

2 **E3SSB 6062** - H COMM AMD **NOT ADOPTED 3-1-96**
3 By Committee on Appropriations

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 Therefore, it is the public policy of the state of Washington,
2 through its aid to families with dependent children program, to require
3 every able-bodied citizen on aid to families with dependent children to
4 engage in paid employment or engage in short-term training directed
5 towards employment, to require accountability of all parents, and to
6 discourage teen pregnancy by unwed parents as an action that is
7 destructive to society.

8 Therefore, the legislature intends that:

9 (1) Income and employment assistance programs emphasize the
10 temporary nature of welfare and set goals of responsibility, work, and
11 independence;

12 (2) Employment assistance resources focus on employable recipients
13 who are most at risk of a long-term stay on welfare;

14 (3) Caretakers receiving public assistance sign a contract
15 delineating their obligation and responsibility to comply with
16 requirements for work, training, and personal responsibility;

17 (4) Specific time limits for the receipt of public assistance be
18 set for recipients of aid to families with dependent children;

19 (5) Unmarried parents who are minors generally will be ineligible
20 for direct assistance under the aid to families with dependent children
21 program; and

22 (6) Community-based organizations such as churches, synagogues,
23 nonprofit service providers, and business and labor organizations, have
24 a greater role and responsibility in helping to meet the needs of
25 children and families.

26 **PART I. TARGET GROUPS**

27 NEW SECTION. Sec. 101. A new section is added to chapter 74.25
28 RCW to read as follows:

29 **TARGET GROUP CONTRACTS.** The department shall assess each caretaker
30 and, based on this assessment, refer the caretaker to the appropriate
31 target group as provided under sections 102, 103, and 104 of this act,
32 unless the caretaker is not or would not be required to sign a contract
33 under section 301(3) of this act. Assessments shall be based upon age,
34 age of dependents, education, condition of incapacity, and employment
35 history. The assessment and referral of caretakers who are applicants
36 for assistance on or after the effective date of this section shall be
37 made as part of the application approval process. The assessment and

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.

37 **PART IV. MINOR PARENT PROVISIONS**

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) Before issuing a notice of noncompliance with a support order
18 under this section, the department shall employ other support
19 enforcement mechanisms for at least two months and for as long as the
20 department is receiving funds in an amount sufficient to ensure the
21 payment of current support and a reasonable amount towards the support
22 debt.

23 (4) The notice of noncompliance must include the address and
24 telephone number of the department's division of child support office
25 that issues the notice and must inform the responsible parent that:

26 (a) The parent may request an adjudicative proceeding to contest
27 the issue of compliance. The only issues that may be considered at the
28 adjudicative proceeding are whether the parent is required to pay child
29 support under a child support order, whether the parent is in
30 compliance with that order, and whether the responsible parent has
31 shown that suspension or not issuing or not renewing a license would
32 create a substantial hardship to the responsible parent, to the
33 responsible parent's employees, to legal dependents residing in the
34 responsible parent's household, or to persons, businesses, or other
35 entities served by the responsible parent;

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

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

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

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

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

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

32 (h) If after receiving the notice of noncompliance with a child
33 support order, the responsible parent files a motion to modify support
34 with the court or requests the department to amend a support obligation
35 established by an administrative decision, the department or the court
36 shall, for up to one hundred eighty days, stay action to certify the
37 parent to the department of licensing and any licensing entity for
38 noncompliance with a child support order. If a motion for modification
39 of a court or administrative order for child support is pending prior

1 to service of the notice, any action to certify the parent to a
2 licensing 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; and

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

12 (5) A responsible parent may request an adjudicative proceeding
13 upon service of the notice described in subsection (2) of this section.
14 The request for an adjudicative proceeding must be received by the
15 department within twenty days of service. The request must be in
16 writing and indicate the current mailing address and daytime phone
17 number, if available, of the responsible parent. The proceedings under
18 this subsection shall be conducted in accordance with the requirements
19 of chapter 34.05 RCW. The issues that may be considered at the
20 adjudicative proceeding are limited to whether the responsible parent
21 is required to pay child support under a child support order, whether
22 the responsible parent is in compliance with the order, and whether the
23 responsible parent has shown that suspension or not issuing or not
24 renewing a license would create a substantial hardship to the
25 responsible parent, to the responsible parent's employees, to legal
26 dependents residing in the responsible parent's household, or to
27 persons, businesses, or other entities served by the responsible
28 parent.

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

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

1 a schedule for payment of arrears that is fair and reasonable, and that
2 considers the financial situation of the responsible parent and whether
3 the schedule for payment would create a substantial hardship to the
4 responsible parent, to the responsible parent's employees, to legal
5 dependents residing in the responsible parent's household, or to
6 persons, businesses, or other entities served by the responsible
7 parent. At the end of the thirty days, if no payment schedule has been
8 agreed to in writing, the responsible parent may file an application
9 for an adjudicative hearing to determine a schedule for the payment of
10 arrearages. The presiding officer shall apply the standards specified
11 in this section to determine an appropriate arrearages payment
12 schedule. The responsible parent may petition the superior court for
13 a review of the administrative order establishing the arrearages
14 payment schedule. The judicial review of the administrative hearing
15 shall be de novo and the court shall apply the standards specified in
16 this section in determining the appropriate arrearages payment
17 schedule.

18 (8) If a responsible parent timely requests an adjudicative
19 proceeding to contest the issue of compliance, the department may not
20 certify the name of the parent to the department of licensing or a
21 licensing entity for noncompliance with a child support order unless
22 the adjudicative proceeding results in a finding that the responsible
23 parent is not in compliance with the order.

24 (9) The department may certify in writing to the department of
25 licensing and any appropriate licensing entity the name of a
26 responsible parent who is not in compliance with a child support order
27 if:

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

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

34 (c) The court enters a judgment on a petition for judicial review
35 that finds the responsible parent is not in compliance with a child
36 support order.

37 The department shall send by certified mail, return receipt
38 requested a copy of any certification of noncompliance filed with the

1 department of licensing or a licensing entity to the responsible parent
2 at the responsible parent's most recent address of record.

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

9 (11) When a responsible parent who is served notice under
10 subsection (2) of this section subsequently complies with the child
11 support order, the department shall promptly provide the parent with a
12 written release stating that the responsible parent is in compliance
13 with the order.

14 (12) The department may adopt rules to implement and enforce the
15 requirements of this section.

16 (13) Nothing in this section prohibits a responsible parent from
17 filing a motion to modify support with the court or from requesting the
18 department to amend a support obligation established by an
19 administrative decision. If there is a reasonable likelihood that the
20 motion or request will significantly change the amount of the child
21 support obligation, the department or the court may, for up to one
22 hundred eighty days, stay action to certify the responsible parent to
23 the department of licensing and any licensing entity for noncompliance
24 with a child support order. If a motion for modification of a court or
25 administrative order for child support is pending prior to service of
26 the notice, any action to certify the parent to a licensing entity for
27 noncompliance with a child support order shall be automatically stayed
28 until entry of a final order or decision in the modification
29 proceedings. The responsible parent has the obligation to notify the
30 department that a modification proceeding is pending and provide a copy
31 of the motion or request for modification.

32 (14) The department of licensing and a licensing entity may issue,
33 renew, reinstate, or otherwise extend a license in accordance with the
34 licensing entity's or the department of licensing's rules after the
35 licensing entity or the department of licensing receives a copy of the
36 written release specified in subsection (11) of this section. The
37 department of licensing and a licensing entity may waive any applicable
38 requirement for reissuance, renewal, or other extension if it
39 determines that the imposition of that requirement places an undue

1 burden on the person and that waiver of the requirement is consistent
2 with the public interest.

3 (15) Consistent with the intent of chapter . . . , Laws of 1996
4 (this act), the department shall develop rules and procedures for
5 implementing the requirements of this section and applying the
6 standards provided in this section. The department shall deliver a
7 copy of these rules and procedures to the appropriate committees of the
8 senate and the house of representatives no later than June 30, 1997.

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

11 (1) The department of social and health services and all of the
12 various licensing entities subject to section 502 of this act shall
13 enter into such agreements as are necessary to carry out the
14 requirements of the license suspension program established in section
15 502 of this act, but only to the extent the departments and the
16 licensing entities determine it is cost-effective.

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

31 (a) Name;

32 (b) Date of birth;

33 (c) Address of record;

34 (d) Federal employer identification number or social security
35 number;

36 (e) Type of license;

37 (f) Effective date of license or renewal;

38 (g) Expiration date of license; and

1 (h) Active or inactive status.

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

4 In furtherance of the public policy of increasing collection of
5 child support and to assist in evaluation of the program established in
6 section 502 of this act, the department shall report the following to
7 the legislature and the governor on December 1, 1997, and annually
8 thereafter:

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

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

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

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

17 (5) The number of adjudicative proceedings held, and the results of
18 the adjudicative proceedings;

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

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

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

27 (9) Recommendations for the addition of specific licenses in the
28 program or exclusion of specific licenses from the program, and reasons
29 for such recommendations; and

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

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

34 The department is authorized to suspend the license of a driver
35 upon a showing by its records or other sufficient evidence that the
36 licensee:

- 1 (1) Has committed an offense for which mandatory revocation or
2 suspension of license is provided by law;
- 3 (2) Has, by reckless or unlawful operation of a motor vehicle,
4 caused or contributed to an accident resulting in death or injury to
5 any person or serious property damage;
- 6 (3) Has been convicted of offenses against traffic regulations
7 governing the movement of vehicles, or found to have committed traffic
8 infractions, with such frequency as to indicate a disrespect for
9 traffic laws or a disregard for the safety of other persons on the
10 highways;
- 11 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
12 ((or))
- 13 (5) Has failed to respond to a notice of traffic infraction, failed
14 to appear at a requested hearing, violated a written promise to appear
15 in court, or has failed to comply with the terms of a notice of traffic
16 infraction or citation, as provided in RCW 46.20.289; ((or))
- 17 (6) Has committed one of the prohibited practices relating to
18 drivers' licenses defined in RCW 46.20.336; or
- 19 (7) Has been certified by the department of social and health
20 services as a person who is not in compliance with a child 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.

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

26 (1) The department shall not suspend a driver's license or
27 privilege to drive a motor vehicle on the public highways for a fixed
28 period of more than one year, except as specifically permitted under
29 RCW 46.20.342 or other provision of law. Except for a suspension under
30 RCW 46.20.289 and 46.20.291(5), whenever the license or driving
31 privilege of any person is suspended by reason of a conviction, a
32 finding that a traffic infraction has been committed, pursuant to
33 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
34 suspension shall remain in effect until the person gives and thereafter
35 maintains proof of financial responsibility for the future as provided
36 in chapter 46.29 RCW. If the suspension is the result of a violation
37 of RCW 46.61.502 or 46.61.504, the department shall determine the
38 person's eligibility for licensing based upon the reports provided by

1 the alcoholism agency or probation department designated under RCW
2 46.61.5056 and shall deny reinstatement until enrollment and
3 participation in an approved program has been established and the
4 person is otherwise qualified. Whenever the license or driving
5 privilege of any person is suspended as a result of certification of
6 noncompliance with a child support order under chapter 74.20A RCW or a
7 residential or visitation order as provided in section 607 of this act,
8 the suspension shall remain in effect until the person provides a
9 written release issued by the department of social and health services
10 or a court stating that the person is in compliance with the order.
11 The department shall not issue to the person a new, duplicate, or
12 renewal license until the person pays a reissue fee of twenty dollars.
13 If the suspension is the result of a violation of RCW 46.61.502 or
14 46.61.504, or is the result of administrative action under RCW
15 46.20.308, the reissue fee shall be fifty dollars.

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

1 gives and thereafter maintains proof of financial responsibility for
2 the future as provided in chapter 46.29 RCW. For a revocation under
3 RCW 46.20.265, the department shall not issue a new license unless it
4 is satisfied after investigation of the driving ability of the person
5 that it will be safe to grant that person the privilege of driving a
6 motor vehicle on the public highways.

7 (3) Whenever the driver's license of any person is suspended
8 pursuant to Article IV of the nonresident violators compact or RCW
9 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
10 to the person any new or renewal license until the person pays a
11 reissue fee of twenty dollars. If the suspension is the result of a
12 violation of the laws of this or any other state, province, or other
13 jurisdiction involving (a) the operation or physical control of a motor
14 vehicle upon the public highways while under the influence of
15 intoxicating liquor or drugs, or (b) the refusal to submit to a
16 chemical test of the driver's blood alcohol content, the reissue fee
17 shall be fifty dollars.

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

20 A motor vehicle liability insurance policy that contains any
21 provision excluding insurance coverage for an unlicensed driver shall
22 not apply for ninety days from the date of suspension in the event that
23 the department of licensing suspends a driver's license solely for the
24 nonpayment of child support as provided in chapter 74.20A RCW or for
25 noncompliance with a residential or visitation order as provided in
26 chapter 26.09 RCW.

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

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

1 ATTORNEYS. The Washington state supreme court may provide by rule
2 that no person who has been certified by the department of social and
3 health services as a person who is in noncompliance with a support
4 order as provided in section 502 of this act, or is certified by a
5 court as a person who is not in compliance with a residential or
6 visitation order as provided in section 607 of this act may be admitted
7 to the practice of law in this state, and that any member of the
8 Washington state bar association who has been certified by the
9 department of social and health services as a person who is in
10 noncompliance with a support order as provided in section 502 of this
11 act or by a court as in noncompliance with a residential or visitation
12 order under section 607 of this act shall be immediately suspended from
13 membership. The court's rules may provide for review of an application
14 for admission or reinstatement of membership after the department of
15 social and health services or a court has issued a written release
16 stating that the person is in compliance with the order.

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

19 (1) 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 certificate of "certified public accountant." 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 certificate under this
27 chapter after the person provides the board a written release issued by
28 the department of social and health services or a court stating that
29 the person is in compliance with the order.

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

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

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

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

7 ~~((1))~~ (a) Modify the suspension of, or reissue a certificate or
8 license to, an individual whose certificate has been revoked or
9 suspended; or

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

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

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

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

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

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

34 (a) Have an accredited architectural degree and three years'
35 practical architectural work experience approved by the board, which
36 may include designing buildings as a principal activity. At least two

1 years' work experience must be supervised by an architect with detailed
2 professional knowledge of the work of the applicant;

3 (b) Have eight years' practical architectural work experience
4 approved by the board. Each year spent in an accredited architectural
5 program approved by the board shall be considered one year of practical
6 experience. At least four years' practical work experience shall be
7 under the direct supervision of an architect; or

8 (c) Be a person who has been designing buildings as a principal
9 activity for eight years, or has an equivalent combination of education
10 and experience, but who was not registered under chapter 323, Laws of
11 1959, as amended, as it existed before July 28, 1992, provided that
12 application is made within four years after July 28, 1992. Nothing in
13 this chapter prevents such a person from designing buildings for four
14 years after July 28, 1992, or the five-year period allowed for
15 completion of the examination process, after that person has applied
16 for registration. A person who has been designing buildings and is
17 qualified under this subsection shall, upon application to the board of
18 registration for architects, be allowed to take the examination for
19 architect registration on an equal basis with other applicants.

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

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

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

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

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

1 (b) Have eight years' practical architectural work experience
2 approved by the board. Each year spent in an accredited architectural
3 program approved by the board shall be considered one year of practical
4 experience. At least four years' practical work experience shall be
5 under the direct supervision of an architect.

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

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

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

33 (1) No license shall be issued by the department to any person who
34 has been convicted of forgery, embezzlement, obtaining money under
35 false pretenses, extortion, criminal conspiracy, fraud, theft,
36 receiving stolen goods, unlawful issuance of checks or drafts, or other
37 similar offense, or to any partnership of which the person is a member,

1 or to any association or corporation of which the person is an officer
2 or in which as a stockholder the person has or exercises a controlling
3 interest either directly or indirectly.

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

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

18 (a) Misrepresentation or concealment of material facts in obtaining
19 a license;

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

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

24 (d) Misleading or false advertising;

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

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

29 (g) Nonpayment of an administrative fine prior to renewal of a
30 license;

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

33 (i) Any other violations of this chapter.

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

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

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

8 (1) Upon payment of the proper fee, except as provided in section
9 517 of this act the director shall issue the appropriate license to any
10 person who:

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

12 (b) Has completed and graduated from a course approved by the
13 director of sixteen hundred hours of training in cosmetology, one
14 thousand hours of training in barbering, five hundred hours of training
15 in manicuring, five hundred hours of training in esthetics, and/or five
16 hundred hours of training as an instructor-trainee; and

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

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

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

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

30 NEW SECTION. **Sec. 517.** A new section is added to chapter 18.16
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 NEW SECTION. **Sec. 518.** A new section is added to chapter 18.20
18 RCW to read as follows:

19 (1) 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 under this chapter. The application of a person so certified
25 by the department of social and health services or by a court may be
26 reviewed for issuance of a license under this chapter after the person
27 provides the department a written release issued by the department of
28 social and health services or a court stating that the person is in
29 compliance with the order.

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

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

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

5 (1) An applicant for registration as a contractor shall submit an
6 application under oath upon a form to be prescribed by the director and
7 which shall include the following information pertaining to the
8 applicant:

9 (a) Employer social security number.

10 (b) As applicable: (i) The industrial insurance account number
11 covering employees domiciled in Washington; and (ii) evidence of
12 workers' compensation coverage in the applicant's state of domicile for
13 the applicant's employees working in Washington who are not domiciled
14 in Washington.

15 (c) Employment security department number.

16 (d) State excise tax registration number.

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

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

22 (g) The name and address of each partner if the applicant be a firm
23 or partnership, or the name and address of the owner if the applicant
24 be an individual proprietorship, or the name and address of the
25 corporate officers and statutory agent, if any, if the applicant be a
26 corporation. The information contained in such application shall be a
27 matter of public record and open to public inspection.

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

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

1 (4) Registration shall be denied if the applicant has been
2 certified by the department of social and health services as a person
3 who is not in compliance with a support order as provided in section
4 502 of this act, or is certified by a court as a person who is not in
5 compliance with a residential or visitation order as provided in
6 section 607 of this act. The application of a person so certified by
7 the department of social and health services or by a court may be
8 reviewed and the person may be registered under this chapter if the
9 person provides the department a written release issued by the
10 department of social and health services or a court stating that the
11 person is in compliance with the order.

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

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

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

21 (a) One year;

22 (b) Until the bond expires; or

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

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

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

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

1 visitation order. The certificate of registration shall not be
2 reissued or renewed unless the person provides to the department a
3 written release from the department of social and health services or a
4 court stating that he or she is in compliance with the order and the
5 person has continued to meet all other requirements for certification
6 during the suspension.

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

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

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

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

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

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

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

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

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

14 (2) The department shall immediately suspend the license of a
15 person who either (a) has been certified pursuant to section 502 of
16 this act by the department of social and health services as a person
17 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 department's receipt of a written release issued by
23 the department of social and health services or a court stating that
24 the licensee is in compliance with the order.

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

27 The director shall have the following powers and duties:

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

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

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

31 (~~and~~)

32 (4) To deny issuing or immediately suspend the license of a person
33 who has been certified pursuant to section 502 of this act by the
34 department of social and health services as a person who is not in
35 compliance with a support order, or (b) has been certified pursuant to
36 section 607 of this act by a court as a person who is not in compliance
37 with a residential or visitation order; and

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

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

6 (1) In the case of a person who has been denied the issuance of a
7 license under this chapter because the person was certified either (a)
8 by the department of social and health services as a person who is not
9 in compliance with section 502 of this act or (b) by a court as a
10 person who is not in compliance with a residential or visitation order
11 as provided in section 607 of this act, the application of that person
12 may be reviewed by the director for issuance of a license after the
13 person provides the director a written release issued by the department
14 of social and health services or a court stating that the person is in
15 compliance with the order.

16 (2) In the case of suspension for failure to comply with a support
17 order under chapter 74.20A RCW or a residential or visitation order
18 under chapter 26.09 RCW, if the person has continued to meet all other
19 requirements for reinstatement during the suspension, reissuance of a
20 license 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 individual is in compliance with the order.

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

36 (2) The board shall immediately suspend the registration of a
37 person who either (a) has been certified pursuant to section 502 of

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

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

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

24 (2) The department shall immediately suspend the certificate of
25 registration 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 certification during the suspension, reissuance of the certificate
32 shall be automatic upon the department's receipt of a written release
33 issued by the department of social and health services or a court
34 stating that the person is in compliance with the order.

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

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

5 (2) The department shall deny a license in any case where the
6 applicant has been certified under section 502 of this act by the
7 department of social and health services as a person who is not in
8 compliance with a support order, or is certified by a court as a person
9 who is not in compliance with a residential or visitation order as
10 provided in section 607 of this act. The application of a person so
11 certified by the department of social and health services or by a court
12 may be reviewed for issuance of a license under this chapter after the
13 person provides the department a written release issued by the
14 department of social and health services or a court stating that the
15 person is in compliance with the order.

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

27 RCW 43.70.115 governs notice of a license denial, revocation,
28 suspension, or modification and provides the right to an adjudicative
29 proceeding.

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

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

35 (1) Operated a nursing home without a license or under a revoked or
36 suspended license; or

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

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

7 (4) Willfully prevented, interfered with, or attempted to impede in
8 any way (a) the work of any authorized representative of the department
9 or (b) the lawful enforcement of any provision of this chapter or
10 chapter 74.42 RCW; or

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

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

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

29 The department shall immediately suspend the license of a person
30 who either (a) has been certified pursuant to section 502 of this act
31 by the department of social and health services, division of support,
32 as a person who is not in compliance with a child support order, or (b)
33 has 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 shall be
37 automatic upon the department's receipt of a written release issued by

1 the division of child support or a court stating that the person is in
2 compliance with the order.

3 NEW SECTION. **Sec. 530.** A new section is added to chapter 18.76
4 RCW to read as follows:

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

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

28 NEW SECTION. **Sec. 531.** A new section is added to chapter 18.85
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 broker's or salesperson's license under this chapter. The
36 application of a person so certified by the department of social and
37 health services or by a court may be reviewed for issuance of a license

1 under this chapter after the person provides the director 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 (2) The director shall immediately suspend the license of a broker
5 or salesperson who either (a) has 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 (b) 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 shall be
12 automatic upon the director's receipt of a written release issued by
13 the department of social and health services or a court stating that
14 the person is in compliance with the order.

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

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

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

30 (1) The director may refuse to renew, or may suspend or revoke, a
31 certificate of registration to use the titles landscape architect,
32 landscape architecture, or landscape architectural in this state upon
33 the following grounds:

34 ((+1)) (a) The holder of the certificate of registration is
35 impersonating a practitioner or former practitioner.

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

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

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

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

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

24 Except as provided in section 532 of this act, the director shall
25 issue a certificate of registration upon payment of the registration
26 fee as provided in this chapter to any applicant who has satisfactorily
27 met all requirements for registration. All certificates of
28 registration shall show the full name of the registrant, shall have a
29 serial number and shall be signed by the chairman and the executive
30 secretary of the board, and by the director.

31 Each registrant shall obtain a seal of a design authorized by the
32 board, bearing the registrant's name and the legend, "registered
33 landscape architect". All sheets of drawings and title pages of
34 specifications prepared by the registrant shall be stamped with said
35 seal.

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

1 No person who has been certified by the department of social and
2 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 a written release issued by the department of
10 social and health services or a court stating that the person is in
11 compliance with the order.

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

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

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

18 ~~((2))~~ (b) For fraud or deception in reporting under RCW
19 18.104.050;

20 ~~((3))~~ (c) For violating the provisions of this chapter, or of any
21 lawful rule or regulation of the department or the department of
22 health.

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

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

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

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

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

18 The certificate of competency and the temporary permit provided for
19 in this chapter grant the holder the right to engage in the work of
20 plumbing as a journeyman plumber or specialty plumber in accordance
21 with their provisions throughout the state and within any of its
22 political subdivisions on any job or any employment without additional
23 proof of competency or any other license or permit or fee to engage in
24 the work. This section does not preclude employees from adhering to a
25 union security clause in any employment where such a requirement
26 exists.

27 (2) A person who is indentured in an apprenticeship program
28 approved under chapter 49.04 RCW for the plumbing construction trade or
29 who is learning the plumbing construction trade may work in the
30 plumbing construction trade if supervised by a certified journeyman
31 plumber or a certified specialty plumber in that plumber's specialty.
32 All apprentices and individuals learning the plumbing construction
33 trade shall obtain a plumbing training certificate from the department.
34 The certificate shall authorize the holder to learn the plumbing
35 construction trade while under the direct supervision of a journeyman
36 plumber or a specialty plumber working in his or her specialty. The
37 holder of the plumbing training certificate shall renew the certificate
38 annually. At the time of renewal, the holder shall provide the

1 department with an accurate list of the holder's employers in the
2 plumbing construction industry for the previous year and the number of
3 hours worked for each employer. An annual fee shall be charged for the
4 issuance or renewal of the certificate. The department shall set the
5 fee by rule. The fee shall cover but not exceed the cost of
6 administering and enforcing the trainee certification and supervision
7 requirements of this chapter. Apprentices and individuals learning the
8 plumbing construction trade shall have their plumbing training
9 certificates in their possession at all times that they are performing
10 plumbing work. They shall show their certificates to an authorized
11 representative of the department at the representative's request.

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

30 An individual who has a current training certificate and who has
31 successfully completed or is currently enrolled in an approved
32 apprenticeship program or in a technical school program in the plumbing
33 construction trade in a school approved by the (~~commission for~~
34 ~~vocational education~~) work force training and education coordinating
35 board, may work without direct on-site supervision during the last six
36 months of meeting the practical experience requirements of this
37 chapter.

1 NEW SECTION. **Sec. 538.** A new section is added to chapter 18.106
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 certificate of competency 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 certificate of competency
11 under this chapter after the person provides the department 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 department shall immediately suspend any certificate of
15 competency issued under this chapter if the holder of the certificate
16 either (a) has been certified pursuant to section 502 of this act by
17 the department of social and health services as a person who is not in
18 compliance with a support order, or (b) has been certified pursuant to
19 section 607 of this act by a court as a person who is not in compliance
20 with a residential or visitation order. If the person has continued to
21 meet all other requirements for certification during the suspension,
22 reissuance of the certificate of competency shall be automatic upon the
23 department's receipt of a written release issued by the department of
24 social and health services or a court stating that the person is in
25 compliance with the order.

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

28 The disciplining authority shall immediately suspend the license of
29 any person subject to this chapter who either (1) has been certified by
30 the department of social and health services as a person who is not in
31 compliance with a support order as provided in section 502 of this act,
32 or (2) has been certified pursuant to section 607 of this act by a
33 court as a person who is not in compliance with a residential or
34 visitation order.

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

37 The disciplining authority has the following authority:

- 1 (1) To adopt, amend, and rescind such rules as are deemed necessary
2 to carry out this chapter;
- 3 (2) To investigate all complaints or reports of unprofessional
4 conduct as defined in this chapter and to hold hearings as provided in
5 this chapter;
- 6 (3) To issue subpoenas and administer oaths in connection with any
7 investigation, hearing, or proceeding held under this chapter;
- 8 (4) To take or cause depositions to be taken and use other
9 discovery procedures as needed in any investigation, hearing, or
10 proceeding held under this chapter;
- 11 (5) To compel attendance of witnesses at hearings;
- 12 (6) In the course of investigating a complaint or report of
13 unprofessional conduct, to conduct practice reviews;
- 14 (7) To take emergency action ordering summary suspension of a
15 license, or restriction or limitation of the licensee's practice
16 pending proceedings by the disciplining authority;
- 17 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
18 or the office of administrative hearings as authorized in chapter 34.12
19 RCW to conduct hearings. The disciplining authority shall make the
20 final decision regarding disposition of the license unless the
21 disciplining authority elects to delegate in writing the final decision
22 to the presiding officer;
- 23 (9) To use individual members of the boards to direct
24 investigations. However, the member of the board shall not
25 subsequently participate in the hearing of the case;
- 26 (10) To enter into contracts for professional services determined
27 to be necessary for adequate enforcement of this chapter;
- 28 (11) To contract with licensees or other persons or organizations
29 to provide services necessary for the monitoring and supervision of
30 licensees who are placed on probation, whose professional activities
31 are restricted, or who are for any authorized purpose subject to
32 monitoring by the disciplining authority;
- 33 (12) To adopt standards of professional conduct or practice;
- 34 (13) To grant or deny license applications, and in the event of a
35 finding of unprofessional conduct by an applicant or license holder, to
36 impose any sanction against a license applicant or license holder
37 provided by this chapter;
- 38 (14) To designate individuals authorized to sign subpoenas and
39 statements of charges;

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

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

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

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

20 The department shall not issue any license to any person whose
21 license has been denied, revoked, or suspended by the disciplining
22 authority except in conformity with the terms and conditions of the
23 certificate or order of denial, revocation, or suspension, or in
24 conformity with any order of reinstatement issued by the disciplining
25 authority, or in accordance with the final judgment in any proceeding
26 for review instituted under this chapter.

27 The department shall not issue a license to a person who has been
28 certified by the department of social and health services as a person
29 who is not in compliance with a support order as provided in section
30 502 of this act, or is certified by a court as a person who is not in
31 compliance with a residential or visitation order as provided in
32 section 607 of this act. The license may be issued after the person
33 provides the department a written release from the department of social
34 and health services or a court stating that the person is in compliance
35 with the order.

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

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

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

19 **NEW SECTION. Sec. 543.** A new section is added to chapter 18.140
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 after the person provides the director a written release issued by the
30 department of social and health services or a court stating that the
31 person is in compliance with the order.

32 (2) The director shall immediately suspend any license or
33 certificate issued under this chapter if the holder 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

1 all other requirements for reinstatement during the suspension,
2 reissuance of the license or certificate shall be automatic upon the
3 director's receipt of 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 **Sec. 544.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8
7 are each reenacted and amended to read as follows:

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

11 (1) Is holding one of the following:

12 (a) Certificate of proficiency, registered professional reporter,
13 registered merit reporter, or registered diplomate reporter from [the]
14 national court reporters association;

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

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

18 (2) Has passed an examination approved by the director or an
19 examination that meets or exceeds the standards established by the
20 director.

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

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

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

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

10 (1) The state director of fire protection may refuse to issue or
11 renew or may suspend or revoke the privilege of a licensed fire
12 protection sprinkler system contractor or the certificate of a
13 certificate of competency holder to engage in the fire protection
14 sprinkler system business or in lieu thereof, establish penalties as
15 prescribed by Washington state law, for any of the following reasons:

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

19 (b) Conviction of a felony;

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

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

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

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

30 (2) The state director of fire protection shall revoke the license
31 of a licensed fire protection sprinkler system contractor or the
32 certificate of a certificate of competency holder who engages in the
33 fire protection sprinkler system business while the license or
34 certificate of competency is suspended.

35 (3) The state director of fire protection shall refuse to issue or
36 immediately suspend any license or certificate issued under this
37 chapter if the holder either (a) has been certified pursuant to section
38 502 of this act by the department of social and health services as a

1 person who is not in compliance with a support order, or (b) 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 issuance or
5 reinstatement during the suspension, issuance or reissuance of the
6 license or certificate shall be automatic upon the director's receipt
7 of 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 (4) Any licensee or certificate of competency holder who is
11 aggrieved by an order of the state director of fire protection
12 suspending or revoking a license may, within thirty days after notice
13 of such suspension or revocation, appeal under chapter 34.05 RCW.

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

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

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

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

25 (3) Not meeting the qualifications set forth in RCW 18.165.030,
26 18.165.040, or 18.165.050;

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

29 (5) Carrying a firearm in the performance of his or her duties if
30 not the holder of a valid armed private investigator license, or
31 carrying a firearm not meeting the provisions of this chapter while in
32 the performance of his or her duties;

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

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

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

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

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

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

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

22 (13) Suspension, revocation, or restriction of the individual's
23 license to practice the profession by competent authority in any state,
24 federal, or foreign jurisdiction, a certified copy of the order,
25 stipulation, or agreement being conclusive evidence of the revocation,
26 suspension, or restriction;

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

28 (a) Not furnishing any necessary papers or documents requested by
29 the director for purposes of conducting an investigation for
30 disciplinary action, denial, suspension, or revocation of a license
31 under this chapter;

32 (b) Not furnishing in writing a full and complete explanation
33 covering the matter contained in a complaint filed with the department;
34 or

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

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

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

3 (17) Misrepresentation or fraud in any aspect of the conduct of the
4 business or profession;

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

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

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

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

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

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

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

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

26 (1) 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 under this chapter. The application of a person so certified
32 by the department of social and health services or by a court may be
33 reviewed for issuance of a license after the person provides the
34 director 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 director shall immediately suspend a license issued under
38 this chapter if the holder 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 reinstatement during the suspension, reissuance of the license shall be
7 automatic upon the director's receipt of a written release issued by
8 the department of social and health services or a court stating that
9 the person is in compliance with the order.

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

12 In addition to the provisions of section 550 of this act, the
13 following acts are prohibited and constitute grounds for disciplinary
14 action, assessing administrative penalties, or denial, suspension, or
15 revocation of any license under this chapter, as deemed appropriate by
16 the director:

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

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

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

23 (4) Not meeting the qualifications set forth in RCW 18.170.030,
24 18.170.040, or 18.170.060;

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

27 (6) Carrying a firearm in the performance of his or her duties if
28 not the holder of a valid armed private security guard license, or
29 carrying a firearm not meeting the provisions of this chapter while in
30 the performance of his or her duties;

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

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

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

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

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

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

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

18 (14) Suspension, revocation, or restriction of the individual's
19 license to practice the profession by competent authority in any state,
20 federal, or foreign jurisdiction, a certified copy of the order,
21 stipulation, or agreement being conclusive evidence of the revocation,
22 suspension, or restriction;

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

24 (a) Not furnishing any necessary papers or documents requested by
25 the director for purposes of conducting an investigation for
26 disciplinary action, denial, suspension, or revocation of a license
27 under this chapter;

28 (b) Not furnishing in writing a full and complete explanation
29 covering the matter contained in a complaint filed with the department;
30 or

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

33 (16) Failure to comply with an order issued by the director or an
34 assurance of discontinuance entered into with the disciplining
35 authority;

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

38 (18) Misrepresentation or fraud in any aspect of the conduct of the
39 business or profession;

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

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

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

10 (22) Failure to maintain insurance; and

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

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

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

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

36 NEW SECTION. **Sec. 551.** A new section is added to chapter 18.175
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 after the person provides the director a written release
10 issued by the department of social and health services or a court
11 stating that the person is in compliance with the order.

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

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

26 (1) 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 under this chapter. The application of a person so certified
32 by the department of social and health services or by a court may be
33 reviewed for issuance of a license after the person provides the
34 director 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 director shall immediately suspend any license issued under
38 this chapter if the holder 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 reinstatement during the suspension, reissuance of the license shall be
7 automatic upon the director's receipt of a written release issued by
8 the department of social and health services or a court stating that
9 the person is in compliance with the order.

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

12 This section governs the denial of an application for a license or
13 the suspension, revocation, or modification of a license by the
14 department.

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

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

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

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

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

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

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

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

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

33 NEW SECTION. Sec. 554. A new section is added to chapter 28A.410
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 certificate or permit 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 certificate or permit
5 after the person provides the authority authorized to grant the
6 certificate or permit a written release issued by the department of
7 social and health services or a court stating that the person is in
8 compliance with the order.

9 (2) Any certificate or permit authorized under this chapter or
10 chapter 28A.405 RCW shall be suspended by the authority authorized to
11 grant the certificate or permit if (a) either the department of social
12 and health services certifies that the person is not in compliance with
13 a support order as provided in section 502 of this act or (b) a court
14 certifies that the person is not in compliance with a residential or
15 visitation order under chapter 26.09 RCW. If the person continues to
16 meet other requirements for reinstatement during the suspension,
17 reissuance of the certificate or permit shall be automatic after the
18 person provides the authority a written release issued by the
19 department of social and health services or a court stating that the
20 person is in compliance with the order.

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

23 This section governs the denial of an application for a license or
24 the suspension, revocation, or modification of a license by the
25 department. This section does not govern actions taken under chapter
26 18.130 RCW.

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

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

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

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

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

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

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

38 (b) If the department gives a licensee less than twenty-eight days
39 notice of revocation, suspension, or modification and the licensee

1 timely files a sufficient appeal, the department may implement the
2 adverse action on the effective date stated in the notice. The
3 presiding or reviewing officer may order the department to stay
4 implementation of part or all of the adverse action while the
5 proceedings are pending if staying implementation is in the public
6 interest or for other good cause.

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

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

24 (a) The name and address of the applicant; in case of firms or
25 partnerships, the names of the individuals composing the firm or
26 partnership; in case of corporations, the names of the managing
27 officials thereof;

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

30 (c) Employer social security number;

31 (d) As applicable: (i) The industrial insurance account number
32 covering employees domiciled in Washington; and (ii) evidence of
33 workers' compensation coverage in the applicant's state of domicile for
34 the applicant's employees working in Washington who are not domiciled
35 in Washington;

36 (e) Employment security department number;

37 (f) State excise tax registration number;

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

4 (h) Whether a general or specialty electrical contractor license is
5 sought and, if the latter, the type of specialty. Electrical
6 contractor specialties include, but are not limited to: Residential,
7 domestic appliances, pump and irrigation, limited energy system, signs,
8 nonresidential maintenance, and a combination specialty. A general
9 electrical contractor license shall grant to the holder the right to
10 engage in, conduct, or carry on the business of installing or
11 maintaining wires or equipment to carry electric current, and
12 installing or maintaining equipment, or installing or maintaining
13 material to fasten or insulate such wires or equipment to be operated
14 by electric current, in the state of Washington. A specialty
15 electrical contractor license shall grant to the holder a limited right
16 to engage in, conduct, or carry on the business of installing or
17 maintaining wires or equipment to carry electrical current, and
18 installing or maintaining equipment; or installing or maintaining
19 material to fasten or insulate such wires or equipment to be operated
20 by electric current in the state of Washington as expressly allowed by
21 the license.

22 (2) The department may verify the workers' compensation coverage
23 information provided by the applicant under subsection (1)(d) of this
24 section, including but not limited to information regarding the
25 coverage of an individual employee of the applicant. If coverage is
26 provided under the laws of another state, the department may notify the
27 other state that the applicant is employing employees in Washington.

28 (3) The application for a contractor license shall be accompanied
29 by a bond in the sum of four thousand dollars with the state of
30 Washington named as obligee in the bond, with good and sufficient
31 surety, to be approved by the department. The bond shall at all times
32 be kept in full force and effect, and any cancellation or revocation
33 thereof, or withdrawal of the surety therefrom, suspends the license
34 issued to the principal until a new bond has been filed and approved as
35 provided in this section. Upon approval of a bond, the department
36 shall on the next business day deposit the fee accompanying the
37 application in the electrical license fund and shall file the bond in
38 the office. The department shall upon request furnish to any person,
39 firm, partnership, corporation, or other entity a certified copy of the

1 bond upon the payment of a fee that the department shall set by rule.
2 The fee shall cover but not exceed the cost of furnishing the certified
3 copy. The bond shall be conditioned that in any installation or
4 maintenance of wires or equipment to convey electrical current, and
5 equipment to be operated by electrical current, the principal will
6 comply with the provisions of this chapter and with any electrical
7 ordinance, building code, or regulation of a city or town adopted
8 pursuant to RCW 19.28.010(~~((+2+))~~) (3) that is in effect at the time of
9 entering into a contract. The bond shall be conditioned further that
10 the principal will pay for all labor, including employee benefits, and
11 material furnished or used upon the work, taxes and contributions to
12 the state of Washington, and all damages that may be sustained by any
13 person, firm, partnership, corporation, or other entity due to a
14 failure of the principal to make the installation or maintenance in
15 accordance with this chapter or any applicable ordinance, building
16 code, or regulation of a city or town adopted pursuant to RCW
17 19.28.010(~~((+2+))~~) (3). In lieu of the surety bond required by this
18 section the license applicant may file with the department a cash
19 deposit or other negotiable security acceptable to the department. If
20 the license applicant has filed a cash deposit, the department shall
21 deposit the funds in a special trust savings account in a commercial
22 bank, mutual savings bank, or savings and loan association and shall
23 pay annually to the depositor the interest derived from the account.

24 (4) Except as provided in subsection (6) of this section, the
25 department shall issue general or specialty electrical contractor
26 licenses to applicants meeting all of the requirements of this chapter.
27 The provisions of this chapter relating to the licensing of any person,
28 firm, partnership, corporation, or other entity including the
29 requirement of a bond with the state of Washington named as obligee
30 therein and the collection of a fee therefor, are exclusive, and no
31 political subdivision of the state of Washington may require or issue
32 any licenses or bonds or charge any fee for the same or a similar
33 purpose. No person, firm, partnership, corporation, or other entity
34 holding more than one specialty contractor license under this chapter
35 may be required to pay an annual fee for more than one such license or
36 to post more than one four thousand dollar bond, equivalent cash
37 deposit, or other negotiable security.

38 (5) To obtain a general or specialty electrical contractor license
39 the applicant must designate an individual who currently possesses an

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

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

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

30 (1) Each applicant for an electrical contractor's license, other
31 than an individual, shall designate a supervisory employee or member of
32 the firm to take the required administrator's examination. Effective
33 July 1, 1987, a supervisory employee designated as the administrator
34 shall be a full-time supervisory employee. This person shall be
35 designated as administrator under the license. No person may qualify
36 as administrator for more than one contractor. If the relationship of
37 the administrator with the electrical contractor is terminated, the
38 contractor's license is void within ninety days unless another

1 administrator is qualified by the board. However, if the administrator
2 dies, the contractor's license is void within one hundred eighty days
3 unless another administrator is qualified by the board. A certificate
4 issued under this section is valid for two years from the nearest
5 birthdate of the administrator, unless revoked or suspended, and
6 further is nontransferable. The certificate may be renewed for a two-
7 year period without examination by appropriate application unless the
8 certificate has been revoked, suspended, or not renewed within ninety
9 days after the expiration date. If the certificate is not renewed
10 before the expiration date, the individual shall pay twice the usual
11 fee. An individual holding more than one administrator's certificate
12 under this chapter shall not be required to pay annual fees for more
13 than one certificate. A person may take the administrator's test as
14 many times as necessary without limit.

15 (2) The administrator shall:

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

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

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

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

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

26 (f) Notify the department in writing within ten days if the
27 administrator terminates the relationship with the electrical
28 contractor.

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

31 (4) 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
39 under this chapter after the person provides the department with a

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

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

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

29 (2) 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

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

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

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

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

20 (a) The contents and requirements for satisfactory completion of
21 the continuing education course shall be determined by the director and
22 approved by the board.

23 (b) The department shall accept proof of a certificate holder's
24 satisfactory completion of a continuing education course offered in
25 another state as meeting the requirements for maintaining a current
26 Washington state certificate of competency if the department is
27 satisfied the course is comparable in nature to that required in
28 Washington state for maintaining a current certificate of competency.

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

35 (4) The certificates of competency and temporary permits provided
36 for in this chapter grant the holder the right to work in the
37 electrical construction trade as a journeyman electrician or specialty
38 electrician in accordance with their provisions throughout the state

1 and within any of its political subdivisions without additional proof
2 of competency or any other license, permit, or fee to engage in such
3 work.

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

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

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

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

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

23 (c) The holder thereof has violated any of the provisions of RCW
24 19.28.510 through 19.28.620 or any rule adopted under this chapter.

25 (2) Before any certificate of competency shall be revoked, the
26 holder shall be given written notice of the department's intention to
27 do so, mailed by registered mail, return receipt requested, to the
28 holder's last known address. The notice shall enumerate the
29 allegations against the holder, and shall give the holder the
30 opportunity to request a hearing before the board. At the hearing, the
31 department and the holder may produce witnesses and give testimony.
32 The hearing shall be conducted in accordance with chapter 34.05 RCW.
33 The board shall render its decision based upon the testimony and
34 evidence presented, and shall notify the parties immediately upon
35 reaching its decision. A majority of the board shall be necessary to
36 render a decision.

37 (3) The department shall immediately suspend the license or
38 certificate 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 reinstatement during the suspension, reissuance of the license or
7 certificate shall be automatic upon the department's receipt of a
8 written release issued by the department of social and health services
9 or a court stating that the licensee is in compliance with the order.

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

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

14 (1) Such person has executed a written application on a form
15 prescribed by the director, subscribed and sworn to by the applicant,
16 and containing (a) a statement by the applicant of all facts required
17 by the director concerning the applicant's character, competency,
18 responsibility, and the manner and method by which he or she proposes
19 to conduct operations as a farm labor contractor if such license is
20 issued, and (b) the names and addresses of all persons financially
21 interested, either as partners, stockholders, associates, profit
22 sharers, or providers of board or lodging to agricultural employees in
23 the proposed operation as a labor contractor, together with the amount
24 of their respective interests;

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

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

33 (4) The applicant has filed proof satisfactory to the director of
34 the existence of a policy of insurance with any insurance carrier
35 authorized to do business in the state of Washington in an amount
36 satisfactory to the director, which insures the contractor against
37 liability for damage to persons or property arising out of the
38 contractor's operation of, or ownership of, any vehicle or vehicles for

1 the transportation of individuals in connection with the contractor's
2 business, activities, or operations as a farm labor contractor;

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

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

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

13 (7) The applicant has stated on his or her application whether or
14 not his or her contractor's license or the license of any of his or her
15 agents, partners, associates, stockholders, or profit sharers has ever
16 been suspended, revoked, or denied by any state or federal agency, and
17 whether or not there are any outstanding judgments against him or her
18 or any of his or her agents, partners, associates, stockholders, or
19 profit sharers in any state or federal court arising out of activities
20 as a farm labor contractor.

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

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

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

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

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

8 (4) The farm labor contractor, or any agent of the contractor, has
9 violated or wilfully aided or abetted any person in the violation of,
10 or failed to comply with, any law of the state of Washington regulating
11 employment in agriculture, the payment of wages to farm employees, or
12 the conditions, terms, or places of employment affecting the health and
13 safety of farm employees, which is applicable to the business
14 activities, or operations of the contractor in his or her capacity as
15 a farm labor contractor;

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

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

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

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

1 Nothing contained in this section shall be construed to require a
2 regular employee of a collection agency or out-of-state collection
3 agency duly licensed under this chapter to procure a collection agency
4 license.

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

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

18 In addition to other provisions of this chapter, any license issued
19 pursuant to this chapter or any application therefor may be denied, not
20 renewed, revoked, or suspended, or in lieu of or in addition to
21 suspension a licensee may be assessed a civil, monetary penalty in an
22 amount not to exceed one thousand dollars:

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

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

27 (3) If the application or renewal forms required by this chapter
28 are incomplete, fees required under RCW 19.16.140 and 19.16.150, if
29 applicable, have not been paid, and the surety bond or cash deposit or
30 other negotiable security acceptable to the director required by RCW
31 19.16.190, if applicable, has not been filed or renewed or is canceled.

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

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

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

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

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

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

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

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

25 (f) Has had any judgment entered against him or it under the
26 provisions of RCW 19.86.080 or 19.86.090 involving a violation or
27 violations of RCW 19.86.020 and two years have not elapsed since the
28 entry of the final judgment: PROVIDED, That in no event shall a
29 license be issued unless the terms of such judgment, if any, have been
30 fully complied with: PROVIDED FURTHER, That said judgment shall not be
31 grounds for denial, suspension, nonrenewal, or revocation of a license
32 unless the judgment arises out of and is based on acts of the
33 applicant, owner, officer, director, managing employee, or licensee
34 while acting for or as a collection agency or an out-of-state
35 collection agency;

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

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

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

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

11 (k) Has been found by a court of competent jurisdiction to have
12 violated the federal fair debt collection practices act, 15 U.S.C. Sec.
13 1692 et seq., or the Washington state consumer protection act, chapter
14 19.86 RCW, and two years have not elapsed since that finding.

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

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

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

34 (1) Every applicant for an employment agency's license or a renewal
35 thereof shall file with the director a written application stating the
36 name and address of the applicant; the street and number of the
37 building in which the business of the employment agency is to be
38 conducted; the name of the person who is to have the general management

1 of the office; the name under which the business of the office is to be
2 carried on; whether or not the applicant is pecuniarily interested in
3 the business to be carried on under the license; shall be signed by the
4 applicant and sworn to before a notary public; and shall identify
5 anyone holding over twenty percent interest in the agency. If the
6 applicant is a corporation, the application shall state the names and
7 addresses of the officers and directors of the corporation, and shall
8 be signed and sworn to by the president and secretary thereof. If the
9 applicant is a partnership, the application shall also state the names
10 and addresses of all partners therein, and shall be signed and sworn to
11 by all of them. The application shall also state whether or not the
12 applicant is, at the time of making the application, or has at any
13 previous time been engaged in or interested in or employed by anyone
14 engaged in the business of an employment agency.

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

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

24 (4) No license to operate an employment agency in this state shall
25 be issued, transferred, renewed, or remain in effect, unless the person
26 who has or is to have the general management of the office has
27 qualified pursuant to this section. The director may, for good cause
28 shown, waive the requirement imposed by this section for a period not
29 to exceed one hundred and twenty days. Persons who have been
30 previously licensed or who have operated to the satisfaction of the
31 director for at least one year prior to September 21, 1977 as a general
32 manager shall be entitled to operate for up to one year from such date
33 before being required to qualify under this section. In order to
34 qualify, such person shall, through testing procedures developed by the
35 director, show that such person has a knowledge of this law, pertinent
36 labor laws, and laws against discrimination in employment in this state
37 and of the United States. Said examination shall be given at least
38 once each quarter and a fee for such examination shall be established
39 by the director. Nothing in this chapter shall be construed to

1 preclude any one natural person from being designated as the person who
2 is to have the general management of up to three offices operated by
3 any one licensee.

4 While employment directories may at the director's discretion be
5 required to show that the person has a knowledge of this chapter,
6 employment directories are exempt from testing on pertinent labor laws,
7 and laws against discrimination in employment in this state and of the
8 United States.

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

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

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

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

29 ~~((1))~~ (a) Was previously the holder of a license issued under
30 this chapter, which was revoked for cause and never reissued by the
31 director, or which license was suspended for cause and the terms of the
32 suspension have not been fulfilled;

33 ~~((2))~~ (b) Has been found guilty of any felony within the past
34 five years involving moral turpitude, or for any misdemeanor concerning
35 fraud or conversion, or suffering any judgment in any civil action
36 involving wilful fraud, misrepresentation or conversion;

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

1 (~~(4)~~) (d) Has violated any provisions of this chapter, or failed
2 to comply with any rule or regulation issued by the director pursuant
3 to this chapter.

4 (2) 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. 567.** RCW 19.32.040 and 1982 c 182 s 32 are each amended to
16 read as follows:

17 (1) No person hereafter shall engage within this state in the
18 business of owning, operating or offering the services of any
19 refrigerated locker or lockers without having obtained a license for
20 each such place of business. Application for such license shall be
21 made through the master license system. Except as provided in
22 subsection (2) of this section, such licenses shall be granted as a
23 matter of right unless conditions exist which are grounds for a
24 cancellation or revocation of a license as hereinafter set forth.

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

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

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

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

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

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

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

34 ((~~{1}~~)) (1) Unless an order denying effectiveness under RCW
35 19.105.380 is in effect, or unless declared effective by order of the
36 director prior thereto, the application for registration shall
37 automatically become effective upon the expiration of the twentieth
38 full business day following a filing with the director in complete and

1 proper form, but an applicant may consent to the delay of effectiveness
2 until such time as the director may by order declare registration
3 effective or issue a permit to market.

4 (2) An application for registration, renewal of registration, or
5 amendment is not in completed form and shall not be deemed a statutory
6 filing until such time as all required fees, completed application
7 forms, and the information and documents required pursuant to RCW
8 19.105.320(1) and departmental rules have been filed.

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

18 If the application is not in a completed form, the department shall
19 give immediate notice to the applicant. On the date the application is
20 complete and properly filed, the statutory period for an in-depth
21 examination of the filing, prescribed in subsection (1) of this
22 section, shall begin to run, unless the applicant and the department
23 have agreed to a stay of effectiveness or the department has issued a
24 denial of the application or a permit to market.

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

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

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

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

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

9 (c) The applicant, registrant, or affiliate has failed to comply
10 with any provision of this chapter, the rules adopted or the conditions
11 of a permit granted under this chapter, or a stipulation or final order
12 previously entered into by the operator or issued by the department
13 under this chapter;

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

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

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

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

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

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

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

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

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

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

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

20 (ii) Employ any device, scheme, or artifice to defraud purchasers
21 or members;

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

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

31 (o) The applicant or registrant has engaged in a practice of
32 selling contracts using material amendments or codicils that have not
33 been filed or are the consequences of breaches or alterations in
34 previously filed contracts;

35 (p) The applicant or registrant has engaged in a practice of
36 selling or proposing to sell contracts in a ratio of contracts to sites
37 available in excess of that filed in the affidavit required by this
38 chapter;

1 (q) The camping resort operator has withdrawn, has the right to
2 withdraw, or is proposing to withdraw from use all or any portion of
3 any camping resort property devoted to the camping resort program,
4 unless:

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

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

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

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

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

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

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

1 (u) The applicant or registrant has filed voluntarily or been
2 placed involuntarily into a federal bankruptcy or is proposing to do
3 so; or

4 (v) A camping resort operator's rights or interest in a campground
5 has been terminated by foreclosure or the operations in a camping
6 resort have been terminated in a manner contrary to contract
7 provisions.

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

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

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

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

36 (6) The director may enter into assurances of discontinuance in
37 lieu of issuing a statement of charges or a cease and desist order or
38 conducting a hearing under this chapter. The assurances shall consist
39 of a statement of the law in question and an agreement not to violate

1 the stated provision. The applicant or registrant shall not be
2 required to admit to any violation of the law, nor shall the assurance
3 be construed as such an admission. Violating or breaching an assurance
4 under this subsection is grounds for suspension or revocation of
5 registration or imposition of a fine.

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

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

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

22 (a) A statement whether or not the applicant within the past five
23 years has been convicted of, pleaded nolo contendere to, or been ordered
24 to serve probation for a period of a year or more for any misdemeanor
25 or felony involving conversion, embezzlement, theft, fraud, or
26 dishonesty or the applicant has been enjoined from, had any civil
27 penalty assessed for, or been found to have engaged in any violation of
28 any act designed to protect consumers;

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

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

35 (d) Required filing fees.

36 (2) The director may by order deny, suspend, or revoke a camping
37 resort salesperson's registration or application for registration under
38 this chapter or the person's license or application under chapter 18.85

1 RCW, or impose a fine on such persons not exceeding two hundred dollars
2 per violation, if the director finds that the order is necessary for
3 the protection of purchasers or owners of camping resort contracts and
4 the applicant or registrant is guilty of:

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

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

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

16 (d) Making, printing, publishing, distributing, or causing,
17 authorizing, or knowingly permitting the making, printing, publication,
18 or distribution of false statements, descriptions, or promises of such
19 character as to reasonably induce any person to act thereon, if the
20 statements, descriptions, or promises purport to be made or to be
21 performed by either the applicant or registrant and the applicant or
22 registrant then knew or, by the exercise of reasonable care and
23 inquiry, could have known, of the falsity of the statements,
24 descriptions, or promises;

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

29 (f) Failing, upon demand, to disclose to the director or the
30 director's authorized representatives acting by authority of law any
31 information within his or her knowledge or to produce for inspection
32 any document, book or record in his or her possession, which is
33 material to the salesperson's registration or application for
34 registration;

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

38 (h) Committing any act of fraudulent or dishonest dealing or a
39 crime involving moral turpitude, and a certified copy of the final

1 holding of any court of competent jurisdiction in such matter shall be
2 conclusive evidence in any hearing under this chapter;

3 (i) Misrepresentation of membership in any state or national
4 association; or

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

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

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

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

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

32 (7) Registration as a camping resort salesperson shall be effective
33 for a period of one year unless the director specifies otherwise or the
34 salesperson transfers employment to a different registrant.
35 Registration as a camping resort salesperson shall be renewed annually,
36 or at the time of transferring employment, whichever occurs first, by
37 the filing of a form prescribed by the director for that purpose.

38 (8) It is unlawful for a registrant of camping resort contracts to
39 employ or a person to act as a camping resort salesperson covered under

1 this section unless the salesperson has in effect with the department
2 and displays a valid registration in a conspicuous location at each of
3 the sales offices at which the salesperson is employed. It is the
4 responsibility of both the operator and the salesperson to notify the
5 department when and where a salesperson is employed, his or her
6 responsibilities and duties, and when the salesperson's employment or
7 reported duties are changed or terminated.

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

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

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

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

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

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

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

9 (e) Has failed to display the registration as provided in this
10 chapter;

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

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

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

19 (2) If the seller of travel is found in violation of this chapter
20 or in violation of the consumer protection act, chapter 19.86 RCW, by
21 the entry of a judgment or by settlement of a claim, the director may
22 revoke the registration of the seller of travel, and the director may
23 reinstate the registration at the director's discretion.

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

35 (4) The director shall immediately suspend the license or
36 certificate of a person who either (a) has been certified pursuant to
37 section 502 of this act by the department of social and health services
38 as a person who is not in compliance with a support order, or (b) has
39 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 or
4 certificate shall be automatic upon the director's receipt of a written
5 release issued by the department of social and health services or a
6 court stating that the licensee is in compliance with the order.

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

9 (1) In order to maintain or defend a lawsuit or do any business in
10 this state, a commercial telephone solicitor must be registered with
11 the department of licensing. Prior to doing business in this state, a
12 commercial telephone solicitor shall register with the department of
13 licensing. Doing business in this state includes both commercial
14 telephone solicitation from a location in Washington and solicitation
15 of purchasers located in Washington.

16 (2) The department of licensing, in registering commercial
17 telephone solicitors, shall have the authority to require the
18 submission of information necessary to assist in identifying and
19 locating a commercial telephone solicitor, including past business
20 history, prior judgments, and such other information as may be useful
21 to purchasers.

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

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

26 (a) Fail to maintain a valid registration;

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

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

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

34 (5) An annual registration fee shall be assessed by the department
35 of licensing, the amount of which shall be determined at the discretion
36 of the director of the department of licensing, and which shall be
37 reasonably related to the cost of administering the provisions of this
38 chapter.

1 (6) 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 or certificate under this chapter. The application of a
7 person so certified by the department of social and health services or
8 by a court may be reviewed for issuance of a license or certificate
9 under this chapter after the person provides the department with 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 (7) The department 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 department's receipt of a
21 written release issued by the department of social and health services
22 or a court stating that the licensee is in compliance with the order.

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

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

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

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

33 (c) The organization's unified business identification number, if
34 any;

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

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

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

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

6 (2) The application shall be signed by the chief executive officer
7 of the organization and the person within the organization who has
8 primary responsibility for supervising placements within Washington.
9 If the secretary of state determines that the application is complete,
10 the secretary of state shall file the application and the applicant is
11 registered.

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

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

18 (5) 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 (6) The office of the secretary of state shall immediately suspend
30 the license or certificate of a person who either (a) has been
31 certified pursuant to section 502 of this act by the department of
32 social and health services as a person who is not in compliance with a
33 support order, or (b) has been certified pursuant to section 607 of
34 this act by a court as a person who is not in compliance with a
35 residential or visitation order. If the person has continued to meet
36 all other requirements for reinstatement during the suspension,
37 reissuance of the license or certificate shall be automatic upon the
38 office of the secretary of state's receipt of a written release issued

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

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

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

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

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

29 (1) Except as provided in subsection (2) of this section, if no
30 denial order is in effect and no proceeding is pending under RCW
31 21.20.110, registration becomes effective when the applicant has
32 successfully passed a written examination as prescribed by rule or
33 order of the director with the advice of the advisory committee, or has
34 satisfactorily demonstrated that the applicant is exempt from the
35 written examination requirements of this section.

36 (2) No person who has been certified by the department of social
37 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 may be issued
4 a license or certificate under this chapter. The application of a
5 person so certified by the department of social and health services or
6 by a court may be reviewed for issuance of a license or certificate
7 under this chapter after the person provides the department with a
8 written release issued by the department of social and health services
9 or a court stating that the person is in compliance with the order.

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

12 The director may by order deny, suspend, or revoke registration of
13 any broker-dealer, salesperson, investment adviser representative, or
14 investment adviser; censure or fine the registrant or an officer,
15 director, partner, or person occupying similar functions for a
16 registrant; or restrict or limit a registrant's function or activity of
17 business for which registration is required in this state; if the
18 director finds that the order is in the public interest and that the
19 applicant or registrant or, in the case of a broker-dealer or
20 investment adviser, any partner, officer, or director:

21 (1) Has filed an application for registration under this section
22 which, as of its effective date, or as of any date after filing in the
23 case of an order denying effectiveness, was incomplete in any material
24 respect or contained any statement which was, in the light of the
25 circumstances under which it was made, false, or misleading with
26 respect to any material fact;

27 (2) Has willfully violated or willfully failed to comply with any
28 provision of this chapter or a predecessor act or any rule or order
29 under this chapter or a predecessor act, or any provision of chapter
30 21.30 RCW or any rule or order thereunder;

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

36 (4) Is permanently or temporarily enjoined by any court of
37 competent jurisdiction from engaging in or continuing any conduct or

1 practice involving any aspect of the securities or investment
2 commodities business;

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

6 (6) Is the subject of an order entered within the past five years
7 by the securities administrator of any other state or by the federal
8 securities and exchange commission denying or revoking registration as
9 a broker-dealer or salesperson, or a commodity broker-dealer or sales
10 representative, or the substantial equivalent of those terms as defined
11 in this chapter or by the commodity futures trading commission denying
12 or revoking registration as a commodity merchant as defined in RCW
13 21.30.010, or is the subject of an order of suspension or expulsion
14 from membership in or association with a self-regulatory organization
15 registered under the securities exchange act of 1934 or the federal
16 commodity exchange act, or is the subject of a United States post
17 office fraud order; but (a) the director may not institute a revocation
18 or suspension proceeding under this clause more than one year from the
19 date of the order relied on, and (b) the director may not enter any
20 order under this clause on the basis of an order unless that order was
21 based on facts which would currently constitute a ground for an order
22 under this section;

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

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

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

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

37 (i) There are established procedures, and a system for applying
38 those procedures, that would reasonably be expected to prevent and

1 detect, insofar as practicable, any violation by another person of this
2 chapter, or a rule or order under this chapter; and

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

7 (b) The director may issue a summary order pending final
8 determination of a proceeding under this section upon a finding that it
9 is in the public interest and necessary or appropriate for the
10 protection of investors. The director may not impose a fine under this
11 section except after notice and opportunity for hearing. The fine
12 imposed under this section may not exceed five thousand dollars for
13 each act or omission that constitutes the basis for issuing the order.

14 The director shall immediately suspend the license or certificate
15 of a person who either has been certified pursuant to section 502 of
16 this act by the department of social and health services as a person
17 who is not in compliance with a support order, or has been certified
18 pursuant to section 607 of this act by a court as a person who is not
19 in compliance with a residential or visitation order. If the person
20 has continued to meet all other requirements for reinstatement during
21 the suspension, reissuance of the license or certificate 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 licensee is in compliance with the order.

25 NEW SECTION. Sec. 578. A new section is added to chapter 48.17
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 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 (2) The commissioner 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 commissioner'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 NEW SECTION. **Sec. 579.** A new section is added to chapter 74.15
13 RCW to read as follows:

14 (1) No person who has been certified by the department of social
15 and health services as a person who is not in compliance with a support
16 order as provided in section 502 of this act, or is certified by a
17 court as a person who is not in compliance with a residential or
18 visitation order as provided in section 607 of this act may be issued
19 a 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 (2) The secretary shall immediately suspend the license or
26 certificate of a person who either (a) has been certified pursuant to
27 section 502 of this act by the department of social and health services
28 as a person who is not in compliance with a support order, or (b) has
29 been certified pursuant to section 607 of this act by a court as a
30 person who is not in compliance with a residential or visitation order.
31 If the person has continued to meet all other requirements for
32 reinstatement during the suspension, reissuance of the license or
33 certificate shall be automatic upon the secretary's receipt of a
34 written release issued by the department of social and health services
35 or a court stating that the licensee is in compliance with the order.

36 NEW SECTION. **Sec. 580.** A new section is added to chapter 47.68
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 or certificate under this chapter. The application of a
7 person so certified by the department of social and health services or
8 by a court may be reviewed for issuance of a license or certificate
9 under this chapter after the person provides the department with 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 department 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 department's receipt of a
21 written release issued by the department of social and health services
22 or a court stating that the licensee is in compliance with the order.

23 NEW SECTION. **Sec. 581.** A new section is added to chapter 71.12
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 or certificate under this chapter. The application of a
31 person so certified by the department of social and health services or
32 by a court may be reviewed for issuance of a license or certificate
33 under this chapter after the person provides the department with a
34 written release issued by the department of social and health services
35 or a court stating that the person is in compliance with the order.

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

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

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

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

14 (a) Development of the curriculum and materials for the education
15 program;

16 (b) Examination and examination procedures;

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

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

21 (i) The physiological effects of alcohol including the effects of
22 alcohol in combination with drugs;

23 (ii) Liability and legal information;

24 (iii) Driving while intoxicated;

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

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

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

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

36 (3) Except as provided in section 584 of this act, each training
37 entity shall provide a class 12 permit to the manager or bartender who
38 has successfully completed a course the board has certified. A list of

1 the individuals receiving the class 12 permit shall be forwarded to the
2 board on the completion of each course given by the training entity.

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

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

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

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

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

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

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

29 NEW SECTION. **Sec. 583.** A new section is added to chapter 66.20
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 under this chapter. The application of a person so certified
37 by the department of social and health services or by a court may be
38 reviewed for issuance of a license under this chapter after the person

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

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

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

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

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

1 NEW SECTION. **Sec. 585.** A new section is added to chapter 88.02
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 vessel registration or a vessel dealer's registration under this
9 chapter. The application of a person so certified by the department of
10 social and health services or by a court may be reviewed for issuance
11 of registration under this chapter after the person provides the
12 department with a written release issued by the department of social
13 and health services or a court stating that the person is in compliance
14 with the order.

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

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

29 Except as provided in RCW 67.08.100, upon the approval by the
30 department of any application for a license, as hereinabove provided,
31 and the filing of the bond the department shall forthwith issue such
32 license.

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

35 (1) The department may grant annual licenses upon application in
36 compliance with the rules and regulations prescribed by the director,
37 and the payment of the fees, the amount of which is to be set by the

1 director in accordance with RCW 43.24.086, prescribed to promoters,
2 managers, referees, boxers, wrestlers, and seconds: PROVIDED, That the
3 provisions of this section shall not apply to contestants or
4 participants in strictly amateur contests and/or fraternal
5 organizations and/or veterans' organizations chartered by congress or
6 the defense department or any bona fide athletic club which is a member
7 of the Pacific northwest association of the amateur athletic union of
8 the United States, holding and promoting athletic contests and where
9 all funds are used primarily for the benefit of their members.

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

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

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

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

18 (6) 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 (7) 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 **Sec. 588.** RCW 19.02.100 and 1991 c 72 s 8 are each amended to read
2 as follows:

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

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

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

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

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

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

3 Except as provided in section 592 of this act, at the close of each
4 examination the department of licensing shall prepare the proper
5 licenses, where no further fee is required to be paid, and issue
6 licenses to the successful applicants signed by the director and notify
7 all successful applicants, where a further fee is required, of the fact
8 that they are entitled to receive such license upon the payment of such
9 further fee to the department of licensing and notify all applicants
10 who have failed to pass the examination of that fact.

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

13 Except as provided in section 592 of this act, whenever there is
14 filed in a matter under the jurisdiction of the director of licensing
15 any complaint charging that the holder of a license has been guilty of
16 any act or omission which by the provisions of the law under which the
17 license was issued would warrant the revocation thereof, verified in
18 the manner provided by law, the director of licensing shall request the
19 governor to appoint, and the governor shall appoint within thirty days
20 of the request, two qualified practitioners of the profession or
21 calling of the person charged, who, with the director or his duly
22 appointed representative, shall constitute a committee to hear and
23 determine the charges and, in case the charges are sustained, impose
24 the penalty provided by law. In addition, the governor shall appoint
25 a consumer member of the committee.

26 The decision of any three members of such committee shall be the
27 decision of the committee.

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

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

33 Except as provided in section 592 of this act, any person feeling
34 aggrieved by the refusal of the director to issue a license, or to
35 renew one, or by the revocation or suspension of a license shall have
36 a right of appeal to superior court from the decision of the director

1 of licensing, which shall be taken, prosecuted, heard, and determined
2 in the manner provided in chapter 34.05 RCW.

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

5 NEW SECTION. **Sec. 592.** A new section is added to chapter 43.24
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 by the department of licensing. The application of a person
13 so certified by the department of social and health services or by a
14 court may be reviewed for issuance of registration under this chapter
15 after the person provides the department with a written release issued
16 by the department of social and health services or a court stating that
17 the person is in compliance with the order.

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

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

32 All persons engaged in the manufacture of explosives, or any
33 process involving explosives, or where explosives are used as a
34 component part in the manufacture of any article or device, on ((the
35 date when this 1969 amendatory act takes effect)) August 11, 1969,
36 shall within sixty days thereafter, and all persons engaging in the
37 manufacture of explosives, or any process involving explosives, or

1 where explosives are used as a component part in the manufacture of any
2 article or device after (~~this act takes effect~~) August 11, 1969,
3 shall, before so engaging, make an application in writing, subscribed
4 to by such person or his agent, to the department of labor and
5 industries, the application stating:

6 (1) Location of place of manufacture or processing;

7 (2) Kind of explosives manufactured, processed or used;

8 (3) The distance that such explosives manufacturing building is
9 located or intended to be located from the other factory buildings,
10 magazines, inhabited buildings, railroads and highways and public
11 utility transmission systems;

12 (4) The name and address of the applicant;

13 (5) The reason for desiring to manufacture explosives;

14 (6) The applicant's citizenship, if the applicant is an individual;

15 (7) If the applicant is a partnership, the names and addresses of
16 the partners, and their citizenship;

17 (8) If the applicant is an association or corporation, the names
18 and addresses of the officers and directors thereof, and their
19 citizenship; and

20 (9) Such other pertinent information as the director of labor and
21 industries shall require to effectuate the purpose of this chapter.

22 There shall be kept in the main office on the premises of each
23 explosives manufacturing plant a plan of said plant showing the
24 location of all explosives manufacturing buildings and the distance
25 they are located from other factory buildings where persons are
26 employed and from magazines, and these plans shall at all times be open
27 to inspection by duly authorized inspectors of the department of labor
28 and industries. The superintendent of each plant shall upon demand of
29 said inspector furnish the following information:

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

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

35 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the
36 department of labor and industries shall as soon as possible after
37 receiving such application cause an inspection to be made of the
38 explosives manufacturing plant, and if found to be in accordance with
39 RCW 70.74.030 and 70.74.050 and 70.74.061, such department shall issue

1 a license to the person applying therefor showing compliance with the
2 provisions of this chapter if the applicant demonstrates that either
3 the applicant or the officers, agents or employees of the applicant are
4 sufficiently experienced in the manufacture of explosives and the
5 applicant meets the qualifications for a license under RCW 70.74.360.
6 Such license shall continue in full force and effect until expired,
7 suspended, or revoked by the department pursuant to this chapter.

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

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

13 (1) The name and address of applicant;

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

16 (3) Citizenship, if an individual applicant;

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

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

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

23 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the
24 department of labor and industries shall issue the license if the
25 applicant demonstrates that either the applicant or the principal
26 officers, agents, or employees of the applicant are experienced in the
27 business of dealing in explosives, possess suitable facilities
28 therefor, have not been convicted of any crime that would warrant
29 revocation or nonrenewal of a license under this chapter, and have
30 never had an explosives-related license revoked under this chapter or
31 under similar provisions of any other state.

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

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

37 (1) The location where explosives are to be used;

- 1 (2) The kind and amount of explosives to be used;
- 2 (3) The name and address of the applicant;
- 3 (4) The reason for desiring to use explosives;
- 4 (5) The citizenship of the applicant if the applicant is an
5 individual;
- 6 (6) If the applicant is a partnership, the names and addresses of
7 the partners and their citizenship;
- 8 (7) If the applicant is an association or corporation, the names
9 and addresses of the officers and directors thereof and their
10 citizenship; and
- 11 (8) Such other pertinent information as the director of the
12 department of labor and industries shall require to effectuate the
13 purpose of this chapter.

14 The department of labor and industries shall issue the license if
15 the applicant demonstrates that either the applicant or the officers,
16 agents or employees of the applicant are sufficiently experienced in
17 the use of explosives to authorize a purchase license. However, no
18 purchaser's license may be issued to any person who cannot document
19 proof of possession or right to use approved and licensed storage
20 facilities unless the person signs a statement certifying that
21 explosives will not be stored. No person who has been certified by the
22 department of social and health services as a person who is not in
23 compliance with a support order as provided in section 502 of this act,
24 or is certified by a court as a person who is not in compliance with a
25 residential or visitation order as provided in section 607 of this act
26 may be issued a license or certificate under this chapter. The
27 application of a person so certified by the department of social and
28 health services or by a court may be reviewed for issuance of a license
29 or certificate under this chapter after the person provides the
30 department with a written release issued by the department of social
31 and health services or a court stating that the person is in compliance
32 with the order.

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

35 (1) The director of labor and industries shall require, as a
36 condition precedent to the original issuance or renewal of any
37 explosive license, fingerprinting and criminal history record
38 information checks of every applicant. In the case of a corporation,

1 fingerprinting and criminal history record information checks shall be
2 required for the management officials directly responsible for the
3 operations where explosives are used if such persons have not
4 previously had their fingerprints recorded with the department of labor
5 and industries. In the case of a partnership, fingerprinting and
6 criminal history record information checks shall required of all
7 general partners. Such fingerprints as are required by the department
8 of labor and industries shall be submitted on forms provided by the
9 department to the identification section of the Washington state patrol
10 and to the identification division of the federal bureau of
11 investigation in order that these agencies may search their records for
12 prior convictions of the individuals fingerprinted. The Washington
13 state patrol shall provide to the director of labor and industries such
14 criminal record information as the director may request. The applicant
15 shall give full cooperation to the department of labor and industries
16 and shall assist the department of labor and industries in all aspects
17 of the fingerprinting and criminal history record information check.
18 The applicant may be required to pay a fee not to exceed twenty dollars
19 to the agency that performs the fingerprinting and criminal history
20 process.

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

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

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

26 (c) Any person who has been convicted in this state or elsewhere of
27 a violent offense as defined in RCW 9.94A.030, perjury, false swearing,
28 or bomb threats or a crime involving a schedule I or II controlled
29 substance, or any other drug or alcohol related offense, unless such
30 other drug or alcohol related offense does not reflect a drug or
31 alcohol dependency. However, the director of labor and industries may
32 issue a license if the person suffering a drug or alcohol related
33 dependency is participating in or has completed an alcohol or drug
34 recovery program acceptable to the department of labor and industries
35 and has established control of their alcohol or drug dependency. The
36 director of labor and industries shall require the applicant to provide
37 proof of such participation and control; ((or))

38 (d) Any person who has previously been adjudged to be mentally ill
39 or insane, or to be incompetent due to any mental disability or disease

1 and who has not at the time of application been restored to competency
2 i or

3 (e) Any 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. The
8 application of a person so certified by the department of social and
9 health services or by a court may be reviewed for issuance of a license
10 or certificate under this chapter after the person provides the
11 director of labor and industries with a written release issued by the
12 department of social and health services or a court stating that the
13 person is in compliance with the order.

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

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

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

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

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

28 (c) A crime involving bomb threats;

29 (d) A crime involving a schedule I or II controlled substance, or
30 any other drug or alcohol related offense, unless such other drug or
31 alcohol related offense does not reflect a drug or alcohol dependency.
32 However, the department of labor and industries may condition renewal
33 of the license to any convicted person suffering a drug or alcohol
34 dependency who is participating in an alcoholism or drug recovery
35 program acceptable to the department of labor and industries and has
36 established control of their alcohol or drug dependency. The
37 department of labor and industries shall require the licensee to
38 provide proof of such participation and control;

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

4 (2) The department of labor and industries shall revoke the license
5 of any person adjudged to be mentally ill or insane, or to be
6 incompetent due to any mental disability or disease. The director
7 shall not renew the license until the person has been restored to
8 competency.

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

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

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

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

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

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

37 (2) For the purpose of considering any application for a license,
38 the board may cause an inspection of the premises to be made, and may

1 inquire into all matters in connection with the construction and
2 operation of the premises. For the purpose of reviewing any
3 application for a license and for considering the denial, suspension or
4 revocation of any license, the liquor control board may consider any
5 prior criminal conduct of the applicant and the provisions of RCW
6 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The
7 board may, in its discretion, grant or refuse the license applied for.
8 Authority to approve an uncontested or unopposed license may be granted
9 by the board to any staff member the board designates in writing.
10 Conditions for granting such authority shall be adopted by rule. No
11 retail license of any kind may be issued to:

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

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

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

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

23 (e) Any 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. The
28 application of a person so certified by the department of social and
29 health services or by a court may be reviewed for issuance of a license
30 or certificate under this chapter after the person provides the board
31 with a written release issued by the department of social and health
32 services or a court stating that the person is in compliance with the
33 order.

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

38 (b) The board shall immediately suspend the license or certificate
39 of a person who either (i) has been certified pursuant to section 502

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

10 (c) The board may request the appointment of administrative law
11 judges under chapter 34.12 RCW who shall have power to administer
12 oaths, issue subpoenas for the attendance of witnesses and the
13 production of papers, books, accounts, documents, and testimony,
14 examine witnesses, and to receive testimony in any inquiry,
15 investigation, hearing, or proceeding in any part of the state, under
16 such rules and regulations as the board may adopt.

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

22 (e) In case of disobedience of any person to comply with the order
23 of the board or a subpoena issued by the board, or any of its members,
24 or administrative law judges, or on the refusal of a witness to testify
25 to any matter regarding which he or she may be lawfully interrogated,
26 the judge of the superior court of the county in which the person
27 resides, on application of any member of the board or administrative
28 law judge, shall compel obedience by contempt proceedings, as in the
29 case of disobedience of the requirements of a subpoena issued from said
30 court or a refusal to testify therein.

31 (4) Upon receipt of notice of the suspension or cancellation of a
32 license, the licensee shall forthwith deliver up the license to the
33 board. Where the license has been suspended only, the board shall
34 return the license to the licensee at the expiration or termination of
35 the period of suspension. The board shall notify all vendors in the
36 city or place where the licensee has its premises of the suspension or
37 cancellation of the license; and no employee may allow or cause any
38 liquor to be delivered to or for any person at the premises of that
39 licensee.

1 (5)(a) At the time of the original issuance of a class H license,
2 the board shall prorate the license fee charged to the new licensee
3 according to the number of calendar quarters, or portion thereof,
4 remaining until the first renewal of that license is required.

5 (b) Unless sooner canceled, every license issued by the board shall
6 expire at midnight of the thirtieth day of June of the fiscal year for
7 which it was issued. However, if the board deems it feasible and
8 desirable to do so, it may establish, by rule pursuant to chapter 34.05
9 RCW, a system for staggering the annual renewal dates for any and all
10 licenses authorized by this chapter. If such a system of staggered
11 annual renewal dates is established by the board, the license fees
12 provided by this chapter shall be appropriately prorated during the
13 first year that the system is in effect.

14 (6) Every license issued under this section shall be subject to all
15 conditions and restrictions imposed by this title or by the regulations
16 in force from time to time. All conditions and restrictions imposed by
17 the board in the issuance of an individual license shall be listed on
18 the face of the individual license along with the trade name, address,
19 and expiration date.

20 (7) Every licensee shall post and keep posted its license, or
21 licenses, in a conspicuous place on the premises.

22 (8) Before the board shall issue a license to an applicant it shall
23 give notice of such application to the chief executive officer of the
24 incorporated city or town, if the application be for a license within
25 an incorporated city or town, or to the county legislative authority,
26 if the application be for a license outside the boundaries of
27 incorporated cities or towns; and such incorporated city or town,
28 through the official or employee selected by it, or the county
29 legislative authority or the official or employee selected by it, shall
30 have the right to file with the board within twenty days after date of
31 transmittal of such notice, written objections against the applicant or
32 against the premises for which the license is asked, and shall include
33 with such objections a statement of all facts upon which such
34 objections are based, and in case written objections are filed, may
35 request and the liquor control board may in its discretion hold a
36 formal hearing subject to the applicable provisions of Title 34 RCW.
37 Upon the granting of a license under this title the board shall send a
38 duplicate of the license or written notification to the chief executive
39 officer of the incorporated city or town in which the license is

1 granted, or to the county legislative authority if the license is
2 granted outside the boundaries of incorporated cities or towns.

3 (9) Before the board issues any license to any applicant, it shall
4 give (a) due consideration to the location of the business to be
5 conducted under such license with respect to the proximity of churches,
6 schools, and public institutions and (b) written notice by certified
7 mail of the application to churches, schools, and public institutions
8 within five hundred feet of the premises to be licensed. The board
9 shall issue no beer retailer license class A, B, D, or E or wine
10 retailer license class C or F or class H license covering any premises
11 not now licensed, if such premises are within five hundred feet of the
12 premises of any tax-supported public elementary or secondary school
13 measured along the most direct route over or across established public
14 walks, streets, or other public passageway from the outer property line
15 of the school grounds to the nearest public entrance of the premises
16 proposed for license, and if, after receipt by the school or public
17 institution of the notice as provided in this subsection, the board
18 receives written notice, within twenty days after posting such notice,
19 from an official representative or representatives of the school within
20 five hundred feet of said proposed licensed premises, indicating to the
21 board that there is an objection to the issuance of such license
22 because of proximity to a school. For the purpose of this section,
23 church shall mean a building erected for and used exclusively for
24 religious worship and schooling or other activity in connection
25 therewith. No liquor license may be issued or reissued by the board to
26 any motor sports facility or licensee operating within the motor sports
27 facility unless the motor sports facility enforces a program reasonably
28 calculated to prevent alcohol or alcoholic beverages not purchased
29 within the facility from entering the facility and such program is
30 approved by local law enforcement agencies. It is the intent under
31 this subsection that a retail license shall not be issued by the board
32 where doing so would, in the judgment of the board, adversely affect a
33 private school meeting the requirements for private schools under Title
34 28A RCW, which school is within five hundred feet of the proposed
35 licensee. The board shall fully consider and give substantial weight
36 to objections filed by private schools. If a license is issued despite
37 the proximity of a private school, the board shall state in a letter
38 addressed to the private school the board's reasons for issuing the
39 license.

1 (10) The restrictions set forth in subsection (9) of this section
2 shall not prohibit the board from authorizing the assumption of
3 existing licenses now located within the restricted area by other
4 persons or licenses or relocations of existing licensed premises within
5 the restricted area. In no case may the licensed premises be moved
6 closer to a church or school than it was before the assumption or
7 relocation.

8 (11) Nothing in this section prohibits the board, in its
9 discretion, from issuing a temporary retail or wholesaler license to an
10 applicant assuming an existing retail or wholesaler license to continue
11 the operation of the retail or wholesaler premises during the period
12 the application for the license is pending and when the following
13 conditions exist:

14 (a) The licensed premises has been operated under a retail or
15 wholesaler license within ninety days of the date of filing the
16 application for a temporary license;

17 (b) The retail or wholesaler license for the premises has been
18 surrendered pursuant to issuance of a temporary operating license;

19 (c) The applicant for the temporary license has filed with the
20 board an application to assume the retail or wholesaler license at such
21 premises to himself or herself; and

22 (d) The application for a temporary license is accompanied by a
23 temporary license fee established by the board by rule.

24 A temporary license issued by the board under this section shall be
25 for a period not to exceed sixty days. A temporary license may be
26 extended at the discretion of the board for an additional sixty-day
27 period upon payment of an additional fee and upon compliance with all
28 conditions required in this section.

29 Refusal by the board to issue or extend a temporary license shall
30 not entitle the applicant to request a hearing. A temporary license
31 may be canceled or suspended summarily at any time if the board
32 determines that good cause for cancellation or suspension exists. RCW
33 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

34 Application for a temporary license shall be on such form as the
35 board shall prescribe. If an application for a temporary license is
36 withdrawn before issuance or is refused by the board, the fee which
37 accompanied such application shall be refunded in full.

1 **Sec. 599.** RCW 43.63B.040 and 1994 c 284 s 19 are each amended to
2 read as follows:

3 (1) The department shall issue a certificate of manufactured home
4 installation to an applicant who has taken the training course, passed
5 the examination, paid the fees, and in all other respects (~~meet[s]~~)
6 meets the qualifications. The certificate shall bear the date of
7 issuance, a certification identification number, and is renewable every
8 three years upon application and completion of a continuing education
9 program as determined by the department. A renewal fee shall be
10 assessed for each certificate. If a person fails to renew a
11 certificate by the renewal date, the person must retake the examination
12 and pay the examination fee.

13 (2) The certificate of manufactured home installation provided for
14 in this chapter grants the holder the right to engage in manufactured
15 home installation throughout the state, without any other installer
16 certification.

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

28 (4) The department 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 department's receipt of a
37 written release issued by the department of social and health services
38 or a court stating that the licensee is in compliance with the order.

1 **Sec. 600.** RCW 70.95D.040 and 1989 c 431 s 68 are each amended to
2 read as follows:

3 (1) The department shall establish a process to certify incinerator
4 and landfill operators. To the greatest extent possible, the
5 department shall rely on the certification standards and procedures
6 developed by national organizations and the federal government.

7 (2) Operators shall be certified if they:

8 (a) Attend the required training sessions;

9 (b) Successfully complete required examinations; and

10 (c) Pay the prescribed fee.

11 (3) By January 1, 1991, the department shall adopt rules to require
12 incinerator and appropriate landfill operators to:

13 (a) Attend a training session concerning the operation of the
14 relevant type of landfill or incinerator;

15 (b) Demonstrate sufficient skill and competency for proper
16 operation of the incinerator or landfill by successfully completing an
17 examination prepared by the department; and

18 (c) Renew the certificate of competency at reasonable intervals
19 established by the department.

20 (4) The department shall provide for the collection of fees for the
21 issuance and renewal of certificates. These fees shall be sufficient
22 to recover the costs of the certification program.

23 (5) The department shall establish an appeals process for the
24 denial or revocation of a certificate.

25 (6) The department shall establish a process to automatically
26 certify operators who have received comparable certification from
27 another state, the federal government, a local government, or a
28 professional association.

29 (7) Upon July 23, 1989, and prior to January 1, 1992, the owner or
30 operator of an incinerator or landfill may apply to the department for
31 interim certification. Operators shall receive interim certification
32 if they:

33 (a) Have received training provided by a recognized national
34 organization, educational institution, or the federal government that
35 is acceptable to the department; or

36 (b) Have received individualized training in a manner approved by
37 the department; and

38 (c) Have successfully completed any required examinations.

1 (8) No interim certification shall be valid after January 1, 1992,
2 and interim certification shall not automatically qualify operators for
3 certification pursuant to subsections (2) through (4) of this section.

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

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

26 NEW SECTION. Sec. 601. A new section is added to chapter 70.95B
27 RCW to read as follows:

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

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

12 **Sec. 602.** RCW 17.21.130 and 1994 c 283 s 15 are each amended to
13 read as follows:

14 Any license, permit, or certification provided for in this chapter
15 may be revoked or suspended, and any license, permit, or certification
16 application may be denied by the director for cause. If the director
17 suspends a license under this chapter with respect to activity of a
18 continuing nature under chapter 34.05 RCW, the director may elect to
19 suspend the license for a subsequent license year during a period that
20 coincides with the period commencing thirty days before and ending
21 thirty days after the date of the incident or incidents giving rise to
22 the violation.

23 The director shall immediately suspend the license or certificate
24 of a person who either (1) has been certified pursuant to section 502
25 of this act by the department of social and health services as a person
26 who is not in compliance with a support order, or (2) has been
27 certified pursuant to section 607 of this act by a court as a person
28 who is not in compliance with a residential or visitation order. If
29 the person has continued to meet all other requirements for
30 reinstatement during the suspension, reissuance of the license or
31 certificate shall be automatic upon the director's receipt of a written
32 release issued by the department of social and health services or a
33 court stating that the licensee is in compliance with the order.

34 **Sec. 603.** RCW 17.21.132 and 1994 c 283 s 16 are each amended to
35 read as follows:

1 Any person applying for a license or certification authorized under
2 the provisions of this chapter shall file an application on a form
3 prescribed by the director.

4 (1) The application shall state the license or certification and
5 the classification(s) for which the applicant is applying and the
6 method in which the pesticides are to be applied.

7 (2) For all classes of licenses except private applicator, all
8 applicants shall be at least eighteen years of age on the date that the
9 application is made. Applicants for a private pesticide applicator
10 license shall be at least sixteen years of age on the date that the
11 application is made.

12 (3) Application for a license to apply pesticides shall be
13 accompanied by the required fee. No license may be issued until the
14 required license fee has been received by the department. License fees
15 shall be prorated where necessary to accommodate staggering of
16 expiration dates of a license or licenses.

17 (4) Each classification of license issued under this chapter shall
18 expire annually on a date set by rule by the director. License
19 expiration dates may be staggered for administrative purposes. Renewal
20 applications shall be filed on or before the applicable expiration
21 date.

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

33 **Sec. 604.** RCW 64.44.060 and 1990 c 213 s 7 are each amended to
34 read as follows:

35 (1) After January 1, 1991, a contractor may not perform
36 decontamination, demolition, or disposal work unless issued a
37 certificate by the state department of health. The department shall
38 establish performance standards for contractors by rule in accordance

1 with chapter 34.05 RCW, the administrative procedure act. The
2 department shall train and test, or may approve courses to train and
3 test, contractors and their employees on the essential elements in
4 assessing property used as an illegal drug manufacturing or storage
5 site to determine hazard reduction measures needed, techniques for
6 adequately reducing contaminants, use of personal protective equipment,
7 methods for proper demolition, removal, and disposal of contaminated
8 property, and relevant federal and state regulations. Upon successful
9 completion of the training, the contractor or employee shall be
10 certified.

11 (2) The department may require the successful completion of annual
12 refresher courses provided or approved by the department for the
13 continued certification of the contractor or employee.

14 (3) The department shall provide for reciprocal certification of
15 any individual trained to engage in decontamination, demolition, or
16 disposal work in another state when the prior training is shown to be
17 substantially similar to the training required by the department. The
18 department may require such individuals to take an examination or
19 refresher course before certification.

20 (4) The department may deny, suspend, or revoke a certificate for
21 failure to comply with the requirements of this chapter or any rule
22 adopted pursuant to this chapter. A certificate may be denied,
23 suspended, or revoked on any of the following grounds:

24 (a) Failing to perform decontamination, demolition, or disposal
25 work under the supervision of trained personnel;

26 (b) Failing to file a work plan;

27 (c) Failing to perform work pursuant to the work plan;

28 (d) Failing to perform work that meets the requirements of the
29 department; ~~((or))~~

30 (e) The certificate was obtained by error, misrepresentation, or
31 fraud; or

32 (f) If the person has either (i) been certified pursuant to section
33 502 of this act by the department of social and health services as a
34 person who is not in compliance with a support order, or (ii) has been
35 certified pursuant to section 607 of this act by a court as a person
36 who is not in compliance with a residential or visitation order. If
37 the person has continued to meet all other requirements for
38 reinstatement during the suspension, reissuance of the license or
39 certificate shall be automatic upon the department's receipt of 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 (5) 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 (6) A contractor who violates any provision of this chapter may be
15 assessed a fine not to exceed five hundred dollars for each violation.

16 ~~((+6))~~ (7) The department of health shall prescribe fees as
17 provided for in RCW 43.70.250 for the issuance and renewal of
18 certificates, the administration of examinations, and for the review of
19 training courses.

20 ~~((+7))~~ (8) The decontamination account is hereby established in
21 the state treasury. All fees collected under this chapter shall be
22 deposited in this account. Moneys in the account may only be spent
23 after appropriation for costs incurred by the department in the
24 administration and enforcement of this chapter.

25 **Sec. 605.** RCW 19.146.210 and 1994 c 33 s 10 are each amended to
26 read as follows:

27 (1) The director shall issue and deliver a mortgage broker license
28 to an applicant if, after investigation, the director makes the
29 following findings:

30 (a) The applicant has paid the required license fees;

31 (b) The applicant has complied with RCW 19.146.205;

32 (c) Neither the applicant nor any of its principals has had a
33 license issued under this chapter or any similar state statute
34 suspended or revoked within five years of the filing of the present
35 application;

36 (d) Neither the applicant nor any of its principals has been
37 convicted of a gross misdemeanor involving dishonesty or financial

1 misconduct or a felony within seven years of the filing of the present
2 application;

3 (e) Either the applicant or one of its principals, who may be
4 designated by the applicant, (i) has at least two years of experience
5 in the residential mortgage loan industry or has completed the
6 educational requirements established by rule of the director and (ii)
7 has passed a written examination whose content shall be established by
8 rule of the director; and

9 (f) The applicant has demonstrated financial responsibility,
10 character, and general fitness such as to command the confidence of the
11 community and to warrant a belief that the business will be operated
12 honestly, fairly, and efficiently within the purposes of this chapter.

13 (2) If the director does not find the conditions of subsection (1)
14 of this section have been met, the director shall not issue the
15 license. The director shall notify the applicant of the denial and
16 return to the applicant the bond or approved alternative and any
17 remaining portion of the license fee that exceeds the department's
18 actual cost to investigate the license.

19 (3) 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 (4) The director shall issue a license under this chapter to any
31 licensee issued a license under chapter 468, Laws of 1993, that has a
32 valid license and is otherwise in compliance with the provisions of
33 this chapter.

34 (~~(4)~~) (5) A license issued pursuant to this chapter is valid from
35 the date of issuance with no fixed date of expiration.

36 (~~(5)~~) (6) A licensee may surrender a license by delivering to the
37 director written notice of surrender, but the surrender does not affect
38 the licensee's civil or criminal liability arising from acts or
39 omissions occurring before such surrender.

1 **Sec. 606.** RCW 19.146.220 and 1994 c 33 s 12 are each amended to
2 read as follows:

3 (1) The director shall enforce all laws and rules relating to the
4 licensing of mortgage brokers, grant or deny licenses to mortgage
5 brokers, and hold hearings. The director may impose any one or more of
6 the following sanctions:

7 (a) Suspend or revoke licenses, deny applications for licenses, or
8 impose penalties upon violators of cease and desist orders issued under
9 this chapter. The director may impose fines, as established by rule by
10 the director, for violations of or failure to comply with any lawful
11 directive, order, or requirement of the director. Each day's
12 continuance of the violation or failure to comply is a separate and
13 distinct violation or failure;

14 (b) Issue an order directing a licensee, its employee or loan
15 originator, or other person subject to this chapter to cease and desist
16 from conducting business in a manner that is injurious to the public or
17 violates any provision of this chapter, or to pay restitution to an
18 injured borrower; or

19 (c) Issue an order removing from office or prohibiting from
20 participation in the conduct of the affairs of a licensed mortgage
21 broker, or both, any officer, principal, employee, or loan originator,
22 as the case may be, of any licensed mortgage broker.

23 (2) The director may take those actions specified in subsection (1)
24 of this section if the director finds any of the following:

25 (a) The licensee has failed to pay a fee due the state of
26 Washington under this chapter or, to maintain in effect the bond or
27 approved alternative required under this chapter; or

28 (b) The licensee, employee or loan originator of the licensee, or
29 person subject to the license requirements or prohibited practices of
30 this chapter has failed to comply with any specific order or demand of
31 the director lawfully made and directed to the licensee, employee, or
32 loan originator of the licensee in accordance with this chapter; or

33 (c) The licensee, its employee or loan originator, or other person
34 subject to this chapter has violated any provision of this chapter or
35 a rule adopted under this chapter; or

36 (d) The licensee made false statements on the application or
37 omitted material information that, if known, would have allowed the
38 director to deny the application for the original license.

1 (3) The director shall establish by rule standards for licensure of
2 applicants licensed in other jurisdictions. Every licensed mortgage
3 broker that does not maintain a physical office within the state must
4 maintain a registered agent within the state to receive service of any
5 lawful process in any judicial or administrative noncriminal suit,
6 action, or proceeding, against the licensed mortgage broker which
7 arises under this chapter or any rule or order under this chapter, with
8 the same force and validity as if served personally on the licensed
9 mortgage broker. Service upon the registered agent shall be effective
10 if the plaintiff, who may be the director in a suit, action, or
11 proceeding instituted by him or her, sends notice of the service and a
12 copy of the process by registered mail to the defendant or respondent
13 at the last address of the respondent or defendant on file with the
14 director. In any judicial action, suit, or proceeding arising under
15 this chapter or any rule or order adopted under this chapter between
16 the department or director and a licensed mortgage broker who does not
17 maintain a physical office in this state, venue shall be exclusively in
18 the superior court of Thurston county.

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

30 NEW SECTION. Sec. 607. A new section is added to chapter 26.09
31 RCW to read as follows:

32 (1) Unless the context clearly requires otherwise, the definitions
33 in this section apply in this section.

34 (a) "License" means a license, certificate, registration, permit,
35 approval, or other similar document issued by a licensing entity
36 evidencing admission to or granting authority to engage in a
37 profession, occupation, business, or industry.

1 (b) "Licensee" means any individual holding a license, certificate,
2 registration, permit, approval, or other similar document issued by a
3 licensing entity evidencing admission to or granting authority to
4 engage in a profession, occupation, business, or industry.

5 (c) "Licensing entity" includes any department, board, commission,
6 or other organization of the state authorized to issue, renew, suspend,
7 or revoke a license authorizing an individual to engage in a business,
8 occupation, profession, or industry, and the Washington state bar
9 association.

10 (d) "Noncompliance with a residential or visitation order" means
11 that a court has found the parent in contempt of court, under RCW
12 26.09.160 for failure to comply with a residential provision of a
13 court-ordered parenting plan on two occasions within three years.

14 (e) "Residential or visitation order" means the residential
15 schedule or visitation schedule contained in a court-ordered parenting
16 plan.

17 (2) If a court determines under RCW 26.09.160 that a parent is not
18 in compliance with a provision of a residential or visitation order
19 under RCW 26.09.160, the court shall enter an order directed to the
20 appropriate licensing entity certifying that the parent is not in
21 compliance with a residential or visitation order. The order shall
22 contain the noncomplying parent's name, address, and social security
23 number, and shall indicate whether the obligor is believed to be a
24 licensee who has a license, is in the process of applying for a
25 license, or may seek renewal of a license issued directly by the
26 licensing entity or through a board affiliated with the licensing
27 entity. The court clerk shall forward the order to the licensing
28 entity.

29 (3) The court shall set a review hearing date to determine whether
30 the noncomplying parent becomes in compliance with the residential or
31 visitation order. If the court determines at the review hearing that
32 the parent is in compliance with the residential or visitation order,
33 the court shall provide the parent with a written release stating that
34 the parent is in compliance with the residential or visitation order.

35 (4) Upon receipt of the court order, the licensing entity shall
36 refuse to issue or renew a license to the licensee or shall suspend the
37 licensee's license until the licensee provides the licensing entity
38 with a release from the court that states the licensee is in compliance
39 with the residential or visitation order.

1 **Sec. 608.** RCW 26.09.160 and 1991 c 367 s 4 are each amended to
2 read as follows:

3 (1) The performance of parental functions and the duty to provide
4 child support are distinct responsibilities in the care of a child. If
5 a party fails to comply with a provision of a decree or temporary order
6 of injunction, the obligation of the other party to make payments for
7 support or maintenance or to permit contact with children is not
8 suspended. An attempt by a parent, in either the negotiation or the
9 performance of a parenting plan, to condition one aspect of the
10 parenting plan upon another, to condition payment of child support upon
11 an aspect of the parenting plan, to refuse to pay ordered child
12 support, to refuse to perform the duties provided in the parenting
13 plan, or to hinder the performance by the other parent of duties
14 provided in the parenting plan, shall be deemed bad faith and shall be
15 punished by the court by holding the party in contempt of court and by
16 awarding to the aggrieved party reasonable attorneys' fees and costs
17 incidental in bringing a motion for contempt of court.

18 (2)(a) A motion may be filed to initiate a contempt action to
19 coerce a parent to comply with an order establishing residential
20 provisions for a child. If the court finds there is reasonable cause
21 to believe the parent has not complied with the order, the court may
22 issue an order to show cause why the relief requested should not be
23 granted.

24 (b) If, based on all the facts and circumstances, the court finds
25 after hearing that the parent, in bad faith, has not complied with the
26 order establishing residential provisions for the child, the court
27 shall find the parent in contempt of court. Upon a finding of
28 contempt, the court shall order:

29 (i) The noncomplying parent to provide the moving party additional
30 time with the child. The additional time shall be equal to the time
31 missed with the child, due to the parent's noncompliance;

32 (ii) The parent to pay, to the moving party, all court costs and
33 reasonable attorneys' fees incurred as a result of the noncompliance,
34 and any reasonable expenses incurred in locating or returning a child;
35 and

36 (iii) The parent to pay, to the moving party, a civil penalty, not
37 less than the sum of one hundred dollars.

38 The court may also order the parent to be imprisoned in the county
39 jail, if the parent is presently able to comply with the provisions of

1 the court-ordered parenting plan and is presently unwilling to comply.
2 The parent may be imprisoned until he or she agrees to comply with the
3 order, but in no event for more than one hundred eighty days.

4 (3) On a second failure within three years to comply with a
5 residential provision of a court-ordered parenting plan, a motion may
6 be filed to initiate contempt of court proceedings according to the
7 procedure set forth in subsection (2) (a) and (b) of this section. On
8 a finding of contempt under this subsection, the court shall (~~order~~):

9 (a) Order the noncomplying parent to provide the other parent or
10 party additional time with the child. The additional time shall be
11 twice the amount of the time missed with the child, due to the parent's
12 noncompliance;

13 (b) Order the noncomplying parent to pay, to the other parent or
14 party, all court costs and reasonable attorneys' fees incurred as a
15 result of the noncompliance, and any reasonable expenses incurred in
16 locating or returning a child; (~~and~~)

17 (c) Order the noncomplying parent to pay, to the moving party, a
18 civil penalty of not less than two hundred fifty dollars; and

19 (d) Enter an order under section 607 of this act directed to the
20 appropriate licensing entity certifying that the parent is not in
21 compliance with the residential schedule or visitation schedule of a
22 permanent parenting plan.

23 The court may also order the parent to be imprisoned in the county
24 jail, if the parent is presently able to comply with the provisions of
25 the court-ordered parenting plan and is presently unwilling to comply.
26 The parent may be imprisoned until he or she agrees to comply with the
27 order but in no event for more than one hundred eighty days.

28 (4) For purposes of subsections (1), (2), and (3) of this section,
29 the parent shall be deemed to have the present ability to comply with
30 the order establishing residential provisions unless he or she
31 establishes otherwise by a preponderance of the evidence. The parent
32 shall establish a reasonable excuse for failure to comply with the
33 residential provision of a court-ordered parenting plan by a
34 preponderance of the evidence.

35 (5) Any monetary award ordered under subsections (1), (2), and (3)
36 of this section may be enforced, by the party to whom it is awarded, in
37 the same manner as a civil judgment.

38 (6) Subsections (1), (2), and (3) of this section authorize the
39 exercise of the court's power to impose remedial sanctions for contempt

1 of court and is in addition to any other contempt power the court may
2 possess.

3 (7) Upon motion for contempt of court under subsections (1) through
4 (3) of this section, if the court finds the motion was brought without
5 reasonable basis, the court shall order the moving party to pay to the
6 nonmoving party, all costs, reasonable attorneys' fees, and a civil
7 penalty of not less than one hundred dollars.

8 **Sec. 609.** RCW 26.09.165 and 1994 c 162 s 2 are each amended to
9 read as follows:

10 All court orders containing parenting plan provisions or orders of
11 contempt, entered pursuant to RCW 26.09.160, shall include the
12 following language:

13 WARNING: VIOLATION OF THE RESIDENTIAL PROVISIONS OF THIS ORDER
14 WITH ACTUAL KNOWLEDGE OF ITS TERMS IS PUNISHABLE BY CONTEMPT OF
15 COURT, MAY CAUSE THE VIOLATOR TO BE DENIED OR HAVE SUSPENDED OR
16 NOT RENEWED A PROFESSIONAL, DRIVER'S, OR OTHER LICENSE, AND MAY
17 BE A CRIMINAL OFFENSE UNDER RCW 9A.40.060(2) or 9A.40.070(2).
18 VIOLATION OF THIS ORDER MAY SUBJECT A VIOLATOR TO ARREST.

19 **Sec. 610.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to
20 read as follows:

21 (1) If the office of support enforcement is providing support
22 enforcement services under RCW 26.23.045, or if a party is applying for
23 support enforcement services by signing the application form on the
24 bottom of the support order, the superior court shall include in all
25 court orders that establish or modify a support obligation:

26 (a) A provision that orders and directs the responsible parent to
27 make all support payments to the Washington state support registry;

28 (b) A statement that a notice of payroll deduction may be issued,
29 or other income withholding action under chapter 26.18 or 74.20A RCW
30 may be taken, without further notice to the responsible parent at any
31 time after entry of the court order, unless:

32 (i) One of the parties demonstrates, and the court finds, that
33 there is good cause not to require immediate income withholding and
34 that withholding should be delayed until a payment is past due; or

35 (ii) The parties reach a written agreement that is approved by the
36 court that provides for an alternate arrangement; (~~and~~)

1 (c) A statement that the receiving parent might be required to
2 submit an accounting of how the support is being spent to benefit the
3 child; and

4 (d) A statement that the responsible parent's privileges to obtain
5 and maintain a license, as defined in section 502 of this act, may be
6 denied, not renewed, or suspended if the parent is not in compliance
7 with a support order as defined in section 502 of this act.

8 As used in this subsection and subsection (3) of this section,
9 "good cause not to require immediate income withholding" means a
10 written determination of why implementing immediate wage withholding
11 would not be in the child's best interests and, in modification cases,
12 proof of timely payment of previously ordered support.

13 (2) In all other cases not under subsection (1) of this section,
14 the court may order the responsible parent to make payments directly to
15 the person entitled to receive the payments, to the Washington state
16 support registry, or may order that payments be made in accordance with
17 an alternate arrangement agreed upon by the parties.

18 (a) The superior court shall include in all orders under this
19 subsection that establish or modify a support obligation:

20 (i) A statement that a notice of payroll deduction may be issued or
21 other income withholding action under chapter 26.18 or 74.20A RCW may
22 be taken, without further notice to the responsible parent at any time
23 after entry of the court order, unless:

24 (A) One of the parties demonstrates, and the court finds, that
25 there is good cause not to require immediate income withholding and
26 that withholding should be delayed until a payment is past due; or

27 (B) The parties reach a written agreement that is approved by the
28 court that provides for an alternate arrangement; and

29 (ii) A statement that the receiving parent may be required to
30 submit an accounting of how the support is being spent to benefit the
31 child.

32 As used in this subsection, "good cause not to require immediate
33 income withholding" is any reason that the court finds appropriate.

34 (b) The superior court may order immediate or delayed income
35 withholding as follows:

36 (i) Immediate income withholding may be ordered if the responsible
37 parent has earnings. If immediate income withholding is ordered under
38 this subsection, all support payments shall be paid to the Washington
39 state support registry. The superior court shall issue a mandatory

1 wage assignment order as set forth in chapter 26.18 RCW when the
2 support order is signed by the court. The parent entitled to receive
3 the transfer payment is responsible for serving the employer with the
4 order and for its enforcement as set forth in chapter 26.18 RCW.

5 (ii) If immediate income withholding is not ordered, the court
6 shall require that income withholding be delayed until a payment is
7 past due. The support order shall contain a statement that a notice of
8 payroll deduction may be issued, or other income-withholding action
9 under chapter 26.18 or 74.20A RCW may be taken, without further notice
10 to the responsible parent, after a payment is past due.

11 (c) If a mandatory wage withholding order under chapter 26.18 RCW
12 is issued under this subsection and the office of support enforcement
13 provides support enforcement services under RCW 26.23.045, the existing
14 wage withholding assignment is prospectively superseded upon the office
15 of support enforcement's subsequent service of an income withholding
16 notice.

17 (3) The office of administrative hearings and the department of
18 social and health services shall require that all support obligations
19 established as administrative orders include a provision which orders
20 and directs that the responsible parent shall make all support payments
21 to the Washington state support registry. All administrative orders
22 shall also state that the responsible parent's privileges to obtain and
23 maintain a license, as defined in section 502 of this act, may be
24 denied, not renewed, or suspended if the parent is not in compliance
25 with a support order as defined in section 502 of this act. All
26 administrative orders shall also state that a notice of payroll
27 deduction may be issued, or other income withholding action taken
28 without further notice to the responsible parent at any time after
29 entry of the order, unless:

30 (a) One of the parties demonstrates, and the presiding officer
31 finds, that there is good cause not to require immediate income
32 withholding; or

33 (b) The parties reach a written agreement that is approved by the
34 presiding officer that provides for an alternate agreement.

35 (4) If the support order does not include the provision ordering
36 and directing that all payments be made to the Washington state support
37 registry and a statement that a notice of payroll deduction may be
38 issued if a support payment is past due or at any time after the entry
39 of the order, or that a parent's licensing privileges may be denied,

1 not renewed, or suspended, the office of support enforcement may serve
2 a notice on the responsible parent stating such requirements and
3 authorizations. Service may be by personal service or any form of mail
4 requiring a return receipt.

5 (5) Every support order shall state:

6 (a) The address where the support payment is to be sent;

7 (b) That a notice of payroll deduction may be issued or other
8 income withholding action under chapter 26.18 or 74.20A RCW may be
9 taken, without further notice to the responsible parent at any time
10 after entry of an order by the court, unless:

11 (i) One of the parties demonstrates, and the court finds, that
12 there is good cause not to require immediate income withholding; or

13 (ii) The parties reach a written agreement that is approved by the
14 court that provides for an alternate arrangement;

15 (c) The income of the parties, if known, or that their income is
16 unknown and the income upon which the support award is based;

17 (d) The support award as a sum certain amount;

18 (e) The specific day or date on which the support payment is due;

19 (f) The social security number, residence address, and name and
20 address of the employer of the responsible parent;

21 (g) The social security number and residence address of the
22 physical custodian except as provided in subsection (6) of this
23 section;

24 (h) The names, dates of birth, and social security numbers, if any,
25 of the dependent children;

26 (i) In cases requiring payment to the Washington state support
27 registry, that the parties are to notify the Washington state support
28 registry of any change in residence address. The responsible parent
29 shall notify the registry of the name and address of his or her current
30 employer, whether he or she has access to health insurance coverage at
31 reasonable cost and, if so, the health insurance policy information;

32 (j) That any parent owing a duty of child support shall be
33 obligated to provide health insurance coverage for his or her child if
34 coverage that can be extended to cover the child is or becomes
35 available to that parent through employment or is union-related as
36 provided under RCW 26.09.105;

37 (k) That if proof of health insurance coverage or proof that the
38 coverage is unavailable is not provided within twenty days, the obligee
39 or the department may seek direct enforcement of the coverage through

1 the obligor's employer or union without further notice to the obligor
2 as provided under chapter 26.18 RCW; ((and))

3 (l) The reasons for not ordering health insurance coverage if the
4 order fails to require such coverage; and

5 (m) That the responsible parent's privileges to obtain and maintain
6 a license, as defined in section 502 of this act, may be denied, not
7 renewed, or suspended if the parent is not in compliance with a support
8 order as defined in section 502 of this act.

9 (6) The physical custodian's address:

10 (a) Shall be omitted from an order entered under the administrative
11 procedure act. When the physical custodian's address is omitted from
12 an order, the order shall state that the custodian's address is known
13 to the office of support enforcement.

14 (b) A responsible parent may request the physical custodian's
15 residence address by submission of a request for disclosure under RCW
16 26.23.120 to the office of support enforcement.

17 (7) The superior court clerk, the office of administrative
18 hearings, and the department of social and health services shall,
19 within five days of entry, forward to the Washington state support
20 registry, a true and correct copy of all superior court orders or
21 administrative orders establishing or modifying a support obligation
22 which provide that support payments shall be made to the support
23 registry. If a superior court order entered prior to January 1, 1988,
24 directs the responsible parent to make support payments to the clerk,
25 the clerk shall send a true and correct copy of the support order and
26 the payment record to the registry for enforcement action when the
27 clerk identifies that a payment is more than fifteen days past due.
28 The office of support enforcement shall reimburse the clerk for the
29 reasonable costs of copying and sending copies of court orders to the
30 registry at the reimbursement rate provided in Title IV-D of the social
31 security act.

32 (8) Receipt of a support order by the registry or other action
33 under this section on behalf of a person or persons who have not made
34 a written application for support enforcement services to the office of
35 support enforcement and who are not recipients of public assistance is
36 deemed to be a request for payment services only.

37 (9) After the responsible parent has been ordered or notified to
38 make payments to the Washington state support registry under this
39 section, the responsible parent shall be fully responsible for making

1 all payments to the Washington state support registry and shall be
2 subject to payroll deduction or other income withholding action. The
3 responsible parent shall not be entitled to credit against a support
4 obligation for any payments made to a person or agency other than to
5 the Washington state support registry except as provided under RCW
6 74.20.101. A civil action may be brought by the payor to recover
7 payments made to persons or agencies who have received and retained
8 support moneys paid contrary to the provisions of this section.

9 **Sec. 611.** RCW 26.18.100 and 1994 c 230 s 4 are each amended to
10 read as follows:

11 The wage assignment order shall be substantially in the following
12 form:

13 IN THE SUPERIOR COURT OF THE
14 STATE OF WASHINGTON IN AND FOR THE
15 COUNTY OF
16 ,
17 Obligee No.
18 vs.
19 , WAGE ASSIGNMENT
20 Obligor ORDER
21 ,
22 Employer
23 THE STATE OF WASHINGTON TO:
24 Employer
25 AND TO:
26 Obligor

27 The above-named obligee claims that the above-named obligor is
28 subject to a support order requiring immediate income withholding or is
29 more than fifteen days past due in either child support or spousal
30 maintenance payments, or both, in an amount equal to or greater than
31 the child support or spousal maintenance payable for one month. The
32 amount of the accrued child support or spousal maintenance debt as of
33 this date is dollars, the amount of arrearage payments
34 specified in the support or spousal maintenance order (if applicable)
35 is dollars per , and the amount of the current

1 and continuing support or spousal maintenance obligation under the
2 order is dollars per

3 You are hereby commanded to answer this order by filling in the
4 attached form according to the instructions, and you must mail or
5 deliver the original of the answer to the court, one copy to the
6 Washington state support registry, one copy to the obligee or obligee's
7 attorney, and one copy to the obligor within twenty days after service
8 of this wage assignment order upon you.

9 If you possess any earnings or other remuneration for employment
10 due and owing to the obligor, then you shall do as follows:

11 (1) Withhold from the obligor's earnings or remuneration each
12 month, or from each regular earnings disbursement, the lesser of:

13 (a) The sum of the accrued support or spousal maintenance debt and
14 the current support or spousal maintenance obligation;

15 (b) The sum of the specified arrearage payment amount and the
16 current support or spousal maintenance obligation; or

17 (c) Fifty percent of the disposable earnings or remuneration of the
18 obligor.

19 (2) The total amount withheld above is subject to the wage
20 assignment order, and all other sums may be disbursed to the obligor.

21 (3) Upon receipt of this wage assignment order you shall make
22 immediate deductions from the obligor's earnings or remuneration and
23 remit to the Washington state support registry or other address
24 specified below the proper amounts at each regular pay interval.

25 You shall continue to withhold the ordered amounts from nonexempt
26 earnings or remuneration of the obligor until notified by:

27 (a) The court that the wage assignment has been modified or
28 terminated; or

29 (b) The addressee specified in the wage assignment order under this
30 section that the accrued child support or spousal maintenance debt has
31 been paid.

32 You shall promptly notify the court and the addressee specified in
33 the wage assignment order under this section if and when the employee
34 is no longer employed by you, or if the obligor no longer receives
35 earnings or remuneration from you. If you no longer employ the
36 employee, the wage assignment order shall remain in effect for one year
37 after the employee has left your employment or you are no longer in
38 possession of any earnings or remuneration owed to the employee,
39 whichever is later. You shall continue to hold the wage assignment

1 order during that period. If the employee returns to your employment
2 during the one-year period you shall immediately begin to withhold the
3 employee's earnings according to the terms of the wage assignment
4 order. If the employee has not returned to your employment within one
5 year, the wage assignment will cease to have effect at the expiration
6 of the one-year period, unless you still owe the employee earnings or
7 other remuneration.

8 You shall deliver the withheld earnings or remuneration to the
9 Washington state support registry or other address stated below at each
10 regular pay interval.

11 You shall deliver a copy of this order to the obligor as soon as is
12 reasonably possible. This wage assignment order has priority over any
13 other wage assignment or garnishment, except for another wage
14 assignment or garnishment for child support or spousal maintenance, or
15 order to withhold or deliver under chapter 74.20A RCW.

16 WHETHER OR NOT YOU OWE ANYTHING TO THE OBLIGOR, YOUR FAILURE TO
17 ANSWER AS REQUIRED MAY MAKE YOU LIABLE FOR OBLIGOR'S CLAIMED
18 SUPPORT OR SPOUSAL MAINTENANCE DEBT TO THE OBLIGEE OR SUBJECT
19 TO CONTEMPT OF COURT.

20 NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE
21 SUPERIOR COURT THAT ISSUED THIS WAGE ASSIGNMENT ORDER, TO REQUEST THAT
22 THE COURT QUASH, MODIFY, OR TERMINATE THE WAGE ASSIGNMENT ORDER.
23 REGARDLESS OF THE FACT THAT YOUR WAGES ARE BEING WITHHELD PURSUANT TO
24 THIS ORDER, YOU MAY BE DENIED OR HAVE SUSPENDED OR NOT RENEWED A
25 PROFESSIONAL, DRIVER'S, OR OTHER LICENSE IF YOU ACCRUE CHILD SUPPORT
26 ARREARAGES TOTALING MORE THAN SIX MONTHS OF CHILD SUPPORT PAYMENTS OR
27 FAIL TO MAKE PAYMENTS TOWARDS A SUPPORT ARREARAGE IN AN AMOUNT THAT
28 EXCEEDS SIX MONTHS OF PAYMENTS.

29 DATED THIS day of, 19. . . .

30
31 Obligee, Judge/Court Commissioner
32 or obligee's attorney
33 Send withheld payments to:
34
35
36

1 **Sec. 612.** RCW 26.23.060 and 1994 c 230 s 10 are each amended to
2 read as follows:

3 (1) The office of support enforcement may issue a notice of payroll
4 deduction:

5 (a) As authorized by a support order that contains the income
6 withholding notice provisions in RCW 26.23.050 or a substantially
7 similar notice; or

8 (b) After service of a notice containing an income withholding
9 provision under this chapter or chapter 74.20A RCW.

10 (2) The office of support enforcement shall serve a notice of
11 payroll deduction upon a responsible parent's employer or upon the
12 employment security department for the state in possession of or owing
13 any benefits from the unemployment compensation fund to the responsible
14 parent pursuant to Title 50 RCW by personal service or by any form of
15 mail requiring a return receipt.

16 (3) Service of a notice of payroll deduction upon an employer or
17 employment security department requires the employer or employment
18 security department to immediately make a mandatory payroll deduction
19 from the responsible parent's unpaid disposable earnings or
20 unemployment compensation benefits. The employer or employment
21 security department shall thereafter deduct each pay period the amount
22 stated in the notice divided by the number of pay periods per month.
23 The payroll deduction each pay period shall not exceed fifty percent of
24 the responsible parent's disposable earnings.

25 (4) A notice of payroll deduction for support shall have priority
26 over any wage assignment, garnishment, attachment, or other legal
27 process.

28 (5) The notice of payroll deduction shall be in writing and
29 include:

30 (a) The name and social security number of the responsible parent;

31 (b) The amount to be deducted from the responsible parent's
32 disposable earnings each month, or alternate amounts and frequencies as
33 may be necessary to facilitate processing of the payroll deduction;

34 (c) A statement that the total amount withheld shall not exceed
35 fifty percent of the responsible parent's disposable earnings; ((and))

36 (d) The address to which the payments are to be mailed or
37 delivered; and

38 (e) A notice to the responsible parent warning the responsible
39 parent that, despite the payroll deduction, the responsible parent's

1 privileges to obtain and maintain a license, as defined in section 502
2 of this act, may be denied, not renewed, or suspended if the parent is
3 not in compliance with a support order as defined in section 502 of
4 this act.

5 (6) An informational copy of the notice of payroll deduction shall
6 be mailed to the last known address of the responsible parent by
7 regular mail.

8 (7) An employer or employment security department that receives a
9 notice of payroll deduction shall make immediate deductions from the
10 responsible parent's unpaid disposable earnings and remit proper
11 amounts to the Washington state support registry on each date the
12 responsible parent is due to be paid.

13 (8) An employer, or the employment security department, upon whom
14 a notice of payroll deduction is served, shall make an answer to the
15 office of support enforcement within twenty days after the date of
16 service. The answer shall confirm compliance and institution of the
17 payroll deduction or explain the circumstances if no payroll deduction
18 is in effect. The answer shall also state whether the responsible
19 parent is employed by or receives earnings from the employer or
20 receives unemployment compensation benefits from the employment
21 security department, whether the employer or employment security
22 department anticipates paying earnings or unemployment compensation
23 benefits and the amount of earnings. If the responsible parent is no
24 longer employed, or receiving earnings from the employer, the answer
25 shall state the present employer's name and address, if known. If the
26 responsible parent is no longer receiving unemployment compensation
27 benefits from the employment security department, the answer shall
28 state the present employer's name and address, if known.

29 (9) The employer or employment security department may deduct a
30 processing fee from the remainder of the responsible parent's earnings
31 after withholding under the notice of payroll deduction, even if the
32 remainder is exempt under RCW 26.18.090. The processing fee may not
33 exceed: (a) Ten dollars for the first disbursement made to the
34 Washington state support registry; and (b) one dollar for each
35 subsequent disbursement to the registry.

36 (10) The notice of payroll deduction shall remain in effect until
37 released by the office of support enforcement, the court enters an
38 order terminating the notice and approving an alternate arrangement
39 under RCW 26.23.050(2), or one year has expired since the employer has

1 employed the responsible parent or has been in possession of or owing
2 any earnings to the responsible parent or the employment security
3 department has been in possession of or owing any unemployment
4 compensation benefits to the responsible parent.

5 **PART VII. WELFARE EVALUATION AND EFFECTIVENESS STUDIES**

6 NEW SECTION. **Sec. 701.** A new section is added to chapter 44.28
7 RCW to read as follows:

8 (1) The legislative budget committee shall conduct an evaluation of
9 the effectiveness of the programs described in chapter . . . , Laws of
10 1996 (this act). The evaluation shall assess the success of the
11 programs in assisting clients to become employed and to reduce their
12 use of aid to families with dependent children. It may include, but
13 not be limited to:

14 (a) The costs and effectiveness of the programs;

15 (b) The extent to which work and job training opportunities have
16 led to employment outcomes and economic independence;

17 (c) An analysis of aid to families with dependent children
18 outcomes, including grant amounts and program exits, for clients; and

19 (d) An audit of performance-based contracts to providers offering
20 job opportunities and basic skills training program services.

21 (2) Administrative data shall be provided by the department of
22 social and health services, the employment security department, the
23 state board for community and technical colleges, local government
24 providers, and private contractors. The department of social and
25 health services shall require contractors to provide administrative and
26 outcome data needed for this evaluation.

27 (3) Additional data may be collected directly from clients if not
28 available from administrative records.

29 (4) The legislative budget committee may convene an evaluation
30 advisory group to assist in the study process. It may contract for
31 services necessary to accomplish the purposes of this section.

32 (5) The legislative budget committee shall present an evaluation
33 plan to the legislature after consultation with the federal government
34 on the design of the evaluation.

35 (6) The legislative budget committee shall submit annual reports to
36 the legislature, beginning in December 1999, with a final report due in
37 December 2003, unless an earlier date is recommended by the committee.

PART VIII. MISCELLANEOUS

Sec. 801. RCW 74.04.005 and 1992 c 165 s 1 and 1992 c 136 s 1 are each reenacted and amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Public assistance" or "assistance"«Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) "Department"«The department of social and health services.

(3) "County or local office"«The administrative office for one or more counties or designated service areas.

(4) "Director" or "secretary" means the secretary of social and health services.

(5) "Federal-aid assistance"«The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(6)(a) "General assistance"«Aid to persons in need who:

(i) Are not eligible to receive federal-aid assistance, other than food stamps and medical assistance; however, an individual who refuses or fails to cooperate in obtaining federal-aid assistance, without good cause, is not eligible for general assistance;

(ii) Meet one of the following conditions:

(A) Pregnant: PROVIDED, That need is based on the current income and resource requirements of the federal aid to families with dependent children program: PROVIDED FURTHER, That during any period in which an aid for dependent children employable program is not in operation, only those pregnant women who are categorically eligible for medicaid are eligible for general assistance; or

(B) Subject to chapter 165, Laws of 1992, incapacitated from gainful employment by reason of bodily or mental infirmity that will likely continue for a minimum of ninety days as determined by the department.

1 (C) Persons who are unemployable due to alcohol or drug addiction
2 are not eligible for general assistance. Persons receiving general
3 assistance on July 26, 1987, or becoming eligible for such assistance
4 thereafter, due to an alcohol or drug-related incapacity, shall be
5 referred to appropriate assessment, treatment, shelter, or supplemental
6 security income referral services as authorized under chapter 74.50
7 RCW. Referrals shall be made at the time of application or at the time
8 of eligibility review. Alcoholic and drug addicted clients who are
9 receiving general assistance on July 26, 1987, may remain on general
10 assistance if they otherwise retain their eligibility until they are
11 assessed for services under chapter 74.50 RCW. Subsection
12 (6)(a)(ii)(B) of this section shall not be construed to prohibit the
13 department from granting general assistance benefits to alcoholics and
14 drug addicts who are incapacitated due to other physical or mental
15 conditions that meet the eligibility criteria for the general
16 assistance program;

17 (iii) Are citizens or aliens lawfully admitted for permanent
18 residence or otherwise residing in the United States under color of
19 law; and

20 (iv) Have furnished the department their social security account
21 number. If the social security account number cannot be furnished
22 because it has not been issued or is not known, an application for a
23 number shall be made prior to authorization of assistance, and the
24 social security number shall be provided to the department upon
25 receipt.

26 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),
27 and (c) of this section, general assistance shall be provided to the
28 following recipients of federal-aid assistance:

29 (i) Recipients of supplemental security income whose need, as
30 defined in this section, is not met by such supplemental security
31 income grant because of separation from a spouse; or

32 (ii) To the extent authorized by the legislature in the biennial
33 appropriations act, to recipients of aid to families with dependent
34 children whose needs are not being met because of a temporary reduction
35 in monthly income below the entitled benefit payment level caused by
36 loss or reduction of wages or unemployment compensation benefits or
37 some other unforeseen circumstances. The amount of general assistance
38 authorized shall not exceed the difference between the entitled benefit
39 payment level and the amount of income actually received.

1 (c) General assistance shall be provided only to persons who are
2 not members of assistance units receiving federal aid assistance,
3 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,
4 and will accept available services which can reasonably be expected to
5 enable the person to work or reduce the need for assistance unless
6 there is good cause to refuse. Failure to accept such services shall
7 result in termination until the person agrees to cooperate in accepting
8 such services and subject to the following maximum periods of
9 ineligibility after reapplication:

10 (i) First failure: One week;

11 (ii) Second failure within six months: One month;

12 (iii) Third and subsequent failure within one year: Two months.

13 (d) Persons found eligible for general assistance based on
14 incapacity from gainful employment may, if otherwise eligible, receive
15 general assistance pending application for federal supplemental
16 security income benefits. Any general assistance that is subsequently
17 duplicated by the person's receipt of supplemental security income for
18 the same period shall be considered a debt due the state and shall by
19 operation of law be subject to recovery through all available legal
20 remedies.

21 (e) The department shall adopt by rule medical criteria for general
22 assistance eligibility to ensure that eligibility decisions are
23 consistent with statutory requirements and are based on clear,
24 objective medical information.

25 (f) The process implementing the medical criteria shall involve
26 consideration of opinions of the treating or consulting physicians or
27 health care professionals regarding incapacity, and any eligibility
28 decision which rejects uncontroverted medical opinion must set forth
29 clear and convincing reasons for doing so.

30 (g) Recipients of general assistance based upon a finding of
31 incapacity from gainful employment who remain otherwise eligible shall
32 not have their benefits terminated absent a clear showing of material
33 improvement in their medical or mental condition or specific error in
34 the prior determination that found the recipient eligible by reason of
35 incapacitation. Recipients of general assistance based upon pregnancy
36 who relinquish their child for adoption, remain otherwise eligible, and
37 are not eligible to receive benefits under the federal aid to families
38 with dependent children program shall not have their benefits
39 terminated until the end of the month in which the period of six weeks

1 following the birth of the recipient's child falls. Recipients of the
2 federal aid to families with dependent children program who lose their
3 eligibility solely because of the birth and relinquishment of the
4 qualifying child may receive general assistance through the end of the
5 month in which the period of six weeks following the birth of the child
6 falls.

7 (7) "Applicant"«Any person who has made a request, or on behalf of
8 whom a request has been made, to any county or local office for
9 assistance.

10 (8) "Recipient"«Any person receiving assistance and in addition
11 those dependents whose needs are included in the recipient's
12 assistance.

13 (9) "Standards of assistance"«The level of income required by an
14 applicant or recipient to maintain a level of living specified by the
15 department.

16 (10) "Resource"«Any asset, tangible or intangible, owned by or
17 available to the applicant at the time of application, which can be
18 applied toward meeting the applicant's need, either directly or by
19 conversion into money or its equivalent: PROVIDED, That an applicant
20 may retain the following described resources and not be ineligible for
21 public assistance because of such resources.

22 (a) A home, which is defined as real property owned and used by an
23 applicant or recipient as a place of residence, together with a
24 reasonable amount of property surrounding and contiguous thereto, which
25 is used by and useful to the applicant. Whenever a recipient shall
26 cease to use such property for residential purposes, either for himself
27 or his dependents, the property shall be considered as a resource which
28 can be made available to meet need, and if the recipient or his
29 dependents absent themselves from the home for a period of ninety
30 consecutive days such absence, unless due to hospitalization or health
31 reasons or a natural disaster, shall raise a rebuttable presumption of
32 abandonment: PROVIDED, That if in the opinion of three physicians the
33 recipient will be unable to return to the home during his lifetime, and
34 the home is not occupied by a spouse or dependent children or disabled
35 sons or daughters, such property shall be considered as a resource
36 which can be made available to meet need.

37 (b) Household furnishings and personal effects and other personal
38 property having great sentimental value to the applicant or recipient,

1 as limited by the department consistent with limitations on resources
2 and exemptions for federal aid assistance.

3 (c) A motor vehicle, other than a motor home, used and useful
4 having an equity value not to exceed (~~one~~) five thousand (~~five~~
5 ~~hundred~~) dollars.

6 (d) All other resources, including any excess of values exempted,
7 not to exceed one thousand dollars or other limit as set by the
8 department, to be consistent with limitations on resources and
9 exemptions necessary for federal aid assistance. The department shall
10 also allow recipients of aid to families with dependent children to
11 exempt savings accounts with combined balances of up to an additional
12 three thousand dollars.

13 (e) Applicants for or recipients of general assistance shall have
14 their eligibility based on resource limitations consistent with the aid
15 to families with dependent children program rules adopted by the
16 department.

17 (f) If an applicant for or recipient of public assistance possesses
18 property and belongings in excess of the ceiling value, such value
19 shall be used in determining the need of the applicant or recipient,
20 except that: (i) The department may exempt resources or income when
21 the income and resources are determined necessary to the applicant's or
22 recipient's restoration to independence, to decrease the need for
23 public assistance, or to aid in rehabilitating the applicant or
24 recipient or a dependent of the applicant or recipient; and (ii) the
25 department may provide grant assistance for a period not to exceed nine
26 months from the date the agreement is signed pursuant to this section
27 to persons who are otherwise ineligible because of excess real property
28 owned by such persons when they are making a good faith effort to
29 dispose of that property: PROVIDED, That:

30 (A) The applicant or recipient signs an agreement to repay the
31 lesser of the amount of aid received or the net proceeds of such sale;

32 (B) If the owner of the excess property ceases to make good faith
33 efforts to sell the property, the entire amount of assistance may
34 become an overpayment and a debt due the state and may be recovered
35 pursuant to RCW 43.20B.630;

36 (C) Applicants and recipients are advised of their right to a fair
37 hearing and afforded the opportunity to challenge a decision that good
38 faith efforts to sell have ceased, prior to assessment of an
39 overpayment under this section; and

1 (D) At the time assistance is authorized, the department files a
2 lien without a sum certain on the specific property.

3 (11) "Income"«(a) All appreciable gains in real or personal
4 property (cash or kind) or other assets, which are received by or
5 become available for use and enjoyment by an applicant or recipient
6 during the month of application or after applying for or receiving
7 public assistance. The department may by rule and regulation exempt
8 income received by an applicant for or recipient of public assistance
9 which can be used by him to decrease his need for public assistance or
10 to aid in rehabilitating him or his dependents, but such exemption
11 shall not, unless otherwise provided in this title, exceed the
12 exemptions of resources granted under this chapter to an applicant for
13 public assistance. In determining the amount of assistance to which an
14 applicant or recipient of aid to families with dependent children is
15 entitled, the department is hereby authorized to disregard as a
16 resource or income the earned income exemptions consistent with federal
17 requirements. The department may permit the above exemption of
18 earnings of a child to be retained by such child to cover the cost of
19 special future identifiable needs even though the total exceeds the
20 exemptions or resources granted to applicants and recipients of public
21 assistance, but consistent with federal requirements. In formulating
22 rules and regulations pursuant to this chapter, the department shall
23 define income and resources and the availability thereof, consistent
24 with federal requirements. All resources and income not specifically
25 exempted, and any income or other economic benefit derived from the use
26 of, or appreciation in value of, exempt resources, shall be considered
27 in determining the need of an applicant or recipient of public
28 assistance.

29 (b) If, under applicable federal requirements, the state has the
30 option of considering property in the form of lump sum compensatory
31 awards or related settlements received by an applicant or recipient as
32 income or as a resource, the department shall consider such property to
33 be a resource.

34 (12) "Need"«The difference between the applicant's or recipient's
35 standards of assistance for himself and the dependent members of his
36 family, as measured by the standards of the department, and value of
37 all nonexempt resources and nonexempt income received by or available
38 to the applicant or recipient and the dependent members of his family.

1 (13) "Caretaker" means the parent of the dependent child or
2 children who is head of the household. However, in situations where
3 there are two parents in the household, "caretaker" means that parent
4 who, as a parent, has received assistance under the program for the
5 longest period.

6 (14) For purposes of determining eligibility for public assistance
7 and participation levels in the cost of medical care, the department
8 shall exempt restitution payments made to people of Japanese and Aleut
9 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian
10 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,
11 including all income and resources derived therefrom.

12 (~~(14)~~) (15) In the construction of words and phrases used in this
13 title, the singular number shall include the plural, the masculine
14 gender shall include both the feminine and neuter genders and the
15 present tense shall include the past and future tenses, unless the
16 context thereof shall clearly indicate to the contrary.

17 (16) Except for subsections (17) and (18) of this section, section
18 601, chapter . . . , Laws of 1996 (this section) shall not take effect
19 if sections 301, 302, 305, and 306 of this act do not become law.

20 (17) Section 1, chapter 136, Laws of 1992 is repealed if sections
21 301, 302, 305, and 306 of this act do not become law.

22 (18) Section 1, chapter 165, Laws of 1992 is repealed if sections
23 301, 302, 305, and 306 of this act do not become law.

24 NEW SECTION. Sec. 802. A new section is added to chapter 26.23
25 RCW to read as follows:

26 (1) The office of support enforcement shall enter into contracts
27 with collection agencies for collection of accounts that the office of
28 support enforcement is unsuccessful in collecting after twelve months.
29 The listing collection agency shall not assess the department of social
30 and health services any fee. All fees collected shall be in addition
31 to the amount of the debt owed by the delinquent party and shall be
32 assessed to the delinquent party not to exceed twenty percent of the
33 amount owed. All child support collected by the collection agency
34 shall be paid to the state.

35 (2) The department of social and health services shall monitor each
36 case that it refers to a collection agency.

1 (3) The department of social and health services shall evaluate the
2 effectiveness of entering into contracts for services under this
3 section.

4 (4) The department of social and health services shall provide
5 annual reports to the legislature on the results of its analysis under
6 subsections (2) and (3) of this section for the first three years after
7 the effective date of this section.

8 NEW SECTION. **Sec. 803.** If any part of this act is found to be in
9 conflict with federal requirements that are a prescribed condition to
10 the allocation of federal funds to the state, the conflicting part of
11 this act is inoperative solely to the extent of the conflict and with
12 respect to the agencies directly affected, and this finding does not
13 affect the operation of the remainder of this act in its application to
14 the agencies concerned. The rules under this act shall meet federal
15 requirements that are a necessary condition to the receipt of federal
16 funds by the state. As used in this section, "allocation of federal
17 funds to the state" means the allocation of federal funds that are
18 appropriated by the legislature to the department of social and health
19 services and on which the department depends for carrying out any
20 provision of the operating budget applicable to it.

21 **Sec. 804.** RCW 74.08.025 and 1981 1st ex.s. c 6 s 9 are each
22 amended to read as follows:

23 Public assistance (~~shall~~) may be awarded to any applicant:

24 (1) Who is in need and otherwise meets the eligibility requirements
25 of department assistance programs; and

26 (2) Who has not made a voluntary assignment of property or cash for
27 the purpose of qualifying for an assistance grant; and

28 (3) Who is not an inmate of a public institution except as a
29 patient in a medical institution or except as an inmate in a public
30 institution who could qualify for federal aid assistance: PROVIDED,
31 That the assistance paid by the department to recipients in nursing
32 homes, or receiving nursing home care, may cover the cost of clothing
33 and incidentals and general maintenance exclusive of medical care and
34 health services. The department may pay a grant to cover the cost of
35 clothing and personal incidentals in public or private medical
36 institutions and institutions for tuberculosis. The department shall
37 allow recipients in nursing homes to retain, in addition to the grant

1 to cover the cost of clothing and incidentals, wages received for work
2 as a part of a training or rehabilitative program designed to prepare
3 the recipient for less restrictive placement to the extent permitted
4 under Title XIX of the federal social security act.

5 **Sec. 805.** RCW 74.08.080 and 1989 c 175 s 145 are each amended to
6 read as follows:

7 (1)(a) A public assistance applicant or recipient who is aggrieved
8 by a decision of the department or an authorized agency of the
9 department has the right to an adjudicative proceeding. A current or
10 former recipient who is aggrieved by a department claim that he or she
11 owes a debt for an overpayment of assistance or food stamps, or both,
12 has the right to an adjudicative proceeding.

13 (b) An applicant or recipient has no right to an adjudicative
14 proceeding when the sole basis for the department's decision is a state
15 or federal law that requires an assistance adjustment for a class of
16 recipients.

17 (c) An applicant or recipient may not use the defense of equitable
18 estoppel or any other equitable defenses in any adjudicative proceeding
19 involving public assistance.

20 (2) The adjudicative proceeding is governed by the Administrative
21 Procedure Act, chapter 34.05 RCW, and this subsection.

22 (a) The applicant or recipient must file the application for an
23 adjudicative proceeding with the secretary within ninety days after
24 receiving notice of the aggrieving decision.

25 (b) The hearing shall be conducted at the local community services
26 office or other location in Washington convenient to the appellant.

27 (c) The appellant or his or her representative has the right to
28 inspect his or her department file and, upon request, to receive copies
29 of department documents relevant to the proceedings free of charge.

30 (d) The appellant has the right to a copy of the tape recording of
31 the hearing free of charge.

32 (e) The department is limited to recovering an overpayment arising
33 from assistance being continued pending the adjudicative proceeding to
34 the amount recoverable up to the sixtieth day after the secretary's
35 receipt of the application for an adjudicative proceeding.

36 (f) If the final adjudicative order is made in favor of the
37 appellant, assistance shall be paid from the date of denial of the
38 application for assistance or thirty days following the date of

1 application for aid to families with dependent children or forty-five
2 days after date of application for all other programs, whichever is
3 sooner; or in the case of a recipient, from the effective date of the
4 local community services office decision.

5 (g) This subsection applies only to an adjudicative proceeding in
6 which the appellant is an applicant for or recipient of medical
7 assistance or the limited casualty program for the medically needy and
8 the issue is his or her eligibility or ineligibility due to the
9 assignment or transfer of a resource. The burden is on the department
10 to prove by a preponderance of the evidence that the person knowingly
11 and willingly assigned or transferred the resource at less than market
12 value for the purpose of qualifying or continuing to qualify for
13 medical assistance or the limited casualty program for the medically
14 needy. If the prevailing party in the adjudicative proceeding is the
15 applicant or recipient, he or she is entitled to reasonable attorney's
16 fees.

17 (3)(a) When a person files a petition for judicial review as
18 provided in RCW 34.05.514 of an adjudicative order entered in a public
19 assistance program, no filing fee shall be collected from the person
20 and no bond shall be required on any appeal. In the event that the
21 superior court, the court of appeals, or the supreme court renders a
22 decision in favor of the appellant, said appellant shall be entitled to
23 reasonable attorney's fees and costs. If a decision of the court is
24 made in favor of the appellant, assistance shall be paid from date of
25 the denial of the application for assistance or thirty days after the
26 application for aid to families with dependent children or forty-five
27 days following the date of application, whichever is sooner; or in the
28 case of a recipient, from the effective date of the local community
29 services office decision.

30 **Sec. 806.** RCW 74.08.340 and 1959 c 26 s 74.08.340 are each amended
31 to read as follows:

32 All assistance granted under this title shall be deemed to be
33 granted and to be held subject to the provisions of any amending or
34 repealing act that may hereafter be enacted, and no recipient shall
35 have any claim for compensation, or otherwise, by reason of his
36 assistance being affected in any way by such amending or repealing act.
37 There is no entitlement to public assistance. Public assistance shall

1 be considered solely as a charitable gesture or gift on the part of the
2 state, which at any time may be discontinued.

3 NEW SECTION. **Sec. 807.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 74.08.120 and 1992 c 108 s 2, 1987 c 75 s 39, 1981 1st
6 ex.s. c 6 s 15, 1981 c 8 s 12, 1979 c 141 s 326, 1969 ex.s. c 259 s 1,
7 1969 ex.s. c 159 s 1, 1965 ex.s. c 102 s 1, & 1959 c 26 s 74.08.120;

8 (2) RCW 74.08.125 and 1993 c 22 s 1 & 1992 c 108 s 3; and

9 (3) RCW 74.12.420 and 1994 c 299 s 9.

10 NEW SECTION. **Sec. 808.** A new section is added to chapter 74.12
11 RCW to read as follows:

12 The department of health, the department of licensing, the board of
13 pilotage commissioners, and the department of fish and wildlife shall
14 implement federal law requiring revocation of professional, business,
15 occupational and recreational licenses, certificates, and registrations
16 if such federal requirements become law and are a condition of
17 continued receipt of federal funds for public assistance programs.

18 NEW SECTION. **Sec. 809.** The child care coordinating council shall
19 develop a proposal to exempt from time limits specified in chapter
20 . . . , Laws of 1996 (this act), caretakers who provide paid child care
21 services for other caretakers who participate in either job
22 opportunities and basic skills training program activities or paid
23 employment. The proposal shall specify the minimum hours of child care
24 to be provided, reimbursement rates for services rendered, the number
25 of children who may be cared for, and recommended training and
26 licensing standards. The council shall submit the proposal to the
27 appropriate committees of the senate and house of representatives no
28 later than December 1, 1996.

29 NEW SECTION. **Sec. 810.** Until July 1, 1998, the governor shall
30 report quarterly to the appropriate committees of the legislature on
31 the efforts to secure the federal changes to permit full implementation
32 of this act at the earliest possible date.

1 NEW SECTION. **Sec. 811.** The table of contents, part headings,
2 subheadings, and captions used in this act do not constitute any part
3 of the law.

4 NEW SECTION. **Sec. 812.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected.

8 NEW SECTION. **Sec. 813.** If specific funding for purposes of this
9 act, referencing this act by bill or chapter number, is not provided by
10 June 30, 1996, in the supplemental omnibus appropriations act, this act
11 is null and void."

12 **E3SSB 6062** - H COMM AMD
13 By Committee on Appropriations

14

15 On page 1, line 1 of the title, after "work;" strike the remainder
16 of the title and insert "amending RCW 74.25.010, 74.25.020, 26.16.205,
17 74.20A.020, 74.12.255, 74.04.0052, 13.34.160, 74.12.250, 46.20.291,
18 46.20.311, 18.04.335, 18.08.350, 18.08.350, 18.11.160, 18.16.100,
19 18.27.030, 18.27.060, 18.28.060, 18.39.181, 18.46.050, 18.51.054,
20 18.96.120, 18.96.150, 18.104.110, 18.106.070, 18.130.050, 18.130.120,
21 18.130.150, 18.160.080, 18.165.160, 18.170.170, 43.20A.205, 43.70.115,
22 19.28.120, 19.28.125, 19.28.310, 19.28.550, 19.28.580, 19.30.030,
23 19.30.060, 19.16.110, 19.16.120, 19.31.100, 19.31.130, 19.32.040,
24 19.32.060, 19.105.330, 19.105.380, 19.105.440, 19.138.130, 19.158.050,
25 19.166.040, 21.20.070, 21.20.110, 66.20.320, 67.08.040, 67.08.100,
26 19.02.100, 43.24.080, 43.24.110, 43.24.120, 70.74.110, 70.74.130,
27 70.74.135, 70.74.360, 70.74.370, 66.24.010, 43.63B.040, 70.95D.040,
28 17.21.130, 17.21.132, 64.44.060, 19.146.210, 19.146.220, 26.09.160,
29 26.09.165, 26.23.050, 26.18.100, 26.23.060, 74.08.025, 74.08.080, and
30 74.08.340; reenacting and amending RCW 18.145.080 and 74.04.005; adding
31 new sections to chapter 74.25 RCW; adding a new section to chapter
32 74.13 RCW; adding new sections to chapter 74.12 RCW; adding new
33 sections to chapter 74.20A RCW; adding a new section to chapter 48.22
34 RCW; adding a new section to chapter 2.48 RCW; adding a new section to
35 chapter 18.04 RCW; adding a new section to chapter 18.08 RCW; adding a

1 new section to chapter 18.16 RCW; adding a new section to chapter 18.20
2 RCW; adding a new section to chapter 18.28 RCW; adding a new section to
3 chapter 18.39 RCW; adding a new section to chapter 18.43 RCW; adding a
4 new section to chapter 18.44 RCW; adding a new section to chapter 18.51
5 RCW; adding a new section to chapter 18.76 RCW; adding a new section to
6 chapter 18.85 RCW; adding a new section to chapter 18.96 RCW; adding a
7 new section to chapter 18.104 RCW; adding a new section to chapter
8 18.106 RCW; adding a new section to chapter 18.130 RCW; adding a new
9 section to chapter 18.140 RCW; adding a new section to chapter 18.145
10 RCW; adding a new section to chapter 18.165 RCW; adding a new section
11 to chapter 18.170 RCW; adding a new section to chapter 18.175 RCW;
12 adding a new section to chapter 18.185 RCW; adding a new section to
13 chapter 28A.410 RCW; adding a new section to chapter 20.01 RCW; adding
14 a new section to chapter 48.17 RCW; adding a new section to chapter
15 74.15 RCW; adding a new section to chapter 47.68 RCW; adding a new
16 section to chapter 71.12 RCW; adding a new section to chapter 66.20
17 RCW; adding a new section to chapter 66.24 RCW; adding a new section to
18 chapter 88.02 RCW; adding a new section to chapter 43.24 RCW; adding a
19 new section to chapter 70.95B RCW; adding a new section to chapter
20 26.09 RCW; adding a new section to chapter 44.28 RCW; adding a new
21 section to chapter 26.23 RCW; creating new sections; repealing RCW
22 74.08.120, 74.08.125, and 74.12.420; repealing 1993 c 312 s 7;
23 repealing 1992 c 136 s 1; repealing 1992 c 165 s 1; and providing
24 contingent effective dates."

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