

1 **SHB 2285** - H AMD

2 By Representative Veloria

3 On page 3, line 36, after advisory- strike council- and insert
4 committee-

5 On page 67, beginning on line 3, strike section 343

6 Renumber the remaining sections consecutively and correct any internal
7 references accordingly.

8 On page 85, after line 10, insert the following:

9 **PART V**

10 **REFERENCES TO DEPARTMENT OF COMMUNITY DEVELOPMENT**

11 **Sec. 501.** RCW 19.27.070 and 1995 c 399 s 8 are each amended to
12 read as follows:

13 There is hereby established a state building code council to be
14 appointed by the governor.

15 (1) The state building code council shall consist of fifteen
16 members, two of whom shall be county elected legislative body members
17 or elected executives and two of whom shall be city elected legislative
18 body members or mayors. One of the members shall be a local government
19 building code enforcement official and one of the members shall be a
20 local government fire service official. Of the remaining nine members,
21 one member shall represent general construction, specializing in
22 commercial and industrial building construction; one member shall
23 represent general construction, specializing in residential and
24 multifamily building construction; one member shall represent the
25 architectural design profession; one member shall represent the
26 structural engineering profession; one member shall represent the
27 mechanical engineering profession; one member shall represent the
28 construction building trades; one member shall represent manufacturers,
29 installers, or suppliers of building materials and components; one
30 member shall be a person with a physical disability and shall represent
31 the disability community; and one member shall represent the general
32 public. At least six of these fifteen members shall reside east of the

1 crest of the Cascade mountains. The council shall include: Two
 2 members of the house of representatives appointed by the speaker of the
 3 house, one from each caucus; two members of the senate appointed by the
 4 president of the senate, one from each caucus; and an employee of the
 5 electrical division of the department of labor and industries, as ex
 6 officio, nonvoting members with all other privileges and rights of
 7 membership. Terms of office shall be for three years. The council
 8 shall elect a member to serve as chair of the council for one-year
 9 terms of office. Any member who is appointed by virtue of being an
 10 elected official or holding public employment shall be removed from the
 11 council if he or she ceases being such an elected official or holding
 12 such public employment. Before making any appointments to the building
 13 code council, the governor shall seek nominations from recognized
 14 organizations which represent the entities or interests listed in this
 15 subsection. Members serving on the council on July 28, 1985, may
 16 complete their terms of office. Any vacancy shall be filled by
 17 alternating appointments from governmental and nongovernmental entities
 18 or interests until the council is constituted as required by this
 19 subsection.

20 (2) Members shall not be compensated but shall receive
 21 reimbursement for travel expenses in accordance with RCW 43.03.050 and
 22 43.03.060.

23 (3) The department of community(~~(, trade, and economic)~~)
 24 development shall provide administrative and clerical assistance to the
 25 building code council.

26 **Sec. 502.** RCW 27.34.020 and 1995 c 399 s 13 are each amended to
 27 read as follows:

28 Unless the context clearly requires otherwise, the definitions in
 29 this section apply throughout this chapter:

30 (1) "Advisory council" means the advisory council on historic
 31 preservation.

32 (2) "Department" means the department of community(~~(, trade, and~~
 33 ~~economic)~~) development.

34 (3) "Director" means the director of community(~~(, trade, and~~
 35 ~~economic)~~) development.

36 (4) "Federal act" means the national historic preservation act of
 37 1966 (Public Law 89-655; 80 Stat. 915).

1 (5) "Heritage council" means the Washington state heritage
2 council.

3 (6) "Historic preservation" includes the protection,
4 rehabilitation, restoration, identification, scientific excavation, and
5 reconstruction of districts, sites, buildings, structures, and objects
6 significant in American and Washington state history, architecture,
7 archaeology, or culture.

8 (7) "Office" means the office of archaeology and historic
9 preservation within the department.

10 (8) "Preservation officer" means the state historic preservation
11 officer as provided for in RCW 27.34.210.

12 (9) "Project" means programs leading to the preservation for
13 public benefit of historical properties, whether by state and local
14 governments or other public bodies, or private organizations or
15 individuals, including the acquisition of title or interests in, and
16 the development of, any district, site, building, structure, or object
17 that is significant in American and Washington state history,
18 architecture, archaeology, or culture, and property used in connection
19 therewith, or for its development.

20 (10) "State historical agencies" means the state historical
21 societies and the office of archaeology and historic preservation
22 within the department.

23 (11) "State historical societies" means the Washington state
24 historical society and the eastern Washington state historical society.

25 (12) "Cultural resource management plan" means a comprehensive
26 plan which identifies and organizes information on the state of
27 Washington's historic, archaeological, and architectural resources into
28 a set of management criteria, and which is to be used for producing
29 reliable decisions, recommendations, and advice relative to the
30 identification, evaluation, and protection of these resources.

31 **Sec. 503.** RCW 27.53.030 and 1995 c 399 s 16 are each amended to
32 read as follows:

33 Unless the context clearly requires otherwise, the definitions
34 contained in this section shall apply throughout this chapter.

35 (1) "Archaeology" means systematic, scientific study of man's past
36 through material remains.

1 (2) "Archaeological object" means an object that comprises the
2 physical evidence of an indigenous and subsequent culture including
3 material remains of past human life including monuments, symbols,
4 tools, facilities, and technological by-products.

5 (3) "Archaeological site" means a geographic locality in
6 Washington, including but not limited to, submerged and submersible
7 lands and the bed of the sea within the state's jurisdiction, that
8 contains archaeological objects.

9 (4) "Department" means the department of community(~~(, trade, and~~
10 ~~economic))~~ development.

11 (5) "Director" means the director of community(~~(, trade, and~~
12 ~~economic))~~ development or the director's designee.

13 (6) "Historic" means peoples and cultures who are known through
14 written documents in their own or other languages. As applied to
15 underwater archaeological resources, the term historic shall include
16 only those properties which are listed in or eligible for listing in
17 the Washington State Register of Historic Places (RCW 27.34.220) or the
18 National Register of Historic Places as defined in the National
19 Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-
20 665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

21 (7) "Prehistoric" means peoples and cultures who are unknown
22 through contemporaneous written documents in any language.

23 (8) "Professional archaeologist" means a person who has met the
24 educational, training, and experience requirements of the society of
25 professional archaeologists.

26 (9) "Qualified archaeologist" means a person who has had formal
27 training and/or experience in archaeology over a period of at least
28 three years, and has been certified in writing to be a qualified
29 archaeologist by two professional archaeologists.

30 (10) "Amateur society" means any organization composed primarily
31 of persons who are not professional archaeologists, whose primary
32 interest is in the archaeological resources of the state, and which has
33 been certified in writing by two professional archaeologists.

34 (11) "Historic archaeological resources" means those properties
35 which are listed in or eligible for listing in the Washington State
36 Register of Historic Places (RCW 27.34.220) or the National Register of
37 Historic Places as defined in the National Historic Preservation Act of

1 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C.
2 Sec. 470) as now or hereafter amended.

3 **Sec. 504.** RCW 36.27.100 and 1995 c 399 s 41 are each amended to
4 read as follows:

5 The legislature recognizes that, due to the magnitude or volume of
6 offenses in a given area of the state, there is a recurring need for
7 supplemental assistance in the prosecuting of drug and drug-related
8 offenses that can be directed to the area of the state with the
9 greatest need for short-term assistance. A state-wide drug prosecution
10 assistance program is created within the department of community(~~(~~
11 ~~trade, and economic)~~) development to assist county prosecuting
12 attorneys in the prosecution of drug and drug-related offenses.

13 **Sec. 505.** RCW 39.84.090 and 1998 c 245 s 34 are each amended to
14 read as follows:

15 (1) Prior to issuance of any revenue bonds, each public
16 corporation shall submit a copy of its enabling ordinance and charter,
17 a description of any industrial development facility proposed to be
18 undertaken, and the basis for its qualification as an industrial
19 development facility to the department of community(~~(~~
20 ~~economic)~~) development.

21 (2) If the industrial development facility is not eligible under
22 this chapter, the department of community(~~(~~
23 ~~trade, and economic)~~) development shall give notice to the public corporation, in writing and
24 by certified mail, within twelve working days of receipt of the
25 description.

26 (3) The department of community(~~(~~
27 ~~trade, and economic)~~) development shall provide such advice and assistance to public
28 corporations and municipalities which have created or may wish to
29 create public corporations as the public corporations or municipalities
30 request and the department of community(~~(~~
31 ~~trade, and economic)~~) development considers appropriate.

32 **Sec. 506.** RCW 39.86.110 and 1995 c 399 s 57 are each amended to
33 read as follows:

34 The definitions in this section apply throughout this chapter
35 unless the context clearly requires otherwise.

1 (1) "Agency" means the department of community(~~(, trade, and~~
2 ~~economic))~~ development.

3 (2) "Board" means the community economic revitalization board
4 established under chapter 43.160 RCW.

5 (3) "Bonds" means bonds, notes, or other obligations of an issuer.

6 (4) "Bond use category" means any of the following categories of
7 bonds which are subject to the state ceiling: (a) Housing, (b) student
8 loans, (c) small issue, (d) exempt facility, (e) redevelopment, (f)
9 public utility; and (g) remainder.

10 (5) "Carryforward" is an allocation or reallocation of the state
11 ceiling which is carried from one calendar year to a later year, in
12 accordance with the code.

13 (6) "Code" means the federal internal revenue code of 1986 as it
14 exists on May 8, 1987. It also means the code as amended after May 8,
15 1987, but only if the amendments are approved by the agency under RCW
16 39.86.180.

17 (7) "Director" means the director of the agency or the director's
18 designee.

19 (8) "Exempt facility" means the bond use category which includes
20 all bonds which are exempt facility bonds as described in the code,
21 except those for qualified residential rental projects.

22 (9) "Firm and convincing evidence" means documentation that
23 satisfies the director that the issuer is committed to the prompt
24 financing of, and will issue tax exempt bonds for, the project or
25 program for which it requests an allocation from the state ceiling.

26 (10) "Housing" means the bond use category which includes: (a)
27 Mortgage revenue bonds and mortgage credit certificates as described in
28 the code; and (b) exempt facility bonds for qualified residential
29 rental projects as described in the code.

30 (11) "Initial allocation" means the portion or dollar value of the
31 state ceiling which initially in each calendar year is allocated to a
32 bond use category for the issuance of private activity bonds, in
33 accordance with RCW 39.86.120.

34 (12) "Issuer" means the state, any agency or instrumentality of
35 the state, any political subdivision, or any other entity authorized to
36 issue private activity bonds under state law.

1 (13) "Private activity bonds" means obligations that are private
2 activity bonds as defined in the code or bonds for purposes described
3 in section 1317(25) of the tax reform act of 1986.

4 (14) "Program" means the activities for which housing bonds or
5 student loan bonds may be issued.

6 (15) "Public utility" means the bond use category which includes
7 those bonds described in section 1317(25) of the tax reform act of
8 1986.

9 (16) "Redevelopment" means the bond use category which includes
10 qualified redevelopment bonds as described in the code.

11 (17) "Remainder" means that portion of the state ceiling remaining
12 after initial allocations are made under RCW 39.86.120 for any other
13 bond use category.

14 (18) "Small issue" means the bond use category which includes all
15 industrial development bonds that constitute qualified small issue
16 bonds, as described in the code.

17 (19) "State" means the state of Washington.

18 (20) "State ceiling" means the volume limitation for each calendar
19 year on tax-exempt private activity bonds, as imposed by the code.

20 (21) "Student loans" means the bond use category which includes
21 qualified student loan bonds as described in the code.

22 **Sec. 507.** RCW 43.63B.010 and 1998 c 124 s 6 are each amended to
23 read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Authorized representative" means an employee of a state
27 agency, city, or county acting on behalf of the department.

28 (2) "Certified manufactured home installer" means a person who is
29 in the business of installing mobile or manufactured homes and who has
30 been issued a certificate by the department as provided in this
31 chapter.

32 (3) "Department" means the department of community(~~(, trade, and~~
33 ~~economic)) development.~~

34 (4) "Director" means the director of community(~~(, trade, and~~
35 ~~economic)) development.~~

36 (5) "Manufactured home" means a single-family dwelling built in
37 accordance with the department of housing and urban development

1 manufactured home construction and safety standards act, which is a
2 national, preemptive building code.

3 (6) "Mobile or manufactured home installation" means all on-site
4 work necessary for the installation of a manufactured home, including:

5 (a) Construction of the foundation system;

6 (b) Installation of the support piers and earthquake resistant
7 bracing system;

8 (c) Required connection to foundation system and support piers;

9 (d) Skirting;

10 (e) Connections to the on-site water and sewer systems that are
11 necessary for the normal operation of the home; and

12 (f) Extension of the pressure relief valve for the water heater.

13 (7) "Manufactured home standards" means the manufactured home
14 construction and safety standards as promulgated by the United States
15 department of housing and urban development (HUD).

16 (8) "Mobile home" means a factory-built dwelling built prior to
17 June 15, 1976, to standards other than the HUD code, and acceptable
18 under applicable state codes in effect at the time of construction or
19 introduction of the home into the state. Mobile homes have not been
20 built since introduction of the HUD manufactured home construction and
21 safety standards act.

22 (9) "Training course" means the education program administered by
23 the department, or the education course administered by an approved
24 educational provider, as a prerequisite to taking the examination for
25 certification.

26 (10) "Approved educational provider" means an organization
27 approved by the department to provide education and training of
28 manufactured home installers and local inspectors.

29 **Sec. 508.** RCW 43.132.030 and 1995 c 399 s 80 are each amended to
30 read as follows:

31 The director of financial management is hereby empowered to
32 designate the director of community(~~(, trade, and economic))~~
33 development as the official responsible for the preparation of fiscal
34 notes authorized and required by this chapter. It is the intent of the
35 legislature that when necessary the resources of other state agencies,
36 appropriate legislative staffs, and the various associations of local
37 government may be employed in the development of such fiscal notes.

1 **Sec. 509.** RCW 43.155.020 and 1996 c 168 s 2 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section shall apply throughout this chapter.

5 (1) "Board" means the public works board created in RCW
6 43.155.030.

7 (2) "Department" means the department of community(~~(, trade, and~~
8 ~~economic)) development.~~

9 (3) "Financing guarantees" means the pledge of money in the public
10 works assistance account, or money to be received by the public works
11 assistance account, to the repayment of all or a portion of the
12 principal of or interest on obligations issued by local governments to
13 finance public works projects.

14 (4) "Local governments" means cities, towns, counties, special
15 purpose districts, and any other municipal corporations or quasi-
16 municipal corporations in the state excluding school districts and port
17 districts.

18 (5) "Public works project" means a project of a local government
19 for the planning, acquisition, construction, repair, reconstruction,
20 replacement, rehabilitation, or improvement of streets and roads,
21 bridges, water systems, or storm and sanitary sewage systems and solid
22 waste facilities, including recycling facilities.

23 (6) "Solid waste or recycling project" means remedial actions
24 necessary to bring abandoned or closed landfills into compliance with
25 regulatory requirements and the repair, restoration, and replacement of
26 existing solid waste transfer, recycling facilities, and landfill
27 projects limited to the opening of landfill cells that are in existing
28 and permitted landfills.

29 (7) "Technical assistance" means training and other services
30 provided to local governments to: (a) Help such local governments
31 plan, apply, and qualify for loans and financing guarantees from the
32 board, and (b) help local governments improve their ability to plan
33 for, finance, acquire, construct, repair, replace, rehabilitate, and
34 maintain public facilities.

35 **Sec. 510.** RCW 43.185.020 and 1995 c 399 s 101 are each amended to
36 read as follows:

1 "Department" means the department of community(~~(, trade, and~~
2 ~~economic))~~ development. "Director" means the director of the
3 department of community(~~(, trade, and economic))~~ development.

4 **Sec. 511.** RCW 43.185A.010 and 1995 c 399 s 102 are each amended
5 to read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Affordable housing" means residential housing for rental or
9 private individual ownership which, as long as the same is occupied by
10 low-income households, requires payment of monthly housing costs,
11 including utilities other than telephone, of no more than thirty
12 percent of the family's income.

13 (2) "Department" means the department of community(~~(, trade, and~~
14 ~~economic))~~ development.

15 (3) "Director" means the director of the department of
16 community(~~(, trade, and economic))~~ development.

17 (4) "First-time home buyer" means an individual or his or her
18 spouse who have not owned a home during the three-year period prior to
19 purchase of a home.

20 (5) "Low-income household" means a single person, family or
21 unrelated persons living together whose adjusted income is less than
22 eighty percent of the median family income, adjusted for household
23 size, for the county where the project is located.

24 **Sec. 512.** RCW 43.185B.010 and 1995 c 399 s 104 are each amended
25 to read as follows:

26 Unless the context clearly requires otherwise, the definitions in
27 this section apply throughout this chapter.

28 (1) "Affordable housing" means residential housing that is rented
29 or owned by a person or household whose monthly housing costs,
30 including utilities other than telephone, do not exceed thirty percent
31 of the household's monthly income.

32 (2) "Department" means the department of community(~~(, trade, and~~
33 ~~economic))~~ development.

34 (3) "Director" means the director of community(~~(, trade, and~~
35 ~~economic))~~ development.

1 (4) "Nonprofit organization" means any public or private nonprofit
2 organization that: (a) Is organized under federal, state, or local
3 laws; (b) has no part of its net earnings inuring to the benefit of any
4 member, founder, contributor, or individual; and (c) has among its
5 purposes significant activities related to the provision of decent
6 housing that is affordable to very low-income, low-income, or moderate-
7 income households and special needs populations.

8 (5) "Regulatory barriers to affordable housing" and "regulatory
9 barriers" mean any public policies (including those embodied in
10 statutes, ordinances, regulations, or administrative procedures or
11 processes) required to be identified by the state or local government
12 in connection with its strategy under section 105(b)(4) of the
13 Cranston-Gonzalez national affordable housing act (42 U.S.C. 12701 et
14 seq.).

15 (6) "Tenant-based organization" means a nonprofit organization
16 whose governing body includes a majority of members who reside in the
17 housing development and are considered low-income households.

18 **Sec. 513.** RCW 43.190.030 and 1997 c 194 s 1 are each amended to
19 read as follows:

20 There is created the office of the state long-term care ombudsman.
21 The department of community(~~(, trade, and economic)~~) development shall
22 contract with a private nonprofit organization to provide long-term
23 care ombudsman services as specified under, and consistent with, the
24 federal older Americans act as amended, federal mandates, the goals of
25 the state, and the needs of its citizens. The department of
26 community(~~(, trade, and economic)~~) development shall ensure that all
27 program and staff support necessary to enable the ombudsman to
28 effectively protect the interests of residents, patients, and clients
29 of all long-term care facilities is provided by the nonprofit
30 organization that contracts to provide long-term care ombudsman
31 services. The department of community(~~(, trade, and economic)~~)
32 development shall adopt rules to carry out this chapter and the long-
33 term care ombudsman provisions of the federal older Americans act, as
34 amended, and applicable federal regulations. The long-term care
35 ombudsman program shall have the following powers and duties:

36 (1) To provide services for coordinating the activities of long-
37 term care ombudsmen throughout the state;

1 (2) Carry out such other activities as the department of
2 community(~~(, trade, and economic)~~) development deems appropriate;

3 (3) Establish procedures consistent with RCW 43.190.110 for
4 appropriate access by long-term care ombudsmen to long-term care
5 facilities and patients' records, including procedures to protect the
6 confidentiality of the records and ensure that the identity of any
7 complainant or resident will not be disclosed without the written
8 consent of the complainant or resident, or upon court order;

9 (4) Establish a state-wide uniform reporting system to collect and
10 analyze data relating to complaints and conditions in long-term care
11 facilities for the purpose of identifying and resolving significant
12 problems, with provision for submission of such data to the department
13 of social and health services and to the federal department of health
14 and human services, or its successor agency, on a regular basis; and

15 (5) Establish procedures to assure that any files maintained by
16 ombudsman programs shall be disclosed only at the discretion of the
17 ombudsman having authority over the disposition of such files, except
18 that the identity of any complainant or resident of a long-term care
19 facility shall not be disclosed by such ombudsman unless:

20 (a) Such complainant or resident, or the complainant's or
21 resident's legal representative, consents in writing to such
22 disclosure; or

23 (b) Such disclosure is required by court order.

24 **Sec. 514.** RCW 43.280.020 and 1996 c 123 s 3 are each amended to
25 read as follows:

26 There is established in the department of community(~~(, trade, and~~
27 ~~economic)~~) development a grant program to enhance the funding for
28 treating the victims of sex offenders. Activities that can be funded
29 through this grant program are limited to those that:

30 (1) Provide effective treatment to victims of sex offenders;

31 (2) Increase access to and availability of treatment for victims
32 of sex offenders, particularly if from underserved populations; and

33 (3) Create or build on efforts by existing community programs,
34 coordinate those efforts, or develop cooperative efforts or other
35 initiatives to make the most effective use of resources to provide
36 treatment services to these victims.

1 Funding shall be given to those applicants that emphasize
2 providing stable, victim-focused sexual abuse services and possess the
3 qualifications to provide core services, as defined in RCW 70.125.030.
4 Funds for specialized services, as defined in RCW 70.125.030, shall be
5 disbursed through the request for proposal or request for
6 qualifications process.

7 **Sec. 515.** RCW 43.280.060 and 1996 c 123 s 5 are each amended to
8 read as follows:

9 (1) Subject to funds appropriated by the legislature, the
10 department of community(~~(, trade, and economic)~~) development shall make
11 awards under the grant program established by RCW 43.280.020.

12 (2) To aid the department of community(~~(, trade, and economic)~~)
13 development in making its funding determinations, the department shall
14 form a peer review committee comprised of individuals who are
15 knowledgeable or experienced in the management or delivery of treatment
16 services to victims of sex offenders. The peer review committee shall
17 advise the department on the extent to which each eligible applicant
18 meets the treatment and management standards, as developed by the
19 department. The department shall consider this advice in making
20 awards.

21 (3) Activities funded under this section may be considered for
22 funding in future years, but shall be considered under the same terms
23 and criteria as new activities. Funding under this chapter shall not
24 constitute an obligation by the state of Washington to provide ongoing
25 funding.

26 **Sec. 516.** RCW 43.280.080 and 1995 c 241 s 1 are each amended to
27 read as follows:

28 The office of crime victims advocacy is established in the
29 department of community(~~(, trade, and economic)~~) development. The
30 office shall assist communities in planning and implementing services
31 for crime victims, advocate on behalf of crime victims in obtaining
32 needed services and resources, and advise local and state governments
33 on practices, policies, and priorities that impact crime victims. In
34 addition, the office shall administer grant programs for sexual assault
35 treatment and prevention services, as authorized in this chapter.

1 **Sec. 517.** RCW 43.280.090 and 1995 c 269 s 2102 are each amended
2 to read as follows:

3 The director of the department of community(~~(, trade, and~~
4 ~~economic))~~ development may establish ad hoc advisory committees, as
5 necessary, to obtain advice and guidance regarding the office of crime
6 victims advocacy program.

7 **Sec. 518.** RCW 43.330.130 and 1993 c 280 s 16 are each amended to
8 read as follows:

9 (1) The department shall coordinate services to communities that
10 are directed to the poor and disadvantaged through private and public
11 nonprofit organizations and units of general purpose local governments.
12 The department shall coordinate these programs using, to the extent
13 possible, integrated case management methods, with other community and
14 economic development efforts that promote self-sufficiency.

15 (2) These services may include, but not be limited to,
16 comprehensive education services to preschool children from low-income
17 families, providing for human service needs and advocacy, promoting
18 volunteerism and citizen service as a means for accomplishing local
19 community and economic development goals, coordinating and providing
20 emergency food assistance to distribution centers and needy
21 individuals, and providing for human service needs through community-
22 based organizations.

23 (3) The department shall provide local communities and at-risk
24 individuals with programs that provide community protection and assist
25 in developing strategies to reduce substance abuse. The department
26 shall administer programs that develop collaborative approaches to
27 prevention, intervention, and interdiction programs. The department
28 shall administer programs that support crime victims, address youth and
29 domestic violence problems, provide indigent defense for low-income
30 persons, border town disputes, and administer family services and
31 programs to promote the state's policy as provided in RCW 74.14A.025.

32 (~~(4) The department shall provide fire protection and emergency~~
33 ~~management services to support and strengthen local capacity for~~
34 ~~controlling risk to life, property, and community vitality that may~~
35 ~~result from fires, emergencies, and disasters.))~~

1 **Sec. 519.** RCW 59.21.010 and 1998 c 124 s 1 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

5 (1) "Director" means the director of the department of
6 community(~~(, trade, and economic)~~) development.

7 (2) "Department" means the department of community(~~(, trade, and~~
8 ~~economic)~~) development.

9 (3) "Fund" means the mobile home park relocation fund established
10 under RCW 59.21.050.

11 (4) "Mobile home park" or "park" means real property that is
12 rented or held out for rent to others for the placement of two or more
13 mobile homes for the primary purpose of production of income, except
14 where the real property is rented or held out for rent for seasonal
15 recreational purpose only and is not intended for year-round occupancy.

16 (5) "Landlord" or "park-owner" means the owner of the mobile home
17 park that is being closed at the time relocation assistance is
18 provided.

19 (6) "Relocate" means to remove the mobile home from the mobile
20 home park being closed.

21 (7) "Relocation assistance" means the monetary assistance provided
22 under this chapter.

23 **Sec. 520.** RCW 59.22.020 and 1995 c 399 s 155 are each amended to
24 read as follows:

25 The following definitions shall apply throughout this chapter
26 unless the context clearly requires otherwise:

27 (1) "Account" means the mobile home affairs account created under
28 RCW 59.22.070.

29 (2) "Affordable" means that, where feasible, low-income residents
30 should not pay more than thirty percent of their monthly income for
31 housing costs.

32 (3) "Conversion costs" includes the cost of acquiring the mobile
33 home park, the costs of planning and processing the conversion, the
34 costs of any needed repairs or rehabilitation, and any expenditures
35 required by a government agency or lender for the project.

36 (4) "Department" means the department of community(~~(, trade, and~~
37 ~~economic)~~) development.

1 (5) "Fee" means the mobile home title transfer fee imposed under
2 RCW 59.22.080.

3 (6) "Fund" or "park purchase account" means the mobile home park
4 purchase account created pursuant to RCW 59.22.030.

5 (7) "Housing costs" means the total cost of owning, occupying, and
6 maintaining a mobile home and a lot or space in a mobile home park.

7 (8) "Individual interest in a mobile home park" means any interest
8 which is fee ownership or a lesser interest which entitles the holder
9 to occupy a lot or space in a mobile home park for a period of not less
10 than either fifteen years or the life of the holder. Individual
11 interests in a mobile home park include, but are not limited to, the
12 following:

13 (a) Ownership of a lot or space in a mobile home park or
14 subdivision;

15 (b) A membership or shares in a stock cooperative, or a limited
16 equity housing cooperative; or

17 (c) Membership in a nonprofit mutual benefit corporation which
18 owns, operates, or owns and operates the mobile home park.

19 (9) "Low-income resident" means an individual or household who
20 resided in the mobile home park prior to application for a loan
21 pursuant to this chapter and with an annual income at or below eighty
22 percent of the median income for the county of standard metropolitan
23 statistical area of residence. Net worth shall be considered in the
24 calculation of income with the exception of the resident's mobile/
25 manufactured home which is used as their primary residence.

26 (10) "Low-income spaces" means those spaces in a mobile home park
27 operated by a resident organization which are occupied by low-income
28 residents.

29 (11) "Mobile home park" means a mobile home park, as defined in
30 RCW 59.20.030(4), or a manufactured home park subdivision as defined by
31 RCW 59.20.030(6) created by the conversion to resident ownership of a
32 mobile home park.

33 (12) "Resident organization" means a group of mobile home park
34 residents who have formed a nonprofit corporation, cooperative
35 corporation, or other entity or organization for the purpose of
36 acquiring the mobile home park in which they reside and converting the
37 mobile home park to resident ownership. The membership of a resident
38 organization shall include at least two-thirds of the households

1 residing in the mobile home park at the time of application for
2 assistance from the department.

3 (13) "Resident ownership" means, depending on the context, either
4 the ownership, by a resident organization, as defined in this section,
5 of an interest in a mobile home park which entitles the resident
6 organization to control the operations of the mobile home park for a
7 term of no less than fifteen years, or the ownership of individual
8 interests in a mobile home park, or both.

9 (14) "Landlord" shall have the same meaning as it does in RCW
10 59.20.030.

11 (15) "Manufactured housing" means residences constructed on one or
12 more chassis for transportation, and which bear an insignia issued by
13 a state or federal regulatory agency indication compliance with all
14 applicable construction standards of the United States department of
15 housing and urban development.

16 (16) "Mobile home" shall have the same meaning as it does in RCW
17 46.04.302.

18 (17) "Mobile home lot" shall have the same meaning as it does in
19 RCW 59.20.030.

20 (18) "Tenant" means a person who rents a mobile home lot for a
21 term of one month or longer and owns the mobile home on the lot.

22 **Sec. 521.** RCW 59.28.040 and 1995 c 399 s 160 are each amended to
23 read as follows:

24 All owners of federally assisted housing shall, at least twelve
25 months before the expiration of the rental assistance contract or
26 prepayment of a mortgage or loan, serve a written notice of the
27 anticipated expiration or prepayment date on each tenant household
28 residing in the housing, on the clerk of the city, or county if in an
29 unincorporated area, in which the property is located, and on the
30 department of community(~~(, trade, and economic)~~) development, by
31 regular and certified mail.

32 **Sec. 522.** RCW 59.28.050 and 1995 c 399 s 161 are each amended to
33 read as follows:

34 This chapter shall not in any way prohibit an owner of federally
35 assisted housing from terminating a rental assistance contract or
36 prepaying a mortgage or loan. The requirement in this chapter for

1 notice shall not be construed as conferring any new or additional
2 regulatory power upon the city or county clerk or upon the department
3 of community(~~(, trade, and economic)~~) development.

4 **Sec. 523.** RCW 59.28.060 and 1995 c 399 s 162 are each amended to
5 read as follows:

6 The notice to tenants required by RCW 59.28.040 shall state the
7 date of expiration or prepayment and the effect, if any, that the
8 expiration or prepayment will have upon the tenants' rent and other
9 terms of their rental agreement.

10 The notice to the city or county clerk and to the department of
11 community(~~(, trade, and economic)~~) development required by RCW
12 59.28.040 shall state: (1) The name, location, and project number of
13 the federally assisted housing and the type of assistance received from
14 the federal government; (2) the number and size of units; (3) the age,
15 race, family size, and estimated incomes of the tenants who will be
16 affected by the prepayment of the loan or mortgage or expiration of the
17 federal assistance contract; (4) the projected rent increases for each
18 affected tenant; and (5) the anticipated date of prepayment of the loan
19 or mortgage or expiration of the federal assistance contract.

20 **Sec. 524.** RCW 70.125.030 and 1996 c 123 s 6 are each amended to
21 read as follows:

22 As used in this chapter and unless the context indicates
23 otherwise:

24 (1) "Core services" means treatment services for victims of sexual
25 assault including information and referral, crisis intervention,
26 medical advocacy, legal advocacy, support, and system coordination.

27 (2) "Department" means the department of community(~~(, trade, and
28 economic)~~) development.

29 (3) "Law enforcement agencies" means police and sheriff's
30 departments of this state.

31 (4) "Personal representative" means a friend, relative, attorney,
32 or employee or volunteer from a community sexual assault program or
33 specialized treatment service provider.

34 (5) "Rape crisis center" means a community-based social service
35 agency which provides services to victims of sexual assault.

1 (6) "Community sexual assault program" means a community-based
2 social service agency that is qualified to provide and provides core
3 services to victims of sexual assault.

4 (7) "Sexual assault" means one or more of the following:

5 (a) Rape or rape of a child;

6 (b) Assault with intent to commit rape or rape of a child;

7 (c) Incest or indecent liberties;

8 (d) Child molestation;

9 (e) Sexual misconduct with a minor;

10 (f) Crimes with a sexual motivation; or

11 (g) An attempt to commit any of the aforementioned offenses.

12 (8) "Specialized services" means treatment services for victims of
13 sexual assault including support groups, therapy, specialized sexual
14 assault medical examination, and prevention education to potential
15 victims of sexual assault.

16 (9) "Victim" means any person who suffers physical and/or mental
17 anguish as a proximate result of a sexual assault.

18 **Sec. 525.** RCW 70.164.020 and 1995 c 399 s 199 are each amended to
19 read as follows:

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

22 (1) "Department" means the department of community(~~(, trade, and~~
23 ~~economic)) development.~~

24 (2) "Energy assessment" means an analysis of a dwelling unit to
25 determine the need for cost-effective energy conservation measures as
26 determined by the department.

27 (3) "Household" means an individual or group of individuals living
28 in a dwelling unit as defined by the department.

29 (4) "Low income" means household income that is at or below one
30 hundred twenty-five percent of the federally established poverty level.

31 (5) "Nonutility sponsor" means any sponsor other than a public
32 service company, municipality, public utility district, mutual or
33 cooperative, furnishing gas or electricity used to heat low-income
34 residences.

35 (6) "Residence" means a dwelling unit as defined by the
36 department.

1 (7) "Sponsor" means any entity that submits a proposal under RCW
2 70.164.040, including but not limited to any local community action
3 agency, community service agency, or any other participating agency or
4 any public service company, municipality, public utility district,
5 mutual or cooperative, or any combination of such entities that jointly
6 submits a proposal.

7 (8) "Sponsor match" means the share, if any, of the cost of
8 weatherization to be paid by the sponsor.

9 (9) "Weatherization" means materials or measures, and their
10 installation, that are used to improve the thermal efficiency of a
11 residence.

12 (10) "Weatherizing agency" means any approved department grantee
13 or any public service company, municipality, public utility district,
14 mutual or cooperative, or other entity that bears the responsibility
15 for ensuring the performance of weatherization of residences under this
16 chapter and has been approved by the department.

17 **Sec. 526.** RCW 76.09.030 and 1995 c 399 s 207 are each amended to
18 read as follows:

19 (1) There is hereby created the forest practices board of the
20 state of Washington as an agency of state government consisting of
21 members as follows:

22 (a) The commissioner of public lands or the commissioner's
23 designee;

24 (b) The director of the department of community(~~(, trade, and~~
25 ~~economic)) development or the director's designee;~~

26 (c) The director of the department of agriculture or the
27 director's designee;

28 (d) The director of the department of ecology or the director's
29 designee;

30 (e) An elected member of a county legislative authority appointed
31 by the governor: PROVIDED, That such member's service on the board
32 shall be conditioned on the member's continued service as an elected
33 county official; and

34 (f) Six members of the general public appointed by the governor,
35 one of whom shall be an owner of not more than five hundred acres of
36 forest land, and one of whom shall be an independent logging
37 contractor.

1 (2) The members of the initial board appointed by the governor
2 shall be appointed so that the term of one member shall expire December
3 31, 1975, the term of one member shall expire December 31, 1976, the
4 term of one member shall expire December 31, 1977, the terms of two
5 members shall expire December 31, 1978, and the terms of two members
6 shall expire December 31, 1979. Thereafter, each member shall be
7 appointed for a term of four years. Vacancies on the board shall be
8 filled in the same manner as the original appointments. Each member of
9 the board shall continue in office until his or her successor is
10 appointed and qualified. The commissioner of public lands or the
11 commissioner's designee shall be the chairman of the board.

12 (3) The board shall meet at such times and places as shall be
13 designated by the chairman or upon the written request of the majority
14 of the board. The principal office of the board shall be at the state
15 capital.

16 (4) Members of the board, except public employees and elected
17 officials, shall be compensated in accordance with RCW 43.03.250. Each
18 member shall be entitled to reimbursement for travel expenses incurred
19 in the performance of their duties as provided in RCW 43.03.050 and
20 43.03.060.

21 (5) The board may employ such clerical help and staff pursuant to
22 chapter 41.06 RCW as is necessary to carry out its duties.-

23 Renumber the remaining part headings and sections consecutively,
24 correct any internal references accordingly, and correct the title.

25 On page 85, line 20, after 401 through 411," strike and 501" and
26 insert 501 through 526, and 601-

EFFECT: The amendment: (1) Corrects a reference to the advisory committee that is used to develop the DCTED transfer plan; (2) Replaces the director of DTED as a member of the Forest Practices Board of Washington with the director of DCD; and (3) Revises statutory references (Sections 501 through 526) from DCTED to DCD for various boards and programs. Similar to references changes from DCTED to DTED).