Upon approval of a bond, the department  
7 shall on the next business day deposit the fee accompanying the  
8 application in the electrical license fund and shall file the bond in  
9 the office. The department shall upon request furnish to any person,  
10 firm, partnership, corporation, or other entity a certified copy of the  
11 bond upon the payment of a fee that the department shall set by rule.  
12 The fee shall cover but not exceed the cost of furnishing the certified  
13 copy. The bond shall be conditioned that in any installation or  
14 maintenance of wires or equipment to convey electrical current, and  
15 equipment to be operated by electrical current, the principal will  
16 comply with the provisions of this chapter and with any electrical  
17 ordinance, building code, or regulation of a city or town adopted  
18 pursuant to RCW 19.28.010(~~(+2)~~) (3) that is in effect at the time of  
19 entering into a contract. The bond shall be conditioned further that  
20 the principal will pay for all labor, including employee benefits, and  
21 material furnished or used upon the work, taxes and contributions to  
22 the state of Washington, and all damages that may be sustained by any  
23 person, firm, partnership, corporation, or other entity due to a  
24 failure of the principal to make the installation or maintenance in  
25 accordance with this chapter or any applicable ordinance, building  
26 code, or regulation of a city or town adopted pursuant to RCW  
27 19.28.010(~~(+2)~~) (3). In lieu of the surety bond required by this  
28 section the license applicant may file with the department a cash  
29 deposit or other negotiable security acceptable to the department. If  
30 the license applicant has filed a cash deposit, the department shall  
31 deposit the funds in a special trust savings account in a commercial  
32 bank, mutual savings bank, or savings and loan association and shall  
33 pay annually to the depositor the interest derived from the account.

34 (4) Except as provided in subsection (6) of this section, the  
35 department shall issue general or specialty electrical contractor  
36 licenses to applicants meeting all of the requirements of this chapter.  
37 The provisions of this chapter relating to the licensing of any person,  
38 firm, partnership, corporation, or other entity including the  
39 requirement of a bond with the state of Washington named as obligee

1 therein and the collection of a fee therefor, are exclusive, and no  
2 political subdivision of the state of Washington may require or issue  
3 any licenses or bonds or charge any fee for the same or a similar  
4 purpose. No person, firm, partnership, corporation, or other entity  
5 holding more than one specialty contractor license under this chapter  
6 may be required to pay an annual fee for more than one such license or  
7 to post more than one four thousand dollar bond, equivalent cash  
8 deposit, or other negotiable security.

9 (5) To obtain a general or specialty electrical contractor license  
10 the applicant must designate an individual who currently possesses an  
11 administrator's certificate as a general electrical contractor  
12 administrator or as a specialty electrical contractor administrator in  
13 the specialty for which application has been made. Administrator  
14 certificate specialties include but are not limited to: Residential,  
15 domestic, appliance, pump and irrigation, limited energy system, signs,  
16 nonresidential maintenance, and combination specialty. To obtain an  
17 administrator's certificate an individual must pass an examination as  
18 set forth in RCW 19.28.123 unless the applicant was a licensed  
19 electrical contractor at any time during 1974. Applicants who were  
20 electrical contractors licensed by the state of Washington at any time  
21 during 1974 are entitled to receive a general electrical contractor  
22 administrator's certificate without examination if the applicants apply  
23 prior to January 1, 1984. The board of electrical examiners shall  
24 certify to the department the names of all persons who are entitled to  
25 either a general or specialty electrical contractor administrator's  
26 certificate.

27 (6) 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 license or certificate under this chapter. The application of a  
33 person so certified by the department of social and health services or  
34 by a court may be reviewed for issuance of a license or certificate  
35 under this chapter after the person provides the department with a  
36 written release issued by the department of social and health services  
37 or a court stating that the person is in compliance with the order.



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

3       (1) Each applicant for an electrical contractor's license, other  
4 than an individual, shall designate a supervisory employee or member of  
5 the firm to take the required administrator's examination. Effective  
6 July 1, 1987, a supervisory employee designated as the administrator  
7 shall be a full-time supervisory employee. This person shall be  
8 designated as administrator under the license. No person may qualify  
9 as administrator for more than one contractor. If the relationship of  
10 the administrator with the electrical contractor is terminated, the  
11 contractor's license is void within ninety days unless another  
12 administrator is qualified by the board. However, if the administrator  
13 dies, the contractor's license is void within one hundred eighty days  
14 unless another administrator is qualified by the board. A certificate  
15 issued under this section is valid for two years from the nearest  
16 birthdate of the administrator, unless revoked or suspended, and  
17 further is nontransferable. The certificate may be renewed for a two-  
18 year period without examination by appropriate application unless the  
19 certificate has been revoked, suspended, or not renewed within ninety  
20 days after the expiration date. If the certificate is not renewed  
21 before the expiration date, the individual shall pay twice the usual  
22 fee. An individual holding more than one administrator's certificate  
23 under this chapter shall not be required to pay annual fees for more  
24 than one certificate. A person may take the administrator's test as  
25 many times as necessary without limit.

26       (2) The administrator shall:

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

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

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

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

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

37       (f) Notify the department in writing within ten days if the  
38 administrator terminates the relationship with the electrical  
39 contractor.

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

3 (4) 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 **Sec. 558.** RCW 19.28.310 and 1988 c 81 s 10 are each amended to  
15 read as follows:

16 (1) The department has the power, in case of continued  
17 noncompliance with the provisions of this chapter, to revoke or suspend  
18 for such a period as it determines, any electrical contractor license  
19 or electrical contractor administrator certificate issued under this  
20 chapter. The department shall notify the holder of the license or  
21 certificate of the revocation or suspension by certified mail. A  
22 revocation or suspension is effective fifteen days after the holder  
23 receives the notice. Any revocation or suspension is subject to review  
24 by an appeal to the board. The filing of an appeal stays the effect of  
25 a revocation or suspension until the board makes its decision. The  
26 appeal shall be filed within fifteen days after notice of the  
27 revocation or suspension is given by certified mail sent to the address  
28 of the holder of the license or certificate as shown on the application  
29 for the license or certificate, and shall be effected by filing a  
30 written notice of appeal with the department, accompanied by a  
31 certified check for two hundred dollars, which shall be returned to the  
32 holder of the license or certificate if the decision of the department  
33 is not sustained by the board. The hearing shall be conducted in  
34 accordance with chapter 34.05 RCW. If the board sustains the decision  
35 of the department, the two hundred dollars shall be applied by the  
36 department to the payment of the per diem and expenses of the members  
37 of the board incurred in the matter, and any balance remaining after

1 payment of per diem and expenses shall be paid into the electrical  
2 license fund.

3 (2) The department 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 department's receipt of a  
12 written release issued by the department of social and health services  
13 or a court stating that the licensee is in compliance with the order.

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

16 (1) Except as provided in subsection (5) of this section, the  
17 department shall issue a certificate of competency to all applicants  
18 who have passed the examination provided in RCW 19.28.540, and who have  
19 complied with RCW 19.28.510 through 19.28.620 and the rules adopted  
20 under this chapter. The certificate shall bear the date of issuance,  
21 and shall expire on October 31st or April 30th, not less than six  
22 months nor more than three years immediately following the date of  
23 issuance. The certificate shall be renewed every three years, upon  
24 application, on or before the holder's birthdate. A fee shall be  
25 assessed for each certificate and for each annual renewal.

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

31 (a) The contents and requirements for satisfactory completion of  
32 the continuing education course shall be determined by the director and  
33 approved by the board.

34 (b) The department shall accept proof of a certificate holder's  
35 satisfactory completion of a continuing education course offered in  
36 another state as meeting the requirements for maintaining a current  
37 Washington state certificate of competency if the department is

1 satisfied the course is comparable in nature to that required in  
2 Washington state for maintaining a current certificate of competency.

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

9 (4) The certificates of competency and temporary permits provided  
10 for in this chapter grant the holder the right to work in the  
11 electrical construction trade as a journeyman electrician or specialty  
12 electrician in accordance with their provisions throughout the state  
13 and within any of its political subdivisions without additional proof  
14 of competency or any other license, permit, or fee to engage in such  
15 work.

16 (5) 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 or certificate under this chapter. The application of a  
22 person so certified by the department of social and health services or  
23 by a court may be reviewed for issuance of a license or certificate  
24 under this chapter after the person provides the department with a  
25 written release issued by the department of social and health services  
26 or a court stating that the person is in compliance with the order.

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

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

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

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

35 (c) The holder thereof has violated any of the provisions of RCW  
36 19.28.510 through 19.28.620 or any rule adopted under this chapter.

37 (2) Before any certificate of competency shall be revoked, the  
38 holder shall be given written notice of the department's intention to

1 do so, mailed by registered mail, return receipt requested, to the  
2 holder's last known address. The notice shall enumerate the  
3 allegations against the holder, and shall give the holder the  
4 opportunity to request a hearing before the board. At the hearing, the  
5 department and the holder may produce witnesses and give testimony.  
6 The hearing shall be conducted in accordance with chapter 34.05 RCW.  
7 The board shall render its decision based upon the testimony and  
8 evidence presented, and shall notify the parties immediately upon  
9 reaching its decision. A majority of the board shall be necessary to  
10 render a decision.

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

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

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

26 (1) Such person has executed a written application on a form  
27 prescribed by the director, subscribed and sworn to by the applicant,  
28 and containing (a) a statement by the applicant of all facts required  
29 by the director concerning the applicant's character, competency,  
30 responsibility, and the manner and method by which he or she proposes  
31 to conduct operations as a farm labor contractor if such license is  
32 issued, and (b) the names and addresses of all persons financially  
33 interested, either as partners, stockholders, associates, profit  
34 sharers, or providers of board or lodging to agricultural employees in  
35 the proposed operation as a labor contractor, together with the amount  
36 of their respective interests;

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

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

7 (4) The applicant has filed proof satisfactory to the director of  
8 the existence of a policy of insurance with any insurance carrier  
9 authorized to do business in the state of Washington in an amount  
10 satisfactory to the director, which insures the contractor against  
11 liability for damage to persons or property arising out of the  
12 contractor's operation of, or ownership of, any vehicle or vehicles for  
13 the transportation of individuals in connection with the contractor's  
14 business, activities, or operations as a farm labor contractor;

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

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

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

25 (7) The applicant has stated on his or her application whether or  
26 not his or her contractor's license or the license of any of his or her  
27 agents, partners, associates, stockholders, or profit sharers has ever  
28 been suspended, revoked, or denied by any state or federal agency, and  
29 whether or not there are any outstanding judgments against him or her  
30 or any of his or her agents, partners, associates, stockholders, or  
31 profit sharers in any state or federal court arising out of activities  
32 as a farm labor contractor.

33 (8) 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  
38 a license or certificate under this chapter. The application of a  
39 person so certified by the department of social and health services or

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

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

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

10 (1) The farm labor contractor or any agent of the contractor has  
11 violated or failed to comply with any of the provisions of this  
12 chapter;

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

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

17 (4) The farm labor contractor, or any agent of the contractor, has  
18 violated or wilfully aided or abetted any person in the violation of,  
19 or failed to comply with, any law of the state of Washington regulating  
20 employment in agriculture, the payment of wages to farm employees, or  
21 the conditions, terms, or places of employment affecting the health and  
22 safety of farm employees, which is applicable to the business  
23 activities, or operations of the contractor in his or her capacity as  
24 a farm labor contractor;

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

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

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

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

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

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

10 Nothing contained in this section shall be construed to require a  
11 regular employee of a collection agency or out-of-state collection  
12 agency duly licensed under this chapter to procure a collection agency  
13 license.

14 No person who has been certified by the department of social and  
15 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 license or certificate under this chapter. The application of a  
20 person so certified by the department of social and health services or  
21 by a court may be reviewed for issuance of a license or certificate  
22 under this chapter after the person provides the department with 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 **Sec. 564.** RCW 19.16.120 and 1994 c 195 s 3 are each amended to  
26 read as follows:

27 In addition to other provisions of this chapter, any license issued  
28 pursuant to this chapter or any application therefor may be denied, not  
29 renewed, revoked, or suspended, or in lieu of or in addition to  
30 suspension a licensee may be assessed a civil, monetary penalty in an  
31 amount not to exceed one thousand dollars:

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

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

36 (3) If the application or renewal forms required by this chapter  
37 are incomplete, fees required under RCW 19.16.140 and 19.16.150, if



1 applicable, have not been paid, and the surety bond or cash deposit or  
2 other negotiable security acceptable to the director required by RCW  
3 19.16.190, if applicable, has not been filed or renewed or is canceled.

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

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

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

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

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

20 (c) Has been convicted in any court of any felony involving  
21 forgery, embezzlement, obtaining money under false pretenses, larceny,  
22 extortion, or conspiracy to defraud and is incarcerated for that  
23 offense or five years have not elapsed since the date of such  
24 conviction;

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

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

35 (f) Has had any judgment entered against him or it under the  
36 provisions of RCW 19.86.080 or 19.86.090 involving a violation or  
37 violations of RCW 19.86.020 and two years have not elapsed since the  
38 entry of the final judgment: PROVIDED, That in no event shall a  
39 license be issued unless the terms of such judgment, if any, have been

1 fully complied with: PROVIDED FURTHER, That said judgment shall not be  
2 grounds for denial, suspension, nonrenewal, or revocation of a license  
3 unless the judgment arises out of and is based on acts of the  
4 applicant, owner, officer, director, managing employee, or licensee  
5 while acting for or as a collection agency or an out-of-state  
6 collection agency;

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

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

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

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

19 (k) Has been found by a court of competent jurisdiction to have  
20 violated the federal fair debt collection practices act, 15 U.S.C. Sec.  
21 1692 et seq., or the Washington state consumer protection act, chapter  
22 19.86 RCW, and two years have not elapsed since that finding.

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

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

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

3       (1) Every applicant for an employment agency's license or a renewal  
4 thereof shall file with the director a written application stating the  
5 name and address of the applicant; the street and number of the  
6 building in which the business of the employment agency is to be  
7 conducted; the name of the person who is to have the general management  
8 of the office; the name under which the business of the office is to be  
9 carried on; whether or not the applicant is pecuniarily interested in  
10 the business to be carried on under the license; shall be signed by the  
11 applicant and sworn to before a notary public; and shall identify  
12 anyone holding over twenty percent interest in the agency. If the  
13 applicant is a corporation, the application shall state the names and  
14 addresses of the officers and directors of the corporation, and shall  
15 be signed and sworn to by the president and secretary thereof. If the  
16 applicant is a partnership, the application shall also state the names  
17 and addresses of all partners therein, and shall be signed and sworn to  
18 by all of them. The application shall also state whether or not the  
19 applicant is, at the time of making the application, or has at any  
20 previous time been engaged in or interested in or employed by anyone  
21 engaged in the business of an employment agency.

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

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

31       (4) No license to operate an employment agency in this state shall  
32 be issued, transferred, renewed, or remain in effect, unless the person  
33 who has or is to have the general management of the office has  
34 qualified pursuant to this section. The director may, for good cause  
35 shown, waive the requirement imposed by this section for a period not  
36 to exceed one hundred and twenty days. Persons who have been  
37 previously licensed or who have operated to the satisfaction of the  
38 director for at least one year prior to September 21, 1977 as a general  
39 manager shall be entitled to operate for up to one year from such date

1 before being required to qualify under this section. In order to  
2 qualify, such person shall, through testing procedures developed by the  
3 director, show that such person has a knowledge of this law, pertinent  
4 labor laws, and laws against discrimination in employment in this state  
5 and of the United States. Said examination shall be given at least  
6 once each quarter and a fee for such examination shall be established  
7 by the director. Nothing in this chapter shall be construed to  
8 preclude any one natural person from being designated as the person who  
9 is to have the general management of up to three offices operated by  
10 any one licensee.

11 While employment directories may at the director's discretion be  
12 required to show that the person has a knowledge of this chapter,  
13 employment directories are exempt from testing on pertinent labor laws,  
14 and laws against discrimination in employment in this state and of the  
15 United States.

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

19 (6) 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. 566.** RCW 19.31.130 and 1969 ex.s. c 228 s 13 are each amended  
31 to read as follows:

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

36 ((+1)) (a) Was previously the holder of a license issued under  
37 this chapter, which was revoked for cause and never reissued by the

1 director, or which license was suspended for cause and the terms of the  
2 suspension have not been fulfilled;

3 ~~((+2))~~ (b) Has been found guilty of any felony within the past  
4 five years involving moral turpitude, or for any misdemeanor concerning  
5 fraud or conversion, or suffering any judgment in any civil action  
6 involving wilful fraud, misrepresentation or conversion;

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

9 ~~((+4))~~ (d) Has violated any provisions of this chapter, or failed  
10 to comply with any rule or regulation issued by the director pursuant  
11 to this chapter.

12 (2) The director shall immediately suspend the license or  
13 certificate of a person who 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 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. 567.** RCW 19.32.040 and 1982 c 182 s 32 are each amended to  
24 read as follows:

25 (1) No person hereafter shall engage within this state in the  
26 business of owning, operating or offering the services of any  
27 refrigerated locker or lockers without having obtained a license for  
28 each such place of business. Application for such license shall be  
29 made through the master license system. Except as provided in  
30 subsection (2) of this section, such licenses shall be granted as a  
31 matter of right unless conditions exist which are grounds for a  
32 cancellation or revocation of a license as hereinafter set forth.

33 (2) 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  
38 a license or certificate under this chapter. The application of a

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

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

8 (1) The director of agriculture may cancel or suspend any such  
9 license if he finds after proper investigation that (a) the licensee  
10 has violated any provision of this chapter or of any other law of this  
11 state relating to the operation of refrigerated lockers or of the sale  
12 of any human food in connection therewith, or any regulation effective  
13 under any act the administration of which is in the charge of the  
14 department of agriculture, or (b) the licensed refrigerated locker  
15 premises or any equipment used therein or in connection therewith is in  
16 an unsanitary condition and the licensee has failed or refused to  
17 remedy the same within ten days after receipt from the director of  
18 agriculture of written notice to do so.

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

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

28 (4) 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. 569.** RCW 19.105.330 and 1988 c 159 s 5 are each amended to  
2 read as follows:

3       (~~{(1)}~~) (1) Unless an order denying effectiveness under RCW  
4 19.105.380 is in effect, or unless declared effective by order of the  
5 director prior thereto, the application for registration shall  
6 automatically become effective upon the expiration of the twentieth  
7 full business day following a filing with the director in complete and  
8 proper form, but an applicant may consent to the delay of effectiveness  
9 until such time as the director may by order declare registration  
10 effective or issue a permit to market.

11       (2) An application for registration, renewal of registration, or  
12 amendment is not in completed form and shall not be deemed a statutory  
13 filing until such time as all required fees, completed application  
14 forms, and the information and documents required pursuant to RCW  
15 19.105.320(1) and departmental rules have been filed.

16       It is the operator's responsibility to see that required filing  
17 materials and fees arrive at the appropriate mailing address of the  
18 department. Within seven business days, excluding the date of receipt,  
19 of receiving an application or initial request for registration and the  
20 filing fees, the department shall notify the applicant of receipt of  
21 the application and whether or not the application is complete and in  
22 proper form. If the application is incomplete, the department shall at  
23 the same time inform the applicant what additional documents or  
24 information is required.

25       If the application is not in a completed form, the department shall  
26 give immediate notice to the applicant. On the date the application is  
27 complete and properly filed, the statutory period for an in-depth  
28 examination of the filing, prescribed in subsection (1) of this  
29 section, shall begin to run, unless the applicant and the department  
30 have agreed to a stay of effectiveness or the department has issued a  
31 denial of the application or a permit to market.

32       (3) 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 **Sec. 570.** RCW 19.105.380 and 1988 c 159 s 14 are each amended to  
5 read as follows:

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

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

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

14 (c) The applicant, registrant, or affiliate has failed to comply  
15 with any provision of this chapter, the rules adopted or the conditions  
16 of a permit granted under this chapter, or a stipulation or final order  
17 previously entered into by the operator or issued by the department  
18 under this chapter;

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

22 (e) The camping resort operator or any officer, director, or  
23 affiliate of the camping resort operator has been within the last five  
24 years convicted of or pleaded nolo contendere to any misdemeanor or  
25 felony involving conversion, embezzlement, theft, fraud, or dishonesty,  
26 has been enjoined from or had any civil penalty assessed for a finding  
27 of dishonest dealing or fraud in a civil suit, or been found to have  
28 engaged in any violation of any act designed to protect consumers, or  
29 has been engaged in dishonest practices in any industry involving sales  
30 to consumers;

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

37 (g) The applicant or registrant has not provided or is no longer  
38 providing the director with the necessary security arrangements to



1 assure future availability of titles or properties as required by this  
2 chapter or agreed to in the permit to market;

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

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

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

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

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

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

23 (i) Engage in a pattern or practice of making untrue or misleading  
24 statements of a material fact, or omitting to state a material fact;

25 (ii) Employ any device, scheme, or artifice to defraud purchasers  
26 or members;

27 (iii) Engage in a pattern or practice of failing to provide the  
28 written disclosures to purchasers or prospective purchasers as required  
29 under this chapter;

30 (n) The applicant or registrant has failed to provide a bond,  
31 letter of credit, or other arrangement to assure delivery of promised  
32 gifts, prizes, awards, or other items of consideration, as required  
33 under this chapter, breached such a security arrangement, or failed to  
34 maintain such a security arrangement in effect because of a resignation  
35 or loss of a trustee, impound, or escrow agent;

36 (o) The applicant or registrant has engaged in a practice of  
37 selling contracts using material amendments or codicils that have not  
38 been filed or are the consequences of breaches or alterations in  
39 previously filed contracts;

1 (p) The applicant or registrant has engaged in a practice of  
2 selling or proposing to sell contracts in a ratio of contracts to sites  
3 available in excess of that filed in the affidavit required by this  
4 chapter;

5 (q) The camping resort operator has withdrawn, has the right to  
6 withdraw, or is proposing to withdraw from use all or any portion of  
7 any camping resort property devoted to the camping resort program,  
8 unless:

9 (i) Adequate provision has been made to provide within a reasonable  
10 time thereafter a substitute property in the same general area that is  
11 at least as desirable for the purpose of camping and outdoor  
12 recreation;

13 (ii) The property is withdrawn because, despite good faith efforts  
14 by the camping resort operator, a nonaffiliate of the camping resort  
15 has exercised a right of withdrawal from use by the camping resort  
16 (such as withdrawal following expiration of a lease of the property to  
17 the camping resort) and the terms of the withdrawal right have been  
18 disclosed in writing to all purchasers at or prior to the time of any  
19 sales of camping resort contracts after the camping resort has  
20 represented to purchasers that the property is or will be available for  
21 camping or recreation purposes;

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

27 (iv) The rights of members and owners of the camping resort  
28 contracts under the express terms of the camping resort contract have  
29 expired, or have been specifically limited, upon the lapse of a stated  
30 or determinable period of time, and the director by order has found  
31 that the withdrawal is not otherwise inconsistent with the protection  
32 of purchasers or the desire of the majority of the owners of camping  
33 resort contracts, as expressed in their previously obtained vote of  
34 approval;

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

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

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

7 (u) The applicant or registrant has filed voluntarily or been  
8 placed involuntarily into a federal bankruptcy or is proposing to do  
9 so; or

10 (v) A camping resort operator's rights or interest in a campground  
11 has been terminated by foreclosure or the operations in a camping  
12 resort have been terminated in a manner contrary to contract  
13 provisions.

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

23 (3) An operator, registrant, or applicant against whom  
24 administrative or legal proceedings have been filed shall be  
25 responsible for and shall reimburse the state, by payment into the  
26 general fund, for all administrative and legal costs actually incurred  
27 by the department in issuing, processing, and conducting any such  
28 administrative or legal proceeding authorized under this chapter that  
29 results in a final legal or administrative determination of any type or  
30 degree in favor of the department.

31 (4) No order may be entered under this section without appropriate  
32 prior notice to the applicant or registrant of opportunity for a  
33 hearing and written findings of fact and conclusions of law, except  
34 that the director may by order summarily deny an application for  
35 registration or renewal under any of the above subsections and may  
36 summarily suspend or revoke a registration under subsection (1)(d),  
37 (f), (g), (h), (i), (k), (l), (m), and (n) of this section. No fine  
38 may be imposed by summary order.

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

4 (6) The director may enter into assurances of discontinuance in  
5 lieu of issuing a statement of charges or a cease and desist order or  
6 conducting a hearing under this chapter. The assurances shall consist  
7 of a statement of the law in question and an agreement not to violate  
8 the stated provision. The applicant or registrant shall not be  
9 required to admit to any violation of the law, nor shall the assurance  
10 be construed as such an admission. Violating or breaching an assurance  
11 under this subsection is grounds for suspension or revocation of  
12 registration or imposition of a fine.

13 (7) The director shall immediately suspend the license or  
14 certificate 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 reinstatement during the suspension, reissuance of the license or  
21 certificate shall be automatic upon the director's receipt of a written  
22 release issued by the department of social and health services or a  
23 court stating that the licensee is in compliance with the order.

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

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

29 (a) A statement whether or not the applicant within the past five  
30 years has been convicted of, pleaded nolo contendere to, or been ordered  
31 to serve probation for a period of a year or more for any misdemeanor  
32 or felony involving conversion, embezzlement, theft, fraud, or  
33 dishonesty or the applicant has been enjoined from, had any civil  
34 penalty assessed for, or been found to have engaged in any violation of  
35 any act designed to protect consumers;

36 (b) A statement fully describing the applicant's employment history  
37 for the past five years and whether or not any termination of

1 employment during the last five years was the result of any theft,  
2 fraud, or act of dishonesty;

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

5 (d) Required filing fees.

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

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

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

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

24 (d) Making, printing, publishing, distributing, or causing,  
25 authorizing, or knowingly permitting the making, printing, publication,  
26 or distribution of false statements, descriptions, or promises of such  
27 character as to reasonably induce any person to act thereon, if the  
28 statements, descriptions, or promises purport to be made or to be  
29 performed by either the applicant or registrant and the applicant or  
30 registrant then knew or, by the exercise of reasonable care and  
31 inquiry, could have known, of the falsity of the statements,  
32 descriptions, or promises;

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

37 (f) Failing, upon demand, to disclose to the director or the  
38 director's authorized representatives acting by authority of law any  
39 information within his or her knowledge or to produce for inspection

1 any document, book or record in his or her possession, which is  
2 material to the salesperson's registration or application for  
3 registration;

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

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

11 (i) Misrepresentation of membership in any state or national  
12 association; or

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

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

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

24 (5) The director, subsequent to any complaint filed against a  
25 salesperson or pursuant to an investigation to determine violations,  
26 may enter into stipulated assurances of discontinuances in lieu of  
27 issuing a statement of charges or a cease and desist order or  
28 conducting a hearing. The assurance shall consist of a statement of  
29 the law in question and an agreement not to violate the stated  
30 provision. The salesperson shall not be required to admit to any  
31 violation of the law, nor shall the assurance be construed as such an  
32 admission. Violation of an assurance under this subsection is grounds  
33 for a disciplinary action, a suspension of registration, or a fine not  
34 to exceed one thousand dollars.

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

1 (7) Registration as a camping resort salesperson shall be effective  
2 for a period of one year unless the director specifies otherwise or the  
3 salesperson transfers employment to a different registrant.  
4 Registration as a camping resort salesperson shall be renewed annually,  
5 or at the time of transferring employment, whichever occurs first, by  
6 the filing of a form prescribed by the director for that purpose.

7 (8) It is unlawful for a registrant of camping resort contracts to  
8 employ or a person to act as a camping resort salesperson covered under  
9 this section unless the salesperson has in effect with the department  
10 and displays a valid registration in a conspicuous location at each of  
11 the sales offices at which the salesperson is employed. It is the  
12 responsibility of both the operator and the salesperson to notify the  
13 department when and where a salesperson is employed, his or her  
14 responsibilities and duties, and when the salesperson's employment or  
15 reported duties are changed or terminated.

16 (9) 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 or certificate under this chapter. The application of a  
22 person so certified by the department of social and health services or  
23 by a court may be reviewed for issuance of a license or certificate  
24 under this chapter after the person provides the department with a  
25 written release issued by the department of social and health services  
26 or a court stating that the person is in compliance with the order.

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

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

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

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

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

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

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

17       (e) Has failed to display the registration as provided in this  
18 chapter;

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

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

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

27       (2) If the seller of travel is found in violation of this chapter  
28 or in violation of the consumer protection act, chapter 19.86 RCW, by  
29 the entry of a judgment or by settlement of a claim, the director may  
30 revoke the registration of the seller of travel, and the director may  
31 reinstate the registration at the director's discretion.

32       (3) 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 (4) The director 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 director's receipt of a written  
13 release issued by the department of social and health services or a  
14 court stating that the licensee is in compliance with the order.

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

17 (1) In order to maintain or defend a lawsuit or do any business in  
18 this state, a commercial telephone solicitor must be registered with  
19 the department of licensing. Prior to doing business in this state, a  
20 commercial telephone solicitor shall register with the department of  
21 licensing. Doing business in this state includes both commercial  
22 telephone solicitation from a location in Washington and solicitation  
23 of purchasers located in Washington.

24 (2) The department of licensing, in registering commercial  
25 telephone solicitors, shall have the authority to require the  
26 submission of information necessary to assist in identifying and  
27 locating a commercial telephone solicitor, including past business  
28 history, prior judgments, and such other information as may be useful  
29 to purchasers.

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

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

34 (a) Fail to maintain a valid registration;

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

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

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

5 (5) An annual registration fee shall be assessed by the department  
6 of licensing, the amount of which shall be determined at the discretion  
7 of the director of the department of licensing, and which shall be  
8 reasonably related to the cost of administering the provisions of this  
9 chapter.

10 (6) 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 (7) The department shall immediately suspend the license or  
22 certificate of a person who 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 or  
29 certificate shall be automatic upon the department's receipt of a  
30 written release issued by the department of social and health services  
31 or a court stating that the licensee is in compliance with the order.

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

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

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

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

4 (c) The organization's unified business identification number, if  
5 any;

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

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

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

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

15 (2) The application shall be signed by the chief executive officer  
16 of the organization and the person within the organization who has  
17 primary responsibility for supervising placements within Washington.  
18 If the secretary of state determines that the application is complete,  
19 the secretary of state shall file the application and the applicant is  
20 registered.

21 (3) International student exchange visitor placement organizations  
22 that have registered shall inform the secretary of state of any changes  
23 in the information required under subsection (1) of this section within  
24 thirty days of the change.

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

27 (5) 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 license or certificate under this chapter. The application of a  
33 person so certified by the department of social and health services or  
34 by a court may be reviewed for issuance of a license or certificate  
35 under this chapter after the person provides the department with a  
36 written release issued by the department of social and health services  
37 or a court stating that the person is in compliance with the order.

38 (6) The office of the secretary of state shall immediately suspend  
39 the license or certificate of a person who either (a) has been

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

11 NEW SECTION. **Sec. 575.** A new section is added to chapter 20.01  
12 RCW to read as follows:

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

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

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

1       (1) Except as provided in subsection (2) of this section, if no  
2 denial order is in effect and no proceeding is pending under RCW  
3 21.20.110, registration becomes effective when the applicant has  
4 successfully passed a written examination as prescribed by rule or  
5 order of the director with the advice of the advisory committee, or has  
6 satisfactorily demonstrated that the applicant is exempt from the  
7 written examination requirements of this section.

8       (2) 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       **Sec. 577.** RCW 21.20.110 and 1994 c 256 s 10 are each amended to  
20 read as follows:

21       The director may by order deny, suspend, or revoke registration of  
22 any broker-dealer, salesperson, investment adviser representative, or  
23 investment adviser; censure or fine the registrant or an officer,  
24 director, partner, or person occupying similar functions for a  
25 registrant; or restrict or limit a registrant's function or activity of  
26 business for which registration is required in this state; if the  
27 director finds that the order is in the public interest and that the  
28 applicant or registrant or, in the case of a broker-dealer or  
29 investment adviser, any partner, officer, or director:

30       (1) Has filed an application for registration under this section  
31 which, as of its effective date, or as of any date after filing in the  
32 case of an order denying effectiveness, was incomplete in any material  
33 respect or contained any statement which was, in the light of the  
34 circumstances under which it was made, false, or misleading with  
35 respect to any material fact;

36       (2) Has willfully violated or willfully failed to comply with any  
37 provision of this chapter or a predecessor act or any rule or order

1 under this chapter or a predecessor act, or any provision of chapter  
2 21.30 RCW or any rule or order thereunder;

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

8 (4) Is permanently or temporarily enjoined by any court of  
9 competent jurisdiction from engaging in or continuing any conduct or  
10 practice involving any aspect of the securities or investment  
11 commodities business;

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

15 (6) Is the subject of an order entered within the past five years  
16 by the securities administrator of any other state or by the federal  
17 securities and exchange commission denying or revoking registration as  
18 a broker-dealer or salesperson, or a commodity broker-dealer or sales  
19 representative, or the substantial equivalent of those terms as defined  
20 in this chapter or by the commodity futures trading commission denying  
21 or revoking registration as a commodity merchant as defined in RCW  
22 21.30.010, or is the subject of an order of suspension or expulsion  
23 from membership in or association with a self-regulatory organization  
24 registered under the securities exchange act of 1934 or the federal  
25 commodity exchange act, or is the subject of a United States post  
26 office fraud order; but (a) the director may not institute a revocation  
27 or suspension proceeding under this clause more than one year from the  
28 date of the order relied on, and (b) the director may not enter any  
29 order under this clause on the basis of an order unless that order was  
30 based on facts which would currently constitute a ground for an order  
31 under this section;

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

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

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

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

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

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

15 (b) The director may issue a summary order pending final  
16 determination of a proceeding under this section upon a finding that it  
17 is in the public interest and necessary or appropriate for the  
18 protection of investors. The director may not impose a fine under this  
19 section except after notice and opportunity for hearing. The fine  
20 imposed under this section may not exceed five thousand dollars for  
21 each act or omission that constitutes the basis for issuing the order.

22 The director shall immediately suspend the license or certificate  
23 of a person who either 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 has been certified  
26 pursuant to section 607 of this act by a court as a person who is not  
27 in compliance with a residential or visitation order. If the person  
28 has continued to meet all other requirements for reinstatement during  
29 the suspension, reissuance of the license or certificate shall be  
30 automatic upon the director'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 **NEW SECTION. Sec. 578.** A new section is added to chapter 48.17  
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  
38 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 license or certificate under this chapter. The application of a  
3 person so certified by the department of social and health services or  
4 by a court may be reviewed for issuance of a license or certificate  
5 under this chapter after the person provides the department with 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 commissioner shall immediately suspend the license or  
9 certificate of a person who either (a) has been certified pursuant to  
10 section 502 of this act by the department of social and health services  
11 as a person who is not in compliance with a support order, or (b) has  
12 been certified pursuant to section 607 of this act by a court as a  
13 person who is not in compliance with a residential or visitation order.  
14 If the person has continued to meet all other requirements for  
15 reinstatement during the suspension, reissuance of the license or  
16 certificate shall be automatic upon the commissioner's receipt of a  
17 written release issued by the department of social and health services  
18 or a court stating that the licensee is in compliance with the order.

19 NEW SECTION. **Sec. 579.** A new section is added to chapter 74.15  
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 or certificate under this chapter. The application of a  
27 person so certified by the department of social and health services or  
28 by a court may be reviewed for issuance of a license or certificate  
29 under this chapter after the person provides the department with a  
30 written release issued by the department of social and health services  
31 or a court stating that the person is in compliance with the order.

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



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

5 NEW SECTION. **Sec. 580.** A new section is added to chapter 47.68  
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 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 (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 NEW SECTION. **Sec. 581.** A new section is added to chapter 71.12  
30 RCW to read as follows:

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

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

5 (2) The department of health shall immediately suspend the license  
6 or certificate of a person who either (a) has been certified pursuant  
7 to section 502 of this act by the department of social and health  
8 services as a person who is not in compliance with a support order, or  
9 (b) has been certified pursuant to section 607 of this act by a court  
10 as a person who is not in compliance with a residential or visitation  
11 order. 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 department of health's receipt  
14 of a written release issued by the department of social and health  
15 services or a court stating that the licensee is in compliance with the  
16 order.

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

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

21 (a) Development of the curriculum and materials for the education  
22 program;

23 (b) Examination and examination procedures;

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

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

28 (i) The physiological effects of alcohol including the effects of  
29 alcohol in combination with drugs;

30 (ii) Liability and legal information;

31 (iii) Driving while intoxicated;

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

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

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

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

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

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

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

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

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

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

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

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

36 NEW SECTION. **Sec. 583.** A new section is added to chapter 66.20  
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 under this chapter after the person  
9 provides the department with a written release issued by the department  
10 of social and health services or a court stating that the person is in  
11 compliance with the order.

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

23 NEW SECTION. **Sec. 584.** A new section is added to chapter 66.24  
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 license under this chapter. The application of a person so certified  
31 by the department of social and health services or by a court may be  
32 reviewed for issuance of a license under this chapter after the person  
33 provides the department with a written release issued by the department  
34 of social and health services or a court stating that the person is in  
35 compliance with the order.

36 (2) The board shall immediately suspend the license of a person who  
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 reinstatement during the suspension,  
5 reissuance of the license shall be automatic upon the board's receipt  
6 of a written release issued by the department of social and health  
7 services or a court stating that the licensee is in compliance with the  
8 order.

9 NEW SECTION. **Sec. 585.** A new section is added to chapter 88.02  
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 vessel registration or a vessel dealer's registration under this  
17 chapter. The application of a person so certified by the department of  
18 social and health services or by a court may be reviewed for issuance  
19 of registration 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 (2) The department shall immediately suspend the vessel  
24 registration or vessel dealer's registration of a person who either (a)  
25 has been certified pursuant to section 502 of this act by the  
26 department of social and health services as a person who is not in  
27 compliance with a support order, or (b) has been certified pursuant to  
28 section 607 of this act by a court as a person who is not in compliance  
29 with a residential or visitation order. If the person has continued to  
30 meet all other requirements for reinstatement during the suspension,  
31 reissuance of the registration shall be automatic upon the department's  
32 receipt of a written release issued by the department of social and  
33 health services or a court stating that the licensee is in compliance  
34 with the order.

35 **Sec. 586.** RCW 67.08.040 and 1993 c 278 s 14 are each amended to  
36 read as follows:

1        Except as provided in RCW 67.08.100, upon the approval by the  
2 department of any application for a license, as hereinabove provided,  
3 and the filing of the bond the department shall forthwith issue such  
4 license.

5        **Sec. 587.** RCW 67.08.100 and 1993 c 278 s 20 are each amended to  
6 read as follows:

7        (1) The department may grant annual licenses upon application in  
8 compliance with the rules and regulations prescribed by the director,  
9 and the payment of the fees, the amount of which is to be set by the  
10 director in accordance with RCW 43.24.086, prescribed to promoters,  
11 managers, referees, boxers, wrestlers, and seconds: PROVIDED, That the  
12 provisions of this section shall not apply to contestants or  
13 participants in strictly amateur contests and/or fraternal  
14 organizations and/or veterans' organizations chartered by congress or  
15 the defense department or any bona fide athletic club which is a member  
16 of the Pacific northwest association of the amateur athletic union of  
17 the United States, holding and promoting athletic contests and where  
18 all funds are used primarily for the benefit of their members.

19        (2) Any such license may be revoked by the department for any cause  
20 which it shall deem sufficient.

21        (3) No person shall participate or serve in any of the above  
22 capacities unless licensed as provided in this chapter.

23        (4) The referee for any boxing contest shall be designated by the  
24 department from among such licensed referees.

25        (5) The referee for any wrestling exhibition or show shall be  
26 provided by the promoter and licensed by the department.

27        (6) 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 license or certificate under this chapter. The application of a  
33 person so certified by the department of social and health services or  
34 by a court may be reviewed for issuance of a license or certificate  
35 under this chapter after the person provides the department with a  
36 written release issued by the department of social and health services  
37 or a court stating that the person is in compliance with the order.

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

12       **Sec. 588.** RCW 19.02.100 and 1991 c 72 s 8 are each amended to read  
13 as follows:

14       (1) The department shall not issue or renew a master license to any  
15 person if:

16       (a) The person does not have a valid tax registration, if required;

17       (b) The person is a corporation delinquent in fees or penalties  
18 owing to the secretary of state or is not validly registered under  
19 Title 23B RCW, chapter 18.100 RCW, Title 24 RCW, and any other statute  
20 now or hereafter adopted which gives corporate or business licensing  
21 responsibilities to the secretary of state; ~~((or))~~

22       (c) The person has not submitted the sum of all fees and deposits  
23 required for the requested individual license endorsements, any  
24 outstanding master license delinquency fee, or other fees and penalties  
25 to be collected through the system; or

26       (d) 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.

1 (2) Nothing in this section shall prevent registration by the state  
2 of an employer for the purpose of paying an employee of that employer  
3 industrial insurance or unemployment insurance benefits.

4 (3) 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 **Sec. 589.** RCW 43.24.080 and 1979 c 158 s 99 are each amended to  
16 read as follows:

17 Except as provided in section 592 of this act, at the close of each  
18 examination the department of licensing shall prepare the proper  
19 licenses, where no further fee is required to be paid, and issue  
20 licenses to the successful applicants signed by the director and notify  
21 all successful applicants, where a further fee is required, of the fact  
22 that they are entitled to receive such license upon the payment of such  
23 further fee to the department of licensing and notify all applicants  
24 who have failed to pass the examination of that fact.

25 **Sec. 590.** RCW 43.24.110 and 1986 c 259 s 149 are each amended to  
26 read as follows:

27 Except as provided in section 592 of this act, whenever there is  
28 filed in a matter under the jurisdiction of the director of licensing  
29 any complaint charging that the holder of a license has been guilty of  
30 any act or omission which by the provisions of the law under which the  
31 license was issued would warrant the revocation thereof, verified in  
32 the manner provided by law, the director of licensing shall request the  
33 governor to appoint, and the governor shall appoint within thirty days  
34 of the request, two qualified practitioners of the profession or  
35 calling of the person charged, who, with the director or his duly  
36 appointed representative, shall constitute a committee to hear and  
37 determine the charges and, in case the charges are sustained, impose



1 the penalty provided by law. In addition, the governor shall appoint  
2 a consumer member of the committee.

3 The decision of any three members of such committee shall be the  
4 decision of the committee.

5 The appointed members of the committee shall be compensated in  
6 accordance with RCW 43.03.240 and shall be reimbursed for their travel  
7 expenses, in accordance with RCW 43.03.050 and 43.03.060.

8 **Sec. 591.** RCW 43.24.120 and 1987 c 202 s 212 are each amended to  
9 read as follows:

10 Except as provided in section 592 of this act, any person feeling  
11 aggrieved by the refusal of the director to issue a license, or to  
12 renew one, or by the revocation or suspension of a license shall have  
13 a right of appeal to superior court from the decision of the director  
14 of licensing, which shall be taken, prosecuted, heard, and determined  
15 in the manner provided in chapter 34.05 RCW.

16 The decision of the superior court may be reviewed by the supreme  
17 court or the court of appeals in the same manner as other civil cases.

18 NEW SECTION. **Sec. 592.** A new section is added to chapter 43.24  
19 RCW to read as follows:

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

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

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

6 **Sec. 593.** RCW 70.74.110 and 1988 c 198 s 5 are each amended to  
7 read as follows:

8 All persons engaged in the manufacture of explosives, or any  
9 process involving explosives, or where explosives are used as a  
10 component part in the manufacture of any article or device, on (~~the~~  
11 ~~date when this 1969 amendatory act takes effect~~) August 11, 1969,  
12 shall within sixty days thereafter, and all persons engaging in the  
13 manufacture of explosives, or any process involving explosives, or  
14 where explosives are used as a component part in the manufacture of any  
15 article or device after (~~this act takes effect~~) August 11, 1969,  
16 shall, before so engaging, make an application in writing, subscribed  
17 to by such person or his agent, to the department of labor and  
18 industries, the application stating:

- 19 (1) Location of place of manufacture or processing;
- 20 (2) Kind of explosives manufactured, processed or used;
- 21 (3) The distance that such explosives manufacturing building is  
22 located or intended to be located from the other factory buildings,  
23 magazines, inhabited buildings, railroads and highways and public  
24 utility transmission systems;
- 25 (4) The name and address of the applicant;
- 26 (5) The reason for desiring to manufacture explosives;
- 27 (6) The applicant's citizenship, if the applicant is an individual;
- 28 (7) If the applicant is a partnership, the names and addresses of  
29 the partners, and their citizenship;
- 30 (8) If the applicant is an association or corporation, the names  
31 and addresses of the officers and directors thereof, and their  
32 citizenship; and
- 33 (9) Such other pertinent information as the director of labor and  
34 industries shall require to effectuate the purpose of this chapter.

35 There shall be kept in the main office on the premises of each  
36 explosives manufacturing plant a plan of said plant showing the  
37 location of all explosives manufacturing buildings and the distance  
38 they are located from other factory buildings where persons are

1 employed and from magazines, and these plans shall at all times be open  
2 to inspection by duly authorized inspectors of the department of labor  
3 and industries. The superintendent of each plant shall upon demand of  
4 said inspector furnish the following information:

5 (a) The maximum amount and kind of explosive material which is or  
6 will be present in each building at one time.

7 (b) The nature and kind of work carried on in each building and  
8 whether or not said buildings are surrounded by natural or artificial  
9 barricades.

10 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the  
11 department of labor and industries shall as soon as possible after  
12 receiving such application cause an inspection to be made of the  
13 explosives manufacturing plant, and if found to be in accordance with  
14 RCW 70.74.030 and 70.74.050 and 70.74.061, such department shall issue  
15 a license to the person applying therefor showing compliance with the  
16 provisions of this chapter if the applicant demonstrates that either  
17 the applicant or the officers, agents or employees of the applicant are  
18 sufficiently experienced in the manufacture of explosives and the  
19 applicant meets the qualifications for a license under RCW 70.74.360.  
20 Such license shall continue in full force and effect until expired,  
21 suspended, or revoked by the department pursuant to this chapter.

22 **Sec. 594.** RCW 70.74.130 and 1988 c 198 s 7 are each amended to  
23 read as follows:

24 Every person desiring to engage in the business of dealing in  
25 explosives shall apply to the department of labor and industries for a  
26 license therefor. Said application shall state, among other things:

27 (1) The name and address of applicant;

28 (2) The reason for desiring to engage in the business of dealing in  
29 explosives;

30 (3) Citizenship, if an individual applicant;

31 (4) If a partnership, the names and addresses of the partners and  
32 their citizenship;

33 (5) If an association or corporation, the names and addresses of  
34 the officers and directors thereof and their citizenship; and

35 (6) Such other pertinent information as the director of labor and  
36 industries shall require to effectuate the purpose of this chapter.

37 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the  
38 department of labor and industries shall issue the license if the

1 applicant demonstrates that either the applicant or the principal  
2 officers, agents, or employees of the applicant are experienced in the  
3 business of dealing in explosives, possess suitable facilities  
4 therefor, have not been convicted of any crime that would warrant  
5 revocation or nonrenewal of a license under this chapter, and have  
6 never had an explosives-related license revoked under this chapter or  
7 under similar provisions of any other state.

8 **Sec. 595.** RCW 70.74.135 and 1988 c 198 s 8 are each amended to  
9 read as follows:

10 All persons desiring to purchase explosives except handloader  
11 components shall apply to the department of labor and industries for a  
12 license. Said application shall state, among other things:

- 13 (1) The location where explosives are to be used;
- 14 (2) The kind and amount of explosives to be used;
- 15 (3) The name and address of the applicant;
- 16 (4) The reason for desiring to use explosives;
- 17 (5) The citizenship of the applicant if the applicant is an  
18 individual;
- 19 (6) If the applicant is a partnership, the names and addresses of  
20 the partners and their citizenship;
- 21 (7) If the applicant is an association or corporation, the names  
22 and addresses of the officers and directors thereof and their  
23 citizenship; and
- 24 (8) Such other pertinent information as the director of the  
25 department of labor and industries shall require to effectuate the  
26 purpose of this chapter.

27 The department of labor and industries shall issue the license if  
28 the applicant demonstrates that either the applicant or the officers,  
29 agents or employees of the applicant are sufficiently experienced in  
30 the use of explosives to authorize a purchase license. However, no  
31 purchaser's license may be issued to any person who cannot document  
32 proof of possession or right to use approved and licensed storage  
33 facilities unless the person signs a statement certifying that  
34 explosives will not be stored. No person who has been certified by the  
35 department of social and health services as a person who is not in  
36 compliance with a support order as provided in section 502 of this act,  
37 or is certified by a court as a person who is not in compliance with a  
38 residential or visitation order as provided in section 607 of this act

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

8       **Sec. 596.** RCW 70.74.360 and 1988 c 198 s 3 are each amended to  
9 read as follows:

10       (1) The director of labor and industries shall require, as a  
11 condition precedent to the original issuance or renewal of any  
12 explosive license, fingerprinting and criminal history record  
13 information checks of every applicant. In the case of a corporation,  
14 fingerprinting and criminal history record information checks shall be  
15 required for the management officials directly responsible for the  
16 operations where explosives are used if such persons have not  
17 previously had their fingerprints recorded with the department of labor  
18 and industries. In the case of a partnership, fingerprinting and  
19 criminal history record information checks shall required of all  
20 general partners. Such fingerprints as are required by the department  
21 of labor and industries shall be submitted on forms provided by the  
22 department to the identification section of the Washington state patrol  
23 and to the identification division of the federal bureau of  
24 investigation in order that these agencies may search their records for  
25 prior convictions of the individuals fingerprinted. The Washington  
26 state patrol shall provide to the director of labor and industries such  
27 criminal record information as the director may request. The applicant  
28 shall give full cooperation to the department of labor and industries  
29 and shall assist the department of labor and industries in all aspects  
30 of the fingerprinting and criminal history record information check.  
31 The applicant may be required to pay a fee not to exceed twenty dollars  
32 to the agency that performs the fingerprinting and criminal history  
33 process.

34       (2) The director of labor and industries shall not issue a license  
35 to manufacture, purchase, store, use, or deal with explosives to:

36       (a) Any person under twenty-one years of age;

37       (b) Any person whose license is suspended or whose license has been  
38 revoked, except as provided in RCW 70.74.370;

1 (c) Any person who has been convicted in this state or elsewhere of  
2 a violent offense as defined in RCW 9.94A.030, perjury, false swearing,  
3 or bomb threats or a crime involving a schedule I or II controlled  
4 substance, or any other drug or alcohol related offense, unless such  
5 other drug or alcohol related offense does not reflect a drug or  
6 alcohol dependency. However, the director of labor and industries may  
7 issue a license if the person suffering a drug or alcohol related  
8 dependency is participating in or has completed an alcohol or drug  
9 recovery program acceptable to the department of labor and industries  
10 and has established control of their alcohol or drug dependency. The  
11 director of labor and industries shall require the applicant to provide  
12 proof of such participation and control; ((or))

13 (d) Any person who has previously been adjudged to be mentally ill  
14 or insane, or to be incompetent due to any mental disability or disease  
15 and who has not at the time of application been restored to competency  
16 i or

17 (e) Any 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. The  
22 application of a person so certified by the department of social and  
23 health services or by a court may be reviewed for issuance of a license  
24 or certificate under this chapter after the person provides the  
25 director of labor and industries with a written release issued by the  
26 department of social and health services or a court stating that the  
27 person is in compliance with the order.

28 (3) The director of labor and industries may establish reasonable  
29 licensing fees for the manufacture, dealing, purchase, use, and storage  
30 of explosives.

31 **Sec. 597.** RCW 70.74.370 and 1988 c 198 s 4 are each amended to  
32 read as follows:

33 (1) The department of labor and industries shall revoke and not  
34 renew the license of any person holding a manufacturer, dealer,  
35 purchaser, user, or storage license upon conviction of any of the  
36 following offenses, which conviction has become final:

37 (a) A violent offense as defined in RCW 9.94A.030;

1 (b) A crime involving perjury or false swearing, including the  
2 making of a false affidavit or statement under oath to the department  
3 of labor and industries in an application or report made pursuant to  
4 this title;

5 (c) A crime involving bomb threats;

6 (d) A crime involving a schedule I or II controlled substance, or  
7 any other drug or alcohol related offense, unless such other drug or  
8 alcohol related offense does not reflect a drug or alcohol dependency.  
9 However, the department of labor and industries may condition renewal  
10 of the license to any convicted person suffering a drug or alcohol  
11 dependency who is participating in an alcoholism or drug recovery  
12 program acceptable to the department of labor and industries and has  
13 established control of their alcohol or drug dependency. The  
14 department of labor and industries shall require the licensee to  
15 provide proof of such participation and control;

16 (e) A crime relating to possession, use, transfer, or sale of  
17 explosives under this chapter or any other chapter of the Revised Code  
18 of Washington.

19 (2) The department of labor and industries shall revoke the license  
20 of any person adjudged to be mentally ill or insane, or to be  
21 incompetent due to any mental disability or disease. The director  
22 shall not renew the license until the person has been restored to  
23 competency.

24 (3) The department of labor and industries is authorized to  
25 suspend, for a period of time not to exceed six months, the license of  
26 any person who has violated this chapter or the rules promulgated  
27 pursuant to this chapter.

28 (4) The department of labor and industries may revoke the license  
29 of any person who has repeatedly violated this chapter or the rules  
30 promulgated pursuant to this chapter, or who has twice had his or her  
31 license suspended under this chapter.

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

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

5 (6) Upon receipt of notification by the department of labor and  
6 industries of revocation or suspension, a licensee must surrender  
7 immediately to the department any or all such licenses revoked or  
8 suspended.

9 **Sec. 598.** RCW 66.24.010 and 1995 c 232 s 1 are each amended to  
10 read as follows:

11 (1) Every license shall be issued in the name of the applicant, and  
12 the holder thereof shall not allow any other person to use the license.

13 (2) For the purpose of considering any application for a license,  
14 the board may cause an inspection of the premises to be made, and may  
15 inquire into all matters in connection with the construction and  
16 operation of the premises. For the purpose of reviewing any  
17 application for a license and for considering the denial, suspension or  
18 revocation of any license, the liquor control board may consider any  
19 prior criminal conduct of the applicant and the provisions of RCW  
20 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The  
21 board may, in its discretion, grant or refuse the license applied for.  
22 Authority to approve an uncontested or unopposed license may be granted  
23 by the board to any staff member the board designates in writing.  
24 Conditions for granting such authority shall be adopted by rule. No  
25 retail license of any kind may be issued to:

26 (a) A person who has not resided in the state for at least one  
27 month prior to making application, except in cases of licenses issued  
28 to dining places on railroads, boats, or aircraft;

29 (b) A copartnership, unless all of the members thereof are  
30 qualified to obtain a license, as provided in this section;

31 (c) A person whose place of business is conducted by a manager or  
32 agent, unless such manager or agent possesses the same qualifications  
33 required of the licensee;

34 (d) A corporation, unless it was created under the laws of the  
35 state of Washington or holds a certificate of authority to transact  
36 business in the state of Washington; or

37 (e) Any 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



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

10 (3)(a) The board may, in its discretion, subject to the provisions  
11 of RCW 66.08.150, suspend or cancel any license; and all rights of the  
12 licensee to keep or sell liquor thereunder shall be suspended or  
13 terminated, as the case may be.

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

25 (c) The board may request the appointment of administrative law  
26 judges under chapter 34.12 RCW who shall have power to administer  
27 oaths, issue subpoenas for the attendance of witnesses and the  
28 production of papers, books, accounts, documents, and testimony,  
29 examine witnesses, and to receive testimony in any inquiry,  
30 investigation, hearing, or proceeding in any part of the state, under  
31 such rules and regulations as the board may adopt.

32 (d) Witnesses shall be allowed fees and mileage each way to and  
33 from any such inquiry, investigation, hearing, or proceeding at the  
34 rate authorized by RCW 34.05.446, as now or hereafter amended. Fees  
35 need not be paid in advance of appearance of witnesses to testify or to  
36 produce books, records, or other legal evidence.

37 (e) In case of disobedience of any person to comply with the order  
38 of the board or a subpoena issued by the board, or any of its members,  
39 or administrative law judges, or on the refusal of a witness to testify

1 to any matter regarding which he or she may be lawfully interrogated,  
2 the judge of the superior court of the county in which the person  
3 resides, on application of any member of the board or administrative  
4 law judge, shall compel obedience by contempt proceedings, as in the  
5 case of disobedience of the requirements of a subpoena issued from said  
6 court or a refusal to testify therein.

7 (4) Upon receipt of notice of the suspension or cancellation of a  
8 license, the licensee shall forthwith deliver up the license to the  
9 board. Where the license has been suspended only, the board shall  
10 return the license to the licensee at the expiration or termination of  
11 the period of suspension. The board shall notify all vendors in the  
12 city or place where the licensee has its premises of the suspension or  
13 cancellation of the license; and no employee may allow or cause any  
14 liquor to be delivered to or for any person at the premises of that  
15 licensee.

16 (5)(a) At the time of the original issuance of a class H license,  
17 the board shall prorate the license fee charged to the new licensee  
18 according to the number of calendar quarters, or portion thereof,  
19 remaining until the first renewal of that license is required.

20 (b) Unless sooner canceled, every license issued by the board shall  
21 expire at midnight of the thirtieth day of June of the fiscal year for  
22 which it was issued. However, if the board deems it feasible and  
23 desirable to do so, it may establish, by rule pursuant to chapter 34.05  
24 RCW, a system for staggering the annual renewal dates for any and all  
25 licenses authorized by this chapter. If such a system of staggered  
26 annual renewal dates is established by the board, the license fees  
27 provided by this chapter shall be appropriately prorated during the  
28 first year that the system is in effect.

29 (6) Every license issued under this section shall be subject to all  
30 conditions and restrictions imposed by this title or by the regulations  
31 in force from time to time. All conditions and restrictions imposed by  
32 the board in the issuance of an individual license shall be listed on  
33 the face of the individual license along with the trade name, address,  
34 and expiration date.

35 (7) Every licensee shall post and keep posted its license, or  
36 licenses, in a conspicuous place on the premises.

37 (8) Before the board shall issue a license to an applicant it shall  
38 give notice of such application to the chief executive officer of the  
39 incorporated city or town, if the application be for a license within

1 an incorporated city or town, or to the county legislative authority,  
2 if the application be for a license outside the boundaries of  
3 incorporated cities or towns; and such incorporated city or town,  
4 through the official or employee selected by it, or the county  
5 legislative authority or the official or employee selected by it, shall  
6 have the right to file with the board within twenty days after date of  
7 transmittal of such notice, written objections against the applicant or  
8 against the premises for which the license is asked, and shall include  
9 with such objections a statement of all facts upon which such  
10 objections are based, and in case written objections are filed, may  
11 request and the liquor control board may in its discretion hold a  
12 formal hearing subject to the applicable provisions of Title 34 RCW.  
13 Upon the granting of a license under this title the board shall send a  
14 duplicate of the license or written notification to the chief executive  
15 officer of the incorporated city or town in which the license is  
16 granted, or to the county legislative authority if the license is  
17 granted outside the boundaries of incorporated cities or towns.

18 (9) Before the board issues any license to any applicant, it shall  
19 give (a) due consideration to the location of the business to be  
20 conducted under such license with respect to the proximity of churches,  
21 schools, and public institutions and (b) written notice by certified  
22 mail of the application to churches, schools, and public institutions  
23 within five hundred feet of the premises to be licensed. The board  
24 shall issue no beer retailer license class A, B, D, or E or wine  
25 retailer license class C or F or class H license covering any premises  
26 not now licensed, if such premises are within five hundred feet of the  
27 premises of any tax-supported public elementary or secondary school  
28 measured along the most direct route over or across established public  
29 walks, streets, or other public passageway from the outer property line  
30 of the school grounds to the nearest public entrance of the premises  
31 proposed for license, and if, after receipt by the school or public  
32 institution of the notice as provided in this subsection, the board  
33 receives written notice, within twenty days after posting such notice,  
34 from an official representative or representatives of the school within  
35 five hundred feet of said proposed licensed premises, indicating to the  
36 board that there is an objection to the issuance of such license  
37 because of proximity to a school. For the purpose of this section,  
38 church shall mean a building erected for and used exclusively for  
39 religious worship and schooling or other activity in connection

1 therewith. No liquor license may be issued or reissued by the board to  
2 any motor sports facility or licensee operating within the motor sports  
3 facility unless the motor sports facility enforces a program reasonably  
4 calculated to prevent alcohol or alcoholic beverages not purchased  
5 within the facility from entering the facility and such program is  
6 approved by local law enforcement agencies. It is the intent under  
7 this subsection that a retail license shall not be issued by the board  
8 where doing so would, in the judgment of the board, adversely affect a  
9 private school meeting the requirements for private schools under Title  
10 28A RCW, which school is within five hundred feet of the proposed  
11 licensee. The board shall fully consider and give substantial weight  
12 to objections filed by private schools. If a license is issued despite  
13 the proximity of a private school, the board shall state in a letter  
14 addressed to the private school the board's reasons for issuing the  
15 license.

16 (10) The restrictions set forth in subsection (9) of this section  
17 shall not prohibit the board from authorizing the assumption of  
18 existing licenses now located within the restricted area by other  
19 persons or licenses or relocations of existing licensed premises within  
20 the restricted area. In no case may the licensed premises be moved  
21 closer to a church or school than it was before the assumption or  
22 relocation.

23 (11) Nothing in this section prohibits the board, in its  
24 discretion, from issuing a temporary retail or wholesaler license to an  
25 applicant assuming an existing retail or wholesaler license to continue  
26 the operation of the retail or wholesaler premises during the period  
27 the application for the license is pending and when the following  
28 conditions exist:

29 (a) The licensed premises has been operated under a retail or  
30 wholesaler license within ninety days of the date of filing the  
31 application for a temporary license;

32 (b) The retail or wholesaler license for the premises has been  
33 surrendered pursuant to issuance of a temporary operating license;

34 (c) The applicant for the temporary license has filed with the  
35 board an application to assume the retail or wholesaler license at such  
36 premises to himself or herself; and

37 (d) The application for a temporary license is accompanied by a  
38 temporary license fee established by the board by rule.

1 A temporary license issued by the board under this section shall be  
2 for a period not to exceed sixty days. A temporary license may be  
3 extended at the discretion of the board for an additional sixty-day  
4 period upon payment of an additional fee and upon compliance with all  
5 conditions required in this section.

6 Refusal by the board to issue or extend a temporary license shall  
7 not entitle the applicant to request a hearing. A temporary license  
8 may be canceled or suspended summarily at any time if the board  
9 determines that good cause for cancellation or suspension exists. RCW  
10 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

11 Application for a temporary license shall be on such form as the  
12 board shall prescribe. If an application for a temporary license is  
13 withdrawn before issuance or is refused by the board, the fee which  
14 accompanied such application shall be refunded in full.

15 **Sec. 599.** RCW 43.63B.040 and 1994 c 284 s 19 are each amended to  
16 read as follows:

17 (1) The department shall issue a certificate of manufactured home  
18 installation to an applicant who has taken the training course, passed  
19 the examination, paid the fees, and in all other respects (~~meet[s]~~)  
20 meets the qualifications. The certificate shall bear the date of  
21 issuance, a certification identification number, and is renewable every  
22 three years upon application and completion of a continuing education  
23 program as determined by the department. A renewal fee shall be  
24 assessed for each certificate. If a person fails to renew a  
25 certificate by the renewal date, the person must retake the examination  
26 and pay the examination fee.

27 (2) The certificate of manufactured home installation provided for  
28 in this chapter grants the holder the right to engage in manufactured  
29 home installation throughout the state, without any other installer  
30 certification.

31 (3) No person who has been certified by the department of social  
32 and health services as a person who is not in compliance with a support  
33 order as provided in section 502 of this act, or is certified by a  
34 court as a person who is not in compliance with a residential or  
35 visitation order as provided in section 607 of this act may be issued  
36 a license or certificate under this chapter. The application of a  
37 person so certified by the department of social and health services or  
38 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 (4) 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 **Sec. 600.** RCW 70.95D.040 and 1989 c 431 s 68 are each amended to  
16 read as follows:

17 (1) The department shall establish a process to certify incinerator  
18 and landfill operators. To the greatest extent possible, the  
19 department shall rely on the certification standards and procedures  
20 developed by national organizations and the federal government.

21 (2) Operators shall be certified if they:

22 (a) Attend the required training sessions;

23 (b) Successfully complete required examinations; and

24 (c) Pay the prescribed fee.

25 (3) By January 1, 1991, the department shall adopt rules to require  
26 incinerator and appropriate landfill operators to:

27 (a) Attend a training session concerning the operation of the  
28 relevant type of landfill or incinerator;

29 (b) Demonstrate sufficient skill and competency for proper  
30 operation of the incinerator or landfill by successfully completing an  
31 examination prepared by the department; and

32 (c) Renew the certificate of competency at reasonable intervals  
33 established by the department.

34 (4) The department shall provide for the collection of fees for the  
35 issuance and renewal of certificates. These fees shall be sufficient  
36 to recover the costs of the certification program.

37 (5) The department shall establish an appeals process for the  
38 denial or revocation of a certificate.

1 (6) The department shall establish a process to automatically  
2 certify operators who have received comparable certification from  
3 another state, the federal government, a local government, or a  
4 professional association.

5 (7) Upon July 23, 1989, and prior to January 1, 1992, the owner or  
6 operator of an incinerator or landfill may apply to the department for  
7 interim certification. Operators shall receive interim certification  
8 if they:

9 (a) Have received training provided by a recognized national  
10 organization, educational institution, or the federal government that  
11 is acceptable to the department; or

12 (b) Have received individualized training in a manner approved by  
13 the department; and

14 (c) Have successfully completed any required examinations.

15 (8) No interim certification shall be valid after January 1, 1992,  
16 and interim certification shall not automatically qualify operators for  
17 certification pursuant to subsections (2) through (4) of this section.

18 (9) No person who has been certified by the department of social  
19 and health services as a person who is not in compliance with a support  
20 order as provided in section 502 of this act, or is certified by a  
21 court as a person who is not in compliance with a residential or  
22 visitation order as provided in section 607 of this act may be issued  
23 a license or certificate under this chapter. The application of a  
24 person so certified by the department of social and health services or  
25 by a court may be reviewed for issuance of a license or certificate  
26 under this chapter after the person provides the department with 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 (10) The department 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 department's receipt of a  
38 written release issued by the department of social and health services  
39 or a court stating that the licensee is in compliance with the order.

1        NEW SECTION.    **Sec. 601.**    A new section is added to chapter 70.95B  
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 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) The director shall immediately suspend the license or  
15   certificate of a person who either (a) has been certified pursuant to  
16   section 502 of this act by the department of social and health services  
17   as a person who is not in compliance with a support order, or (b) has  
18   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 or  
22   certificate shall be automatic upon the director's receipt of a written  
23   release issued by the department of social and health services or a  
24   court stating that the licensee is in compliance with the order.

25        **Sec. 602.**    RCW 17.21.130 and 1994 c 283 s 15 are each amended to  
26   read as follows:

27        Any license, permit, or certification provided for in this chapter  
28   may be revoked or suspended, and any license, permit, or certification  
29   application may be denied by the director for cause.    If the director  
30   suspends a license under this chapter with respect to activity of a  
31   continuing nature under chapter 34.05 RCW, the director may elect to  
32   suspend the license for a subsequent license year during a period that  
33   coincides with the period commencing thirty days before and ending  
34   thirty days after the date of the incident or incidents giving rise to  
35   the violation.

36        The director shall immediately suspend the license or certificate  
37   of a person who either (1) has been certified pursuant to section 502  
38   of this act by the department of social and health services as a person



1 who is not in compliance with a support order, or (2) has been  
2 certified pursuant to section 607 of this act by a court as a person  
3 who is not in compliance with a residential or visitation order. If  
4 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 director's receipt of a written  
7 release issued by the department of social and health services or a  
8 court stating that the licensee is in compliance with the order.

9       **Sec. 603.** RCW 17.21.132 and 1994 c 283 s 16 are each amended to  
10 read as follows:

11       Any person applying for a license or certification authorized under  
12 the provisions of this chapter shall file an application on a form  
13 prescribed by the director.

14       (1) The application shall state the license or certification and  
15 the classification(s) for which the applicant is applying and the  
16 method in which the pesticides are to be applied.

17       (2) For all classes of licenses except private applicator, all  
18 applicants shall be at least eighteen years of age on the date that the  
19 application is made. Applicants for a private pesticide applicator  
20 license shall be at least sixteen years of age on the date that the  
21 application is made.

22       (3) Application for a license to apply pesticides shall be  
23 accompanied by the required fee. No license may be issued until the  
24 required license fee has been received by the department. License fees  
25 shall be prorated where necessary to accommodate staggering of  
26 expiration dates of a license or licenses.

27       (4) Each classification of license issued under this chapter shall  
28 expire annually on a date set by rule by the director. License  
29 expiration dates may be staggered for administrative purposes. Renewal  
30 applications shall be filed on or before the applicable expiration  
31 date.

32       No person who has been certified by the department of social and  
33 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

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

5 **Sec. 604.** RCW 64.44.060 and 1990 c 213 s 7 are each amended to  
6 read as follows:

7 (1) After January 1, 1991, a contractor may not perform  
8 decontamination, demolition, or disposal work unless issued a  
9 certificate by the state department of health. The department shall  
10 establish performance standards for contractors by rule in accordance  
11 with chapter 34.05 RCW, the administrative procedure act. The  
12 department shall train and test, or may approve courses to train and  
13 test, contractors and their employees on the essential elements in  
14 assessing property used as an illegal drug manufacturing or storage  
15 site to determine hazard reduction measures needed, techniques for  
16 adequately reducing contaminants, use of personal protective equipment,  
17 methods for proper demolition, removal, and disposal of contaminated  
18 property, and relevant federal and state regulations. Upon successful  
19 completion of the training, the contractor or employee shall be  
20 certified.

21 (2) The department may require the successful completion of annual  
22 refresher courses provided or approved by the department for the  
23 continued certification of the contractor or employee.

24 (3) The department shall provide for reciprocal certification of  
25 any individual trained to engage in decontamination, demolition, or  
26 disposal work in another state when the prior training is shown to be  
27 substantially similar to the training required by the department. The  
28 department may require such individuals to take an examination or  
29 refresher course before certification.

30 (4) The department may deny, suspend, or revoke a certificate for  
31 failure to comply with the requirements of this chapter or any rule  
32 adopted pursuant to this chapter. A certificate may be denied,  
33 suspended, or revoked on any of the following grounds:

34 (a) Failing to perform decontamination, demolition, or disposal  
35 work under the supervision of trained personnel;

36 (b) Failing to file a work plan;

37 (c) Failing to perform work pursuant to the work plan;

1 (d) Failing to perform work that meets the requirements of the  
2 department; ~~((e))~~

3 (e) The certificate was obtained by error, misrepresentation, or  
4 fraud; or

5 (f) If the person has either (i) been certified pursuant to section  
6 502 of this act by the department of social and health services as a  
7 person who is not in compliance with a support order, or (ii) has been  
8 certified pursuant to section 607 of this act by a court as a person  
9 who is not in compliance with a residential or visitation order. If  
10 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 person is in compliance with the order.

15 (5) 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 license or certificate under this chapter. The application of a  
21 person so certified by the department of social and health services or  
22 by a court may be reviewed for issuance of a license or certificate  
23 under this chapter after the person provides the department with a  
24 written release issued by the department of social and health services  
25 or a court stating that the person is in compliance with the order.

26 (6) A contractor who violates any provision of this chapter may be  
27 assessed a fine not to exceed five hundred dollars for each violation.

28 ~~((+6))~~ (7) The department of health shall prescribe fees as  
29 provided for in RCW 43.70.250 for the issuance and renewal of  
30 certificates, the administration of examinations, and for the review of  
31 training courses.

32 ~~((+7))~~ (8) The decontamination account is hereby established in  
33 the state treasury. All fees collected under this chapter shall be  
34 deposited in this account. Moneys in the account may only be spent  
35 after appropriation for costs incurred by the department in the  
36 administration and enforcement of this chapter.

37 **Sec. 605.** RCW 19.146.210 and 1994 c 33 s 10 are each amended to  
38 read as follows:

1 (1) The director shall issue and deliver a mortgage broker license  
2 to an applicant if, after investigation, the director makes the  
3 following findings:

4 (a) The applicant has paid the required license fees;

5 (b) The applicant has complied with RCW 19.146.205;

6 (c) Neither the applicant nor any of its principals has had a  
7 license issued under this chapter or any similar state statute  
8 suspended or revoked within five years of the filing of the present  
9 application;

10 (d) Neither the applicant nor any of its principals has been  
11 convicted of a gross misdemeanor involving dishonesty or financial  
12 misconduct or a felony within seven years of the filing of the present  
13 application;

14 (e) Either the applicant or one of its principals, who may be  
15 designated by the applicant, (i) has at least two years of experience  
16 in the residential mortgage loan industry or has completed the  
17 educational requirements established by rule of the director and (ii)  
18 has passed a written examination whose content shall be established by  
19 rule of the director; and

20 (f) The applicant has demonstrated financial responsibility,  
21 character, and general fitness such as to command the confidence of the  
22 community and to warrant a belief that the business will be operated  
23 honestly, fairly, and efficiently within the purposes of this chapter.

24 (2) If the director does not find the conditions of subsection (1)  
25 of this section have been met, the director shall not issue the  
26 license. The director shall notify the applicant of the denial and  
27 return to the applicant the bond or approved alternative and any  
28 remaining portion of the license fee that exceeds the department's  
29 actual cost to investigate the license.

30 (3) 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 (4) The director shall issue a license under this chapter to any  
4 licensee issued a license under chapter 468, Laws of 1993, that has a  
5 valid license and is otherwise in compliance with the provisions of  
6 this chapter.

7 (~~(4)~~) (5) A license issued pursuant to this chapter is valid from  
8 the date of issuance with no fixed date of expiration.

9 (~~(5)~~) (6) A licensee may surrender a license by delivering to the  
10 director written notice of surrender, but the surrender does not affect  
11 the licensee's civil or criminal liability arising from acts or  
12 omissions occurring before such surrender.

13 **Sec. 606.** RCW 19.146.220 and 1994 c 33 s 12 are each amended to  
14 read as follows:

15 (1) The director shall enforce all laws and rules relating to the  
16 licensing of mortgage brokers, grant or deny licenses to mortgage  
17 brokers, and hold hearings. The director may impose any one or more of  
18 the following sanctions:

19 (a) Suspend or revoke licenses, deny applications for licenses, or  
20 impose penalties upon violators of cease and desist orders issued under  
21 this chapter. The director may impose fines, as established by rule by  
22 the director, for violations of or failure to comply with any lawful  
23 directive, order, or requirement of the director. Each day's  
24 continuance of the violation or failure to comply is a separate and  
25 distinct violation or failure;

26 (b) Issue an order directing a licensee, its employee or loan  
27 originator, or other person subject to this chapter to cease and desist  
28 from conducting business in a manner that is injurious to the public or  
29 violates any provision of this chapter, or to pay restitution to an  
30 injured borrower; or

31 (c) Issue an order removing from office or prohibiting from  
32 participation in the conduct of the affairs of a licensed mortgage  
33 broker, or both, any officer, principal, employee, or loan originator,  
34 as the case may be, of any licensed mortgage broker.

35 (2) The director may take those actions specified in subsection (1)  
36 of this section if the director finds any of the following:

1 (a) The licensee has failed to pay a fee due the state of  
2 Washington under this chapter or, to maintain in effect the bond or  
3 approved alternative required under this chapter; or

4 (b) The licensee, employee or loan originator of the licensee, or  
5 person subject to the license requirements or prohibited practices of  
6 this chapter has failed to comply with any specific order or demand of  
7 the director lawfully made and directed to the licensee, employee, or  
8 loan originator of the licensee in accordance with this chapter; or

9 (c) The licensee, its employee or loan originator, or other person  
10 subject to this chapter has violated any provision of this chapter or  
11 a rule adopted under this chapter; or

12 (d) The licensee made false statements on the application or  
13 omitted material information that, if known, would have allowed the  
14 director to deny the application for the original license.

15 (3) The director shall establish by rule standards for licensure of  
16 applicants licensed in other jurisdictions. Every licensed mortgage  
17 broker that does not maintain a physical office within the state must  
18 maintain a registered agent within the state to receive service of any  
19 lawful process in any judicial or administrative noncriminal suit,  
20 action, or proceeding, against the licensed mortgage broker which  
21 arises under this chapter or any rule or order under this chapter, with  
22 the same force and validity as if served personally on the licensed  
23 mortgage broker. Service upon the registered agent shall be effective  
24 if the plaintiff, who may be the director in a suit, action, or  
25 proceeding instituted by him or her, sends notice of the service and a  
26 copy of the process by registered mail to the defendant or respondent  
27 at the last address of the respondent or defendant on file with the  
28 director. In any judicial action, suit, or proceeding arising under  
29 this chapter or any rule or order adopted under this chapter between  
30 the department or director and a licensed mortgage broker who does not  
31 maintain a physical office in this state, venue shall be exclusively in  
32 the superior court of Thurston county.

33 (4) The director 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.  
39 If the person has continued to meet all other requirements for

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

5 NEW SECTION. **Sec. 607.** A new section is added to chapter 26.09  
6 RCW to read as follows:

7 (1) Unless the context clearly requires otherwise, the definitions  
8 in this section apply in this section.

9 (a) "License" means a license, certificate, registration, permit,  
10 approval, or other similar document issued by a licensing entity  
11 evidencing admission to or granting authority to engage in a  
12 profession, occupation, business, or industry.

13 (b) "Licensee" means any individual holding a license, certificate,  
14 registration, permit, approval, or other similar document issued by a  
15 licensing entity evidencing admission to or granting authority to  
16 engage in a profession, occupation, business, or industry.

17 (c) "Licensing entity" includes any department, board, commission,  
18 or other organization of the state authorized to issue, renew, suspend,  
19 or revoke a license authorizing an individual to engage in a business,  
20 occupation, profession, or industry, and the Washington state bar  
21 association.

22 (d) "Noncompliance with a residential or visitation order" means  
23 that a court has found the parent in contempt of court, under RCW  
24 26.09.160 for failure to comply with a residential provision of a  
25 court-ordered parenting plan on two occasions within three years.

26 (e) "Residential or visitation order" means the residential  
27 schedule or visitation schedule contained in a court-ordered parenting  
28 plan.

29 (2) If a court determines under RCW 26.09.160 that a parent is not  
30 in compliance with a provision of a residential or visitation order  
31 under RCW 26.09.160, the court shall enter an order directed to the  
32 appropriate licensing entity certifying that the parent is not in  
33 compliance with a residential or visitation order. The order shall  
34 contain the noncomplying parent's name, address, and social security  
35 number, and shall indicate whether the obligor is believed to be a  
36 licensee who has a license, is in the process of applying for a  
37 license, or may seek renewal of a license issued directly by the  
38 licensing entity or through a board affiliated with the licensing

1 entity. The court clerk shall forward the order to the licensing  
2 entity.

3 (3) The court shall set a review hearing date to determine whether  
4 the noncomplying parent becomes in compliance with the residential or  
5 visitation order. If the court determines at the review hearing that  
6 the parent is in compliance with the residential or visitation order,  
7 the court shall provide the parent with a written release stating that  
8 the parent is in compliance with the residential or visitation order.

9 (4) Upon receipt of the court order, the licensing entity shall  
10 refuse to issue or renew a license to the licensee or shall suspend the  
11 licensee's license until the licensee provides the licensing entity  
12 with a release from the court that states the licensee is in compliance  
13 with the residential or visitation order.

14 **Sec. 608.** RCW 26.09.160 and 1991 c 367 s 4 are each amended to  
15 read as follows:

16 (1) The performance of parental functions and the duty to provide  
17 child support are distinct responsibilities in the care of a child. If  
18 a party fails to comply with a provision of a decree or temporary order  
19 of injunction, the obligation of the other party to make payments for  
20 support or maintenance or to permit contact with children is not  
21 suspended. An attempt by a parent, in either the negotiation or the  
22 performance of a parenting plan, to condition one aspect of the  
23 parenting plan upon another, to condition payment of child support upon  
24 an aspect of the parenting plan, to refuse to pay ordered child  
25 support, to refuse to perform the duties provided in the parenting  
26 plan, or to hinder the performance by the other parent of duties  
27 provided in the parenting plan, shall be deemed bad faith and shall be  
28 punished by the court by holding the party in contempt of court and by  
29 awarding to the aggrieved party reasonable attorneys' fees and costs  
30 incidental in bringing a motion for contempt of court.

31 (2)(a) A motion may be filed to initiate a contempt action to  
32 coerce a parent to comply with an order establishing residential  
33 provisions for a child. If the court finds there is reasonable cause  
34 to believe the parent has not complied with the order, the court may  
35 issue an order to show cause why the relief requested should not be  
36 granted.

37 (b) If, based on all the facts and circumstances, the court finds  
38 after hearing that the parent, in bad faith, has not complied with the



1 order establishing residential provisions for the child, the court  
2 shall find the parent in contempt of court. Upon a finding of  
3 contempt, the court shall order:

4 (i) The noncomplying parent to provide the moving party additional  
5 time with the child. The additional time shall be equal to the time  
6 missed with the child, due to the parent's noncompliance;

7 (ii) The parent to pay, to the moving party, all court costs and  
8 reasonable attorneys' fees incurred as a result of the noncompliance,  
9 and any reasonable expenses incurred in locating or returning a child;  
10 and

11 (iii) The parent to pay, to the moving party, a civil penalty, not  
12 less than the sum of one hundred dollars.

13 The court may also order the parent to be imprisoned in the county  
14 jail, if the parent is presently able to comply with the provisions of  
15 the court-ordered parenting plan and is presently unwilling to comply.  
16 The parent may be imprisoned until he or she agrees to comply with the  
17 order, but in no event for more than one hundred eighty days.

18 (3) On a second failure within three years to comply with a  
19 residential provision of a court-ordered parenting plan, a motion may  
20 be filed to initiate contempt of court proceedings according to the  
21 procedure set forth in subsection (2) (a) and (b) of this section. On  
22 a finding of contempt under this subsection, the court shall (~~order~~):

23 (a) Order the noncomplying parent to provide the other parent or  
24 party additional time with the child. The additional time shall be  
25 twice the amount of the time missed with the child, due to the parent's  
26 noncompliance;

27 (b) Order the noncomplying parent to pay, to the other parent or  
28 party, all court costs and reasonable attorneys' fees incurred as a  
29 result of the noncompliance, and any reasonable expenses incurred in  
30 locating or returning a child; (~~and~~)

31 (c) Order the noncomplying parent to pay, to the moving party, a  
32 civil penalty of not less than two hundred fifty dollars; and

33 (d) Enter an order under section 607 of this act directed to the  
34 appropriate licensing entity certifying that the parent is not in  
35 compliance with the residential schedule or visitation schedule of a  
36 permanent parenting plan.

37 The court may also order the parent to be imprisoned in the county  
38 jail, if the parent is presently able to comply with the provisions of  
39 the court-ordered parenting plan and is presently unwilling to comply.

1 The parent may be imprisoned until he or she agrees to comply with the  
2 order but in no event for more than one hundred eighty days.

3 (4) For purposes of subsections (1), (2), and (3) of this section,  
4 the parent shall be deemed to have the present ability to comply with  
5 the order establishing residential provisions unless he or she  
6 establishes otherwise by a preponderance of the evidence. The parent  
7 shall establish a reasonable excuse for failure to comply with the  
8 residential provision of a court-ordered parenting plan by a  
9 preponderance of the evidence.

10 (5) Any monetary award ordered under subsections (1), (2), and (3)  
11 of this section may be enforced, by the party to whom it is awarded, in  
12 the same manner as a civil judgment.

13 (6) Subsections (1), (2), and (3) of this section authorize the  
14 exercise of the court's power to impose remedial sanctions for contempt  
15 of court and is in addition to any other contempt power the court may  
16 possess.

17 (7) Upon motion for contempt of court under subsections (1) through  
18 (3) of this section, if the court finds the motion was brought without  
19 reasonable basis, the court shall order the moving party to pay to the  
20 nonmoving party, all costs, reasonable attorneys' fees, and a civil  
21 penalty of not less than one hundred dollars.

22 **Sec. 609.** RCW 26.09.165 and 1994 c 162 s 2 are each amended to  
23 read as follows:

24 All court orders containing parenting plan provisions or orders of  
25 contempt, entered pursuant to RCW 26.09.160, shall include the  
26 following language:

27 WARNING: VIOLATION OF THE RESIDENTIAL PROVISIONS OF THIS ORDER  
28 WITH ACTUAL KNOWLEDGE OF ITS TERMS IS PUNISHABLE BY CONTEMPT OF  
29 COURT, MAY CAUSE THE VIOLATOR TO BE DENIED OR HAVE SUSPENDED OR  
30 NOT RENEWED A PROFESSIONAL, DRIVER'S, OR OTHER LICENSE, AND MAY  
31 BE A CRIMINAL OFFENSE UNDER RCW 9A.40.060(2) or 9A.40.070(2).  
32 VIOLATION OF THIS ORDER MAY SUBJECT A VIOLATOR TO ARREST.

33 **Sec. 610.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to  
34 read as follows:

35 (1) If the office of support enforcement is providing support  
36 enforcement services under RCW 26.23.045, or if a party is applying for  
37 support enforcement services by signing the application form on the

1 bottom of the support order, the superior court shall include in all  
2 court orders that establish or modify a support obligation:

3 (a) A provision that orders and directs the responsible parent to  
4 make all support payments to the Washington state support registry;

5 (b) A statement that a notice of payroll deduction may be issued,  
6 or other income withholding action under chapter 26.18 or 74.20A RCW  
7 may be taken, without further notice to the responsible parent at any  
8 time after entry of the court order, unless:

9 (i) One of the parties demonstrates, and the court finds, that  
10 there is good cause not to require immediate income withholding and  
11 that withholding should be delayed until a payment is past due; or

12 (ii) The parties reach a written agreement that is approved by the  
13 court that provides for an alternate arrangement; ((and))

14 (c) A statement that the receiving parent might be required to  
15 submit an accounting of how the support is being spent to benefit the  
16 child; and

17 (d) A statement that the responsible parent's privileges to obtain  
18 and maintain a license, as defined in section 502 of this act, may be  
19 denied, not renewed, or suspended if the parent is not in compliance  
20 with a support order as defined in section 502 of this act.

21 As used in this subsection and subsection (3) of this section,  
22 "good cause not to require immediate income withholding" means a  
23 written determination of why implementing immediate wage withholding  
24 would not be in the child's best interests and, in modification cases,  
25 proof of timely payment of previously ordered support.

26 (2) In all other cases not under subsection (1) of this section,  
27 the court may order the responsible parent to make payments directly to  
28 the person entitled to receive the payments, to the Washington state  
29 support registry, or may order that payments be made in accordance with  
30 an alternate arrangement agreed upon by the parties.

31 (a) The superior court shall include in all orders under this  
32 subsection that establish or modify a support obligation:

33 (i) A statement that a notice of payroll deduction may be issued or  
34 other income withholding action under chapter 26.18 or 74.20A RCW may  
35 be taken, without further notice to the responsible parent at any time  
36 after entry of the court order, unless:

37 (A) One of the parties demonstrates, and the court finds, that  
38 there is good cause not to require immediate income withholding and  
39 that withholding should be delayed until a payment is past due; or

1 (B) The parties reach a written agreement that is approved by the  
2 court that provides for an alternate arrangement; and

3 (ii) A statement that the receiving parent may be required to  
4 submit an accounting of how the support is being spent to benefit the  
5 child.

6 As used in this subsection, "good cause not to require immediate  
7 income withholding" is any reason that the court finds appropriate.

8 (b) The superior court may order immediate or delayed income  
9 withholding as follows:

10 (i) Immediate income withholding may be ordered if the responsible  
11 parent has earnings. If immediate income withholding is ordered under  
12 this subsection, all support payments shall be paid to the Washington  
13 state support registry. The superior court shall issue a mandatory  
14 wage assignment order as set forth in chapter 26.18 RCW when the  
15 support order is signed by the court. The parent entitled to receive  
16 the transfer payment is responsible for serving the employer with the  
17 order and for its enforcement as set forth in chapter 26.18 RCW.

18 (ii) If immediate income withholding is not ordered, the court  
19 shall require that income withholding be delayed until a payment is  
20 past due. The support order shall contain a statement that a notice of  
21 payroll deduction may be issued, or other income-withholding action  
22 under chapter 26.18 or 74.20A RCW may be taken, without further notice  
23 to the responsible parent, after a payment is past due.

24 (c) If a mandatory wage withholding order under chapter 26.18 RCW  
25 is issued under this subsection and the office of support enforcement  
26 provides support enforcement services under RCW 26.23.045, the existing  
27 wage withholding assignment is prospectively superseded upon the office  
28 of support enforcement's subsequent service of an income withholding  
29 notice.

30 (3) The office of administrative hearings and the department of  
31 social and health services shall require that all support obligations  
32 established as administrative orders include a provision which orders  
33 and directs that the responsible parent shall make all support payments  
34 to the Washington state support registry. All administrative orders  
35 shall also state that the responsible parent's privileges to obtain and  
36 maintain a license, as defined in section 502 of this act, may be  
37 denied, not renewed, or suspended if the parent is not in compliance  
38 with a support order as defined in section 502 of this act. All  
39 administrative orders shall also state that a notice of payroll

1 deduction may be issued, or other income withholding action taken  
2 without further notice to the responsible parent at any time after  
3 entry of the order, unless:

4 (a) One of the parties demonstrates, and the presiding officer  
5 finds, that there is good cause not to require immediate income  
6 withholding; or

7 (b) The parties reach a written agreement that is approved by the  
8 presiding officer that provides for an alternate agreement.

9 (4) If the support order does not include the provision ordering  
10 and directing that all payments be made to the Washington state support  
11 registry and a statement that a notice of payroll deduction may be  
12 issued if a support payment is past due or at any time after the entry  
13 of the order, or that a parent's licensing privileges may be denied,  
14 not renewed, or suspended, the office of support enforcement may serve  
15 a notice on the responsible parent stating such requirements and  
16 authorizations. Service may be by personal service or any form of mail  
17 requiring a return receipt.

18 (5) Every support order shall state:

19 (a) The address where the support payment is to be sent;

20 (b) That a notice of payroll deduction may be issued or other  
21 income withholding action under chapter 26.18 or 74.20A RCW may be  
22 taken, without further notice to the responsible parent at any time  
23 after entry of an order by the court, unless:

24 (i) One of the parties demonstrates, and the court finds, that  
25 there is good cause not to require immediate income withholding; or

26 (ii) The parties reach a written agreement that is approved by the  
27 court that provides for an alternate arrangement;

28 (c) The income of the parties, if known, or that their income is  
29 unknown and the income upon which the support award is based;

30 (d) The support award as a sum certain amount;

31 (e) The specific day or date on which the support payment is due;

32 (f) The social security number, residence address, and name and  
33 address of the employer of the responsible parent;

34 (g) The social security number and residence address of the  
35 physical custodian except as provided in subsection (6) of this  
36 section;

37 (h) The names, dates of birth, and social security numbers, if any,  
38 of the dependent children;

1 (i) In cases requiring payment to the Washington state support  
2 registry, that the parties are to notify the Washington state support  
3 registry of any change in residence address. The responsible parent  
4 shall notify the registry of the name and address of his or her current  
5 employer, whether he or she has access to health insurance coverage at  
6 reasonable cost and, if so, the health insurance policy information;

7 (j) That any parent owing a duty of child support shall be  
8 obligated to provide health insurance coverage for his or her child if  
9 coverage that can be extended to cover the child is or becomes  
10 available to that parent through employment or is union-related as  
11 provided under RCW 26.09.105;

12 (k) That if proof of health insurance coverage or proof that the  
13 coverage is unavailable is not provided within twenty days, the obligee  
14 or the department may seek direct enforcement of the coverage through  
15 the obligor's employer or union without further notice to the obligor  
16 as provided under chapter 26.18 RCW; ((and))

17 (l) The reasons for not ordering health insurance coverage if the  
18 order fails to require such coverage; and

19 (m) That the responsible parent's privileges to obtain and maintain  
20 a license, as defined in section 502 of this act, may be denied, not  
21 renewed, or suspended if the parent is not in compliance with a support  
22 order as defined in section 502 of this act.

23 (6) The physical custodian's address:

24 (a) Shall be omitted from an order entered under the administrative  
25 procedure act. When the physical custodian's address is omitted from  
26 an order, the order shall state that the custodian's address is known  
27 to the office of support enforcement.

28 (b) A responsible parent may request the physical custodian's  
29 residence address by submission of a request for disclosure under RCW  
30 26.23.120 to the office of support enforcement.

31 (7) The superior court clerk, the office of administrative  
32 hearings, and the department of social and health services shall,  
33 within five days of entry, forward to the Washington state support  
34 registry, a true and correct copy of all superior court orders or  
35 administrative orders establishing or modifying a support obligation  
36 which provide that support payments shall be made to the support  
37 registry. If a superior court order entered prior to January 1, 1988,  
38 directs the responsible parent to make support payments to the clerk,  
39 the clerk shall send a true and correct copy of the support order and

1 the payment record to the registry for enforcement action when the  
2 clerk identifies that a payment is more than fifteen days past due.  
3 The office of support enforcement shall reimburse the clerk for the  
4 reasonable costs of copying and sending copies of court orders to the  
5 registry at the reimbursement rate provided in Title IV-D of the social  
6 security act.

7 (8) Receipt of a support order by the registry or other action  
8 under this section on behalf of a person or persons who have not made  
9 a written application for support enforcement services to the office of  
10 support enforcement and who are not recipients of public assistance is  
11 deemed to be a request for payment services only.

12 (9) After the responsible parent has been ordered or notified to  
13 make payments to the Washington state support registry under this  
14 section, the responsible parent shall be fully responsible for making  
15 all payments to the Washington state support registry and shall be  
16 subject to payroll deduction or other income withholding action. The  
17 responsible parent shall not be entitled to credit against a support  
18 obligation for any payments made to a person or agency other than to  
19 the Washington state support registry except as provided under RCW  
20 74.20.101. A civil action may be brought by the payor to recover  
21 payments made to persons or agencies who have received and retained  
22 support moneys paid contrary to the provisions of this section.

23 **Sec. 611.** RCW 26.18.100 and 1994 c 230 s 4 are each amended to  
24 read as follows:

25 The wage assignment order shall be substantially in the following  
26 form:

27 IN THE SUPERIOR COURT OF THE  
28 STATE OF WASHINGTON IN AND FOR THE  
29 COUNTY OF . . . . .  
30 . . . . . ,  
31 Obligee No. . . . .  
32 vs.  
33 . . . . . , WAGE ASSIGNMENT  
34 Obligor ORDER  
35 . . . . . ,  
36 Employer

1 THE STATE OF WASHINGTON TO: . . . . .

2 Employer

3 AND TO: . . . . .

4 Obligor

5 The above-named obligee claims that the above-named obligor is  
6 subject to a support order requiring immediate income withholding or is  
7 more than fifteen days past due in either child support or spousal  
8 maintenance payments, or both, in an amount equal to or greater than  
9 the child support or spousal maintenance payable for one month. The  
10 amount of the accrued child support or spousal maintenance debt as of  
11 this date is . . . . . dollars, the amount of arrearage payments  
12 specified in the support or spousal maintenance order (if applicable)  
13 is . . . . . dollars per . . . . ., and the amount of the current  
14 and continuing support or spousal maintenance obligation under the  
15 order is . . . . . dollars per . . . . .

16 You are hereby commanded to answer this order by filling in the  
17 attached form according to the instructions, and you must mail or  
18 deliver the original of the answer to the court, one copy to the  
19 Washington state support registry, one copy to the obligee or obligee's  
20 attorney, and one copy to the obligor within twenty days after service  
21 of this wage assignment order upon you.

22 If you possess any earnings or other remuneration for employment  
23 due and owing to the obligor, then you shall do as follows:

24 (1) Withhold from the obligor's earnings or remuneration each  
25 month, or from each regular earnings disbursement, the lesser of:

26 (a) The sum of the accrued support or spousal maintenance debt and  
27 the current support or spousal maintenance obligation;

28 (b) The sum of the specified arrearage payment amount and the  
29 current support or spousal maintenance obligation; or

30 (c) Fifty percent of the disposable earnings or remuneration of the  
31 obligor.

32 (2) The total amount withheld above is subject to the wage  
33 assignment order, and all other sums may be disbursed to the obligor.

34 (3) Upon receipt of this wage assignment order you shall make  
35 immediate deductions from the obligor's earnings or remuneration and  
36 remit to the Washington state support registry or other address  
37 specified below the proper amounts at each regular pay interval.



1 You shall continue to withhold the ordered amounts from nonexempt  
2 earnings or remuneration of the obligor until notified by:

3 (a) The court that the wage assignment has been modified or  
4 terminated; or

5 (b) The addressee specified in the wage assignment order under this  
6 section that the accrued child support or spousal maintenance debt has  
7 been paid.

8 You shall promptly notify the court and the addressee specified in  
9 the wage assignment order under this section if and when the employee  
10 is no longer employed by you, or if the obligor no longer receives  
11 earnings or remuneration from you. If you no longer employ the  
12 employee, the wage assignment order shall remain in effect for one year  
13 after the employee has left your employment or you are no longer in  
14 possession of any earnings or remuneration owed to the employee,  
15 whichever is later. You shall continue to hold the wage assignment  
16 order during that period. If the employee returns to your employment  
17 during the one-year period you shall immediately begin to withhold the  
18 employee's earnings according to the terms of the wage assignment  
19 order. If the employee has not returned to your employment within one  
20 year, the wage assignment will cease to have effect at the expiration  
21 of the one-year period, unless you still owe the employee earnings or  
22 other remuneration.

23 You shall deliver the withheld earnings or remuneration to the  
24 Washington state support registry or other address stated below at each  
25 regular pay interval.

26 You shall deliver a copy of this order to the obligor as soon as is  
27 reasonably possible. This wage assignment order has priority over any  
28 other wage assignment or garnishment, except for another wage  
29 assignment or garnishment for child support or spousal maintenance, or  
30 order to withhold or deliver under chapter 74.20A RCW.

31 WHETHER OR NOT YOU OWE ANYTHING TO THE OBLIGOR, YOUR FAILURE TO  
32 ANSWER AS REQUIRED MAY MAKE YOU LIABLE FOR OBLIGOR'S CLAIMED  
33 SUPPORT OR SPOUSAL MAINTENANCE DEBT TO THE OBLIGEE OR SUBJECT  
34 TO CONTEMPT OF COURT.

35 NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE  
36 SUPERIOR COURT THAT ISSUED THIS WAGE ASSIGNMENT ORDER, TO REQUEST THAT  
37 THE COURT QUASH, MODIFY, OR TERMINATE THE WAGE ASSIGNMENT ORDER.  
38 REGARDLESS OF THE FACT THAT YOUR WAGES ARE BEING WITHHELD PURSUANT TO



1 The payroll deduction each pay period shall not exceed fifty percent of  
2 the responsible parent's disposable earnings.

3 (4) A notice of payroll deduction for support shall have priority  
4 over any wage assignment, garnishment, attachment, or other legal  
5 process.

6 (5) The notice of payroll deduction shall be in writing and  
7 include:

8 (a) The name and social security number of the responsible parent;

9 (b) The amount to be deducted from the responsible parent's  
10 disposable earnings each month, or alternate amounts and frequencies as  
11 may be necessary to facilitate processing of the payroll deduction;

12 (c) A statement that the total amount withheld shall not exceed  
13 fifty percent of the responsible parent's disposable earnings; ((and))

14 (d) The address to which the payments are to be mailed or  
15 delivered; and

16 (e) A notice to the responsible parent warning the responsible  
17 parent that, despite the payroll deduction, the responsible parent's  
18 privileges to obtain and maintain a license, as defined in section 502  
19 of this act, may be denied, not renewed, or suspended if the parent is  
20 not in compliance with a support order as defined in section 502 of  
21 this act.

22 (6) An informational copy of the notice of payroll deduction shall  
23 be mailed to the last known address of the responsible parent by  
24 regular mail.

25 (7) An employer or employment security department that receives a  
26 notice of payroll deduction shall make immediate deductions from the  
27 responsible parent's unpaid disposable earnings and remit proper  
28 amounts to the Washington state support registry on each date the  
29 responsible parent is due to be paid.

30 (8) An employer, or the employment security department, upon whom  
31 a notice of payroll deduction is served, shall make an answer to the  
32 office of support enforcement within twenty days after the date of  
33 service. The answer shall confirm compliance and institution of the  
34 payroll deduction or explain the circumstances if no payroll deduction  
35 is in effect. The answer shall also state whether the responsible  
36 parent is employed by or receives earnings from the employer or  
37 receives unemployment compensation benefits from the employment  
38 security department, whether the employer or employment security  
39 department anticipates paying earnings or unemployment compensation

1 benefits and the amount of earnings. If the responsible parent is no  
2 longer employed, or receiving earnings from the employer, the answer  
3 shall state the present employer's name and address, if known. If the  
4 responsible parent is no longer receiving unemployment compensation  
5 benefits from the employment security department, the answer shall  
6 state the present employer's name and address, if known.

7 (9) The employer or employment security department may deduct a  
8 processing fee from the remainder of the responsible parent's earnings  
9 after withholding under the notice of payroll deduction, even if the  
10 remainder is exempt under RCW 26.18.090. The processing fee may not  
11 exceed: (a) Ten dollars for the first disbursement made to the  
12 Washington state support registry; and (b) one dollar for each  
13 subsequent disbursement to the registry.

14 (10) The notice of payroll deduction shall remain in effect until  
15 released by the office of support enforcement, the court enters an  
16 order terminating the notice and approving an alternate arrangement  
17 under RCW 26.23.050(2), or one year has expired since the employer has  
18 employed the responsible parent or has been in possession of or owing  
19 any earnings to the responsible parent or the employment security  
20 department has been in possession of or owing any unemployment  
21 compensation benefits to the responsible parent.

## 22 **PART VII. WELFARE EVALUATION AND EFFECTIVENESS STUDIES**

23 NEW SECTION. **Sec. 701.** A new section is added to chapter 44.28  
24 RCW to read as follows:

25 (1) The legislative budget committee shall conduct an evaluation of  
26 the effectiveness of the programs described in chapter . . . , Laws of  
27 1996 (this act). The evaluation shall assess the success of the  
28 programs in assisting clients to become employed and to reduce their  
29 use of aid to families with dependent children. It may include, but  
30 not be limited to:

31 (a) The costs and effectiveness of the programs;

32 (b) The extent to which work and job training opportunities have  
33 led to employment outcomes and economic independence;

34 (c) An analysis of aid to families with dependent children  
35 outcomes, including grant amounts and program exits, for clients; and

36 (d) An audit of performance-based contracts to providers offering  
37 job opportunities and basic skills training program services.

1 (2) Administrative data shall be provided by the department of  
2 social and health services, the employment security department, the  
3 state board for community and technical colleges, local government  
4 providers, and private contractors. The department of social and  
5 health services shall require contractors to provide administrative and  
6 outcome data needed for this evaluation.

7 (3) Additional data may be collected directly from clients if not  
8 available from administrative records.

9 (4) The legislative budget committee may convene an evaluation  
10 advisory group to assist in the study process. It may contract for  
11 services necessary to accomplish the purposes of this section.

12 (5) The legislative budget committee shall present an evaluation  
13 plan to the legislature after consultation with the federal government  
14 on the design of the evaluation.

15 (6) The legislative budget committee shall submit annual reports to  
16 the legislature, beginning in December 1999, with a final report due in  
17 December 2003, unless an earlier date is recommended by the committee.

18 **PART VIII. MISCELLANEOUS**

19 **Sec. 801.** RCW 74.04.005 and 1992 c 165 s 1 and 1992 c 136 s 1 are  
20 each reenacted and amended to read as follows:

21 For the purposes of this title, unless the context indicates  
22 otherwise, the following definitions shall apply:

23 (1) "Public assistance" or "assistance"«Public aid to persons in  
24 need thereof for any cause, including services, medical care,  
25 assistance grants, disbursing orders, work relief, general assistance  
26 and federal-aid assistance.

27 (2) "Department"«The department of social and health services.

28 (3) "County or local office"«The administrative office for one or  
29 more counties or designated service areas.

30 (4) "Director" or "secretary" means the secretary of social and  
31 health services.

32 (5) "Federal-aid assistance"«The specific categories of assistance  
33 for which provision is made in any federal law existing or hereafter  
34 passed by which payments are made from the federal government to the  
35 state in aid or in respect to payment by the state for public  
36 assistance rendered to any category of needy persons for which

1 provision for federal funds or aid may from time to time be made, or a  
2 federally administered needs-based program.

3 (6)(a) "General assistance"«Aid to persons in need who:

4 (i) Are not eligible to receive federal-aid assistance, other than  
5 food stamps and medical assistance; however, an individual who refuses  
6 or fails to cooperate in obtaining federal-aid assistance, without good  
7 cause, is not eligible for general assistance;

8 (ii) Meet one of the following conditions:

9 (A) Pregnant: PROVIDED, That need is based on the current income  
10 and resource requirements of the federal aid to families with dependent  
11 children program: PROVIDED FURTHER, That during any period in which an  
12 aid for dependent children employable program is not in operation, only  
13 those pregnant women who are categorically eligible for medicaid are  
14 eligible for general assistance; or

15 (B) Subject to chapter 165, Laws of 1992, incapacitated from  
16 gainful employment by reason of bodily or mental infirmity that will  
17 likely continue for a minimum of ninety days as determined by the  
18 department.

19 (C) Persons who are unemployable due to alcohol or drug addiction  
20 are not eligible for general assistance. Persons receiving general  
21 assistance on July 26, 1987, or becoming eligible for such assistance  
22 thereafter, due to an alcohol or drug-related incapacity, shall be  
23 referred to appropriate assessment, treatment, shelter, or supplemental  
24 security income referral services as authorized under chapter 74.50  
25 RCW. Referrals shall be made at the time of application or at the time  
26 of eligibility review. Alcoholic and drug addicted clients who are  
27 receiving general assistance on July 26, 1987, may remain on general  
28 assistance if they otherwise retain their eligibility until they are  
29 assessed for services under chapter 74.50 RCW. Subsection  
30 (6)(a)(ii)(B) of this section shall not be construed to prohibit the  
31 department from granting general assistance benefits to alcoholics and  
32 drug addicts who are incapacitated due to other physical or mental  
33 conditions that meet the eligibility criteria for the general  
34 assistance program;

35 (iii) Are citizens or aliens lawfully admitted for permanent  
36 residence or otherwise residing in the United States under color of  
37 law; and

38 (iv) Have furnished the department their social security account  
39 number. If the social security account number cannot be furnished

1 because it has not been issued or is not known, an application for a  
2 number shall be made prior to authorization of assistance, and the  
3 social security number shall be provided to the department upon  
4 receipt.

5 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),  
6 and (c) of this section, general assistance shall be provided to the  
7 following recipients of federal-aid assistance:

8 (i) Recipients of supplemental security income whose need, as  
9 defined in this section, is not met by such supplemental security  
10 income grant because of separation from a spouse; or

11 (ii) To the extent authorized by the legislature in the biennial  
12 appropriations act, to recipients of aid to families with dependent  
13 children whose needs are not being met because of a temporary reduction  
14 in monthly income below the entitled benefit payment level caused by  
15 loss or reduction of wages or unemployment compensation benefits or  
16 some other unforeseen circumstances. The amount of general assistance  
17 authorized shall not exceed the difference between the entitled benefit  
18 payment level and the amount of income actually received.

19 (c) General assistance shall be provided only to persons who are  
20 not members of assistance units receiving federal aid assistance,  
21 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,  
22 and will accept available services which can reasonably be expected to  
23 enable the person to work or reduce the need for assistance unless  
24 there is good cause to refuse. Failure to accept such services shall  
25 result in termination until the person agrees to cooperate in accepting  
26 such services and subject to the following maximum periods of  
27 ineligibility after reapplication:

28 (i) First failure: One week;

29 (ii) Second failure within six months: One month;

30 (iii) Third and subsequent failure within one year: Two months.

31 (d) Persons found eligible for general assistance based on  
32 incapacity from gainful employment may, if otherwise eligible, receive  
33 general assistance pending application for federal supplemental  
34 security income benefits. Any general assistance that is subsequently  
35 duplicated by the person's receipt of supplemental security income for  
36 the same period shall be considered a debt due the state and shall by  
37 operation of law be subject to recovery through all available legal  
38 remedies.

1 (e) The department shall adopt by rule medical criteria for general  
2 assistance eligibility to ensure that eligibility decisions are  
3 consistent with statutory requirements and are based on clear,  
4 objective medical information.

5 (f) The process implementing the medical criteria shall involve  
6 consideration of opinions of the treating or consulting physicians or  
7 health care professionals regarding incapacity, and any eligibility  
8 decision which rejects uncontroverted medical opinion must set forth  
9 clear and convincing reasons for doing so.

10 (g) Recipients of general assistance based upon a finding of  
11 incapacity from gainful employment who remain otherwise eligible shall  
12 not have their benefits terminated absent a clear showing of material  
13 improvement in their medical or mental condition or specific error in  
14 the prior determination that found the recipient eligible by reason of  
15 incapacitation. Recipients of general assistance based upon pregnancy  
16 who relinquish their child for adoption, remain otherwise eligible, and  
17 are not eligible to receive benefits under the federal aid to families  
18 with dependent children program shall not have their benefits  
19 terminated until the end of the month in which the period of six weeks  
20 following the birth of the recipient's child falls. Recipients of the  
21 federal aid to families with dependent children program who lose their  
22 eligibility solely because of the birth and relinquishment of the  
23 qualifying child may receive general assistance through the end of the  
24 month in which the period of six weeks following the birth of the child  
25 falls.

26 (7) "Applicant"«Any person who has made a request, or on behalf of  
27 whom a request has been made, to any county or local office for  
28 assistance.

29 (8) "Recipient"«Any person receiving assistance and in addition  
30 those dependents whose needs are included in the recipient's  
31 assistance.

32 (9) "Standards of assistance"«The level of income required by an  
33 applicant or recipient to maintain a level of living specified by the  
34 department.

35 (10) "Resource"«Any asset, tangible or intangible, owned by or  
36 available to the applicant at the time of application, which can be  
37 applied toward meeting the applicant's need, either directly or by  
38 conversion into money or its equivalent: PROVIDED, That an applicant



1 may retain the following described resources and not be ineligible for  
2 public assistance because of such resources.

3 (a) A home, which is defined as real property owned and used by an  
4 applicant or recipient as a place of residence, together with a  
5 reasonable amount of property surrounding and contiguous thereto, which  
6 is used by and useful to the applicant. Whenever a recipient shall  
7 cease to use such property for residential purposes, either for himself  
8 or his dependents, the property shall be considered as a resource which  
9 can be made available to meet need, and if the recipient or his  
10 dependents absent themselves from the home for a period of ninety  
11 consecutive days such absence, unless due to hospitalization or health  
12 reasons or a natural disaster, shall raise a rebuttable presumption of  
13 abandonment: PROVIDED, That if in the opinion of three physicians the  
14 recipient will be unable to return to the home during his lifetime, and  
15 the home is not occupied by a spouse or dependent children or disabled  
16 sons or daughters, such property shall be considered as a resource  
17 which can be made available to meet need.

18 (b) Household furnishings and personal effects and other personal  
19 property having great sentimental value to the applicant or recipient,  
20 as limited by the department consistent with limitations on resources  
21 and exemptions for federal aid assistance.

22 (c) A motor vehicle, other than a motor home, used and useful  
23 having an equity value not to exceed (~~one~~) five thousand (~~five~~  
24 ~~hundred~~) dollars.

25 (d) All other resources, including any excess of values exempted,  
26 not to exceed one thousand dollars or other limit as set by the  
27 department, to be consistent with limitations on resources and  
28 exemptions necessary for federal aid assistance. The department shall  
29 also allow recipients of aid to families with dependent children to  
30 exempt savings accounts with combined balances of up to an additional  
31 three thousand dollars.

32 (e) Applicants for or recipients of general assistance shall have  
33 their eligibility based on resource limitations consistent with the aid  
34 to families with dependent children program rules adopted by the  
35 department.

36 (f) If an applicant for or recipient of public assistance possesses  
37 property and belongings in excess of the ceiling value, such value  
38 shall be used in determining the need of the applicant or recipient,  
39 except that: (i) The department may exempt resources or income when

1 the income and resources are determined necessary to the applicant's or  
2 recipient's restoration to independence, to decrease the need for  
3 public assistance, or to aid in rehabilitating the applicant or  
4 recipient or a dependent of the applicant or recipient; and (ii) the  
5 department may provide grant assistance for a period not to exceed nine  
6 months from the date the agreement is signed pursuant to this section  
7 to persons who are otherwise ineligible because of excess real property  
8 owned by such persons when they are making a good faith effort to  
9 dispose of that property: PROVIDED, That:

10 (A) The applicant or recipient signs an agreement to repay the  
11 lesser of the amount of aid received or the net proceeds of such sale;

12 (B) If the owner of the excess property ceases to make good faith  
13 efforts to sell the property, the entire amount of assistance may  
14 become an overpayment and a debt due the state and may be recovered  
15 pursuant to RCW 43.20B.630;

16 (C) Applicants and recipients are advised of their right to a fair  
17 hearing and afforded the opportunity to challenge a decision that good  
18 faith efforts to sell have ceased, prior to assessment of an  
19 overpayment under this section; and

20 (D) At the time assistance is authorized, the department files a  
21 lien without a sum certain on the specific property.

22 (11) "Income"«(a) All appreciable gains in real or personal  
23 property (cash or kind) or other assets, which are received by or  
24 become available for use and enjoyment by an applicant or recipient  
25 during the month of application or after applying for or receiving  
26 public assistance. The department may by rule and regulation exempt  
27 income received by an applicant for or recipient of public assistance  
28 which can be used by him to decrease his need for public assistance or  
29 to aid in rehabilitating him or his dependents, but such exemption  
30 shall not, unless otherwise provided in this title, exceed the  
31 exemptions of resources granted under this chapter to an applicant for  
32 public assistance. In determining the amount of assistance to which an  
33 applicant or recipient of aid to families with dependent children is  
34 entitled, the department is hereby authorized to disregard as a  
35 resource or income the earned income exemptions consistent with federal  
36 requirements. The department may permit the above exemption of  
37 earnings of a child to be retained by such child to cover the cost of  
38 special future identifiable needs even though the total exceeds the  
39 exemptions or resources granted to applicants and recipients of public

1 assistance, but consistent with federal requirements. In formulating  
2 rules and regulations pursuant to this chapter, the department shall  
3 define income and resources and the availability thereof, consistent  
4 with federal requirements. All resources and income not specifically  
5 exempted, and any income or other economic benefit derived from the use  
6 of, or appreciation in value of, exempt resources, shall be considered  
7 in determining the need of an applicant or recipient of public  
8 assistance.

9 (b) If, under applicable federal requirements, the state has the  
10 option of considering property in the form of lump sum compensatory  
11 awards or related settlements received by an applicant or recipient as  
12 income or as a resource, the department shall consider such property to  
13 be a resource.

14 (12) "Need"«The difference between the applicant's or recipient's  
15 standards of assistance for himself and the dependent members of his  
16 family, as measured by the standards of the department, and value of  
17 all nonexempt resources and nonexempt income received by or available  
18 to the applicant or recipient and the dependent members of his family.

19 (13) "Caretaker" means the parent of the dependent child or  
20 children who is head of the household. However, in situations where  
21 there are two parents in the household, "caretaker" means that parent  
22 who, as a parent, has received assistance under the program for the  
23 longest period.

24 (14) For purposes of determining eligibility for public assistance  
25 and participation levels in the cost of medical care, the department  
26 shall exempt restitution payments made to people of Japanese and Aleut  
27 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian  
28 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,  
29 including all income and resources derived therefrom.

30 ((+14)) (15) In the construction of words and phrases used in this  
31 title, the singular number shall include the plural, the masculine  
32 gender shall include both the feminine and neuter genders and the  
33 present tense shall include the past and future tenses, unless the  
34 context thereof shall clearly indicate to the contrary.

35 (16) Except for subsections (17) and (18) of this section, section  
36 601, chapter . . ., Laws of 1996 (this section) shall not take effect  
37 if sections 301, 302, 305, and 306 of this act do not become law.

38 (17) Section 1, chapter 136, Laws of 1992 is repealed if sections  
39 301, 302, 305, and 306 of this act do not become law.

1       (18) Section 1, chapter 165, Laws of 1992 is repealed if sections  
2 301, 302, 305, and 306 of this act do not become law.

3       NEW SECTION. Sec. 802. A new section is added to chapter 26.23  
4 RCW to read as follows:

5       (1) The office of support enforcement shall enter into contracts  
6 with collection agencies for collection of accounts that the office of  
7 support enforcement is unsuccessful in collecting after twelve months.  
8 The listing collection agency shall not assess the department of social  
9 and health services any fee. All fees collected shall be in addition  
10 to the amount of the debt owed by the delinquent party and shall be  
11 assessed to the delinquent party not to exceed twenty percent of the  
12 amount owed. All child support collected by the collection agency  
13 shall be paid to the state.

14       (2) The department of social and health services shall monitor each  
15 case that it refers to a collection agency.

16       (3) The department of social and health services shall evaluate the  
17 effectiveness of entering into contracts for services under this  
18 section.

19       (4) The department of social and health services shall provide  
20 annual reports to the legislature on the results of its analysis under  
21 subsections (2) and (3) of this section for the first three years after  
22 the effective date of this section.

23       NEW SECTION. Sec. 803. If any part of this act is found to be in  
24 conflict with federal requirements that are a prescribed condition to  
25 the allocation of federal funds to the state, the conflicting part of  
26 this act is inoperative solely to the extent of the conflict and with  
27 respect to the agencies directly affected, and this finding does not  
28 affect the operation of the remainder of this act in its application to  
29 the agencies concerned. The rules under this act shall meet federal  
30 requirements that are a necessary condition to the receipt of federal  
31 funds by the state. As used in this section, "allocation of federal  
32 funds to the state" means the allocation of federal funds that are  
33 appropriated by the legislature to the department of social and health  
34 services and on which the department depends for carrying out any  
35 provision of the operating budget applicable to it.

1       **Sec. 804.** RCW 74.08.025 and 1981 1st ex.s. c 6 s 9 are each  
2 amended to read as follows:

3       Public assistance (~~shall~~) may be awarded to any applicant:

4       (1) Who is in need and otherwise meets the eligibility requirements  
5 of department assistance programs; and

6       (2) Who has not made a voluntary assignment of property or cash for  
7 the purpose of qualifying for an assistance grant; and

8       (3) Who is not an inmate of a public institution except as a  
9 patient in a medical institution or except as an inmate in a public  
10 institution who could qualify for federal aid assistance: PROVIDED,  
11 That the assistance paid by the department to recipients in nursing  
12 homes, or receiving nursing home care, may cover the cost of clothing  
13 and incidentals and general maintenance exclusive of medical care and  
14 health services. The department may pay a grant to cover the cost of  
15 clothing and personal incidentals in public or private medical  
16 institutions and institutions for tuberculosis. The department shall  
17 allow recipients in nursing homes to retain, in addition to the grant  
18 to cover the cost of clothing and incidentals, wages received for work  
19 as a part of a training or rehabilitative program designed to prepare  
20 the recipient for less restrictive placement to the extent permitted  
21 under Title XIX of the federal social security act.

22       **Sec. 805.** RCW 74.08.080 and 1989 c 175 s 145 are each amended to  
23 read as follows:

24       (1)(a) A public assistance applicant or recipient who is aggrieved  
25 by a decision of the department or an authorized agency of the  
26 department has the right to an adjudicative proceeding. A current or  
27 former recipient who is aggrieved by a department claim that he or she  
28 owes a debt for an overpayment of assistance or food stamps, or both,  
29 has the right to an adjudicative proceeding.

30       (b) An applicant or recipient has no right to an adjudicative  
31 proceeding when the sole basis for the department's decision is a state  
32 or federal law that requires an assistance adjustment for a class of  
33 recipients.

34       (c) An applicant or recipient may not use the defense of equitable  
35 estoppel or any other equitable defenses in any adjudicative proceeding  
36 involving public assistance.

37       (2) The adjudicative proceeding is governed by the Administrative  
38 Procedure Act, chapter 34.05 RCW, and this subsection.

1 (a) The applicant or recipient must file the application for an  
2 adjudicative proceeding with the secretary within ninety days after  
3 receiving notice of the aggrieving decision.

4 (b) The hearing shall be conducted at the local community services  
5 office or other location in Washington convenient to the appellant.

6 (c) The appellant or his or her representative has the right to  
7 inspect his or her department file and, upon request, to receive copies  
8 of department documents relevant to the proceedings free of charge.

9 (d) The appellant has the right to a copy of the tape recording of  
10 the hearing free of charge.

11 (e) The department is limited to recovering an overpayment arising  
12 from assistance being continued pending the adjudicative proceeding to  
13 the amount recoverable up to the sixtieth day after the secretary's  
14 receipt of the application for an adjudicative proceeding.

15 (f) If the final adjudicative order is made in favor of the  
16 appellant, assistance shall be paid from the date of denial of the  
17 application for assistance or thirty days following the date of  
18 application for aid to families with dependent children or forty-five  
19 days after date of application for all other programs, whichever is  
20 sooner; or in the case of a recipient, from the effective date of the  
21 local community services office decision.

22 (g) This subsection applies only to an adjudicative proceeding in  
23 which the appellant is an applicant for or recipient of medical  
24 assistance or the limited casualty program for the medically needy and  
25 the issue is his or her eligibility or ineligibility due to the  
26 assignment or transfer of a resource. The burden is on the department  
27 to prove by a preponderance of the evidence that the person knowingly  
28 and willingly assigned or transferred the resource at less than market  
29 value for the purpose of qualifying or continuing to qualify for  
30 medical assistance or the limited casualty program for the medically  
31 needy. If the prevailing party in the adjudicative proceeding is the  
32 applicant or recipient, he or she is entitled to reasonable attorney's  
33 fees.

34 (3)(a) When a person files a petition for judicial review as  
35 provided in RCW 34.05.514 of an adjudicative order entered in a public  
36 assistance program, no filing fee shall be collected from the person  
37 and no bond shall be required on any appeal. In the event that the  
38 superior court, the court of appeals, or the supreme court renders a  
39 decision in favor of the appellant, said appellant shall be entitled to

1 reasonable attorney's fees and costs. If a decision of the court is  
2 made in favor of the appellant, assistance shall be paid from date of  
3 the denial of the application for assistance or thirty days after the  
4 application for aid to families with dependent children or forty-five  
5 days following the date of application, whichever is sooner; or in the  
6 case of a recipient, from the effective date of the local community  
7 services office decision.

8 **Sec. 806.** RCW 74.08.340 and 1959 c 26 s 74.08.340 are each amended  
9 to read as follows:

10 All assistance granted under this title shall be deemed to be  
11 granted and to be held subject to the provisions of any amending or  
12 repealing act that may hereafter be enacted, and no recipient shall  
13 have any claim for compensation, or otherwise, by reason of his  
14 assistance being affected in any way by such amending or repealing act.  
15 There is no entitlement to public assistance. Public assistance shall  
16 be considered solely as a charitable gesture or gift on the part of the  
17 state, which at any time may be discontinued.

18 NEW SECTION. **Sec. 807.** The following acts or parts of acts are  
19 each repealed:

- 20 (1) RCW 74.08.120 and 1992 c 108 s 2, 1987 c 75 s 39, 1981 1st  
21 ex.s. c 6 s 15, 1981 c 8 s 12, 1979 c 141 s 326, 1969 ex.s. c 259 s 1,  
22 1969 ex.s. c 159 s 1, 1965 ex.s. c 102 s 1, & 1959 c 26 s 74.08.120;  
23 (2) RCW 74.08.125 and 1993 c 22 s 1 & 1992 c 108 s 3; and  
24 (3) RCW 74.12.420 and 1994 c 299 s 9.

25 NEW SECTION. **Sec. 808.** The child care coordinating council shall  
26 develop a proposal to exempt from time limits specified in chapter  
27 . . ., Laws of 1996 (this act), caretakers who provide paid child care  
28 services for other caretakers who participate in either job  
29 opportunities and basic skills training program activities or paid  
30 employment. The proposal shall specify the minimum hours of child care  
31 to be provided, reimbursement rates for services rendered, the number  
32 of children who may be cared for, and recommended training and  
33 licensing standards. The council shall submit the proposal to the  
34 appropriate committees of the senate and house of representatives no  
35 later than December 1, 1996.

1        NEW SECTION.    **Sec. 809.**    Until July 1, 1998, the governor shall  
2 report quarterly to the appropriate committees of the legislature on  
3 the efforts to secure the federal changes to permit full implementation  
4 of this act at the earliest possible date.

5        NEW SECTION.    **Sec. 810.**    The table of contents, part headings,  
6 subheadings, and captions used in this act do not constitute any part  
7 of the law.

8        NEW SECTION.    **Sec. 811.**    If any provision of this act or its  
9 application to any person or circumstance is held invalid, the  
10 remainder of the act or the application of the provision to other  
11 persons or circumstances is not affected.

12        NEW SECTION.    **Sec. 812.**    If specific funding for purposes of this  
13 act, referencing this act by bill or chapter number, is not provided by  
14 June 30, 1996, in the supplemental omnibus appropriations act, this act  
15 is null and void."

16    **E3SSB 6062** - H AMD  
17        By Representative

18

19        On page 1, line 1 of the title, after "work;" strike the remainder  
20 of the title and insert "amending RCW 74.25.010, 74.25.020, 26.16.205,  
21 74.20A.020, 74.12.255, 74.04.0052, 13.34.160, 74.12.250, 46.20.291,  
22 46.20.311, 18.04.335, 18.08.350, 18.08.350, 18.11.160, 18.16.100,  
23 18.27.030, 18.27.060, 18.28.060, 18.39.181, 18.46.050, 18.51.054,  
24 18.96.120, 18.96.150, 18.104.110, 18.106.070, 18.130.050, 18.130.120,  
25 18.130.150, 18.160.080, 18.165.160, 18.170.170, 43.20A.205, 43.70.115,  
26 19.28.120, 19.28.125, 19.28.310, 19.28.550, 19.28.580, 19.30.030,  
27 19.30.060, 19.16.110, 19.16.120, 19.31.100, 19.31.130, 19.32.040,  
28 19.32.060, 19.105.330, 19.105.380, 19.105.440, 19.138.130, 19.158.050,  
29 19.166.040, 21.20.070, 21.20.110, 66.20.320, 67.08.040, 67.08.100,  
30 19.02.100, 43.24.080, 43.24.110, 43.24.120, 70.74.110, 70.74.130,  
31 70.74.135, 70.74.360, 70.74.370, 66.24.010, 43.63B.040, 70.95D.040,  
32 17.21.130, 17.21.132, 64.44.060, 19.146.210, 19.146.220, 26.09.160,  
33 26.09.165, 26.23.050, 26.18.100, 26.23.060, 74.08.025, 74.08.080, and  
34 74.08.340; reenacting and amending RCW 18.145.080 and 74.04.005; adding



1 new sections to chapter 74.25 RCW; adding a new section to chapter  
2 74.13 RCW; adding new sections to chapter 74.12 RCW; adding new  
3 sections to chapter 74.20A RCW; adding a new section to chapter 48.22  
4 RCW; adding a new section to chapter 2.48 RCW; adding a new section to  
5 chapter 18.04 RCW; adding a new section to chapter 18.08 RCW; adding a  
6 new section to chapter 18.16 RCW; adding a new section to chapter 18.20  
7 RCW; adding a new section to chapter 18.28 RCW; adding a new section to  
8 chapter 18.39 RCW; adding a new section to chapter 18.43 RCW; adding a  
9 new section to chapter 18.44 RCW; adding a new section to chapter 18.51  
10 RCW; adding a new section to chapter 18.76 RCW; adding a new section to  
11 chapter 18.85 RCW; adding a new section to chapter 18.96 RCW; adding a  
12 new section to chapter 18.104 RCW; adding a new section to chapter  
13 18.106 RCW; adding a new section to chapter 18.130 RCW; adding a new  
14 section to chapter 18.140 RCW; adding a new section to chapter 18.145  
15 RCW; adding a new section to chapter 18.165 RCW; adding a new section  
16 to chapter 18.170 RCW; adding a new section to chapter 18.175 RCW;  
17 adding a new section to chapter 18.185 RCW; adding a new section to  
18 chapter 28A.410 RCW; adding a new section to chapter 20.01 RCW; adding  
19 a new section to chapter 48.17 RCW; adding a new section to chapter  
20 74.15 RCW; adding a new section to chapter 47.68 RCW; adding a new  
21 section to chapter 71.12 RCW; adding a new section to chapter 66.20  
22 RCW; adding a new section to chapter 66.24 RCW; adding a new section to  
23 chapter 88.02 RCW; adding a new section to chapter 43.24 RCW; adding a  
24 new section to chapter 70.95B RCW; adding a new section to chapter  
25 26.09 RCW; adding a new section to chapter 44.28 RCW; adding a new  
26 section to chapter 26.23 RCW; creating new sections; repealing RCW  
27 74.08.120, 74.08.125, and 74.12.420; repealing 1993 c 312 s 7;  
28 repealing 1992 c 136 s 1; repealing 1992 c 165 s 1; and providing  
29 contingent effective dates."

--- END ---