

**ESSB 6426** - H COMM AMD

By Committee on State Government & Tribal Affairs

NOT CONSIDERED 03/11/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Committee on Agency Officials' Salaries**

4 **Sec. 1.** RCW 43.03.027 and 1970 ex.s. c 43 s 1 are each amended to  
5 read as follows:

6 It is hereby declared to be the public policy of this state to base  
7 the salaries of public officials on realistic standards in order that  
8 such officials may be paid according to the true value of their  
9 services and the best qualified citizens may be attracted to public  
10 service. It is the purpose of ((RCW 43.03.027, 43.03.028,)) this  
11 section and RCW 43.03.040((, 43.03.045 and 43.03.047)) to effectuate  
12 this policy by utilizing the expert knowledge of citizens having access  
13 to pertinent facts concerning proper salaries for public officials,  
14 thus removing and dispelling any thought of political consideration in  
15 fixing the appropriateness of the amount of such salaries.

16 **Sec. 2.** RCW 43.03.028 and 2007 c 241 s 3 are each amended to read  
17 as follows:

18 (1) ((There is hereby created a state committee on agency  
19 officials' salaries to consist of seven members, or their designees, as  
20 follows: The president of the University of Puget Sound; the  
21 chairperson of the council of presidents of the state's four-year  
22 institutions of higher education; the chairperson of the Washington  
23 personnel resources board; the president of the Association of  
24 Washington Business; the president of the Pacific Northwest Personnel  
25 Managers' Association; the president of the Washington State Bar  
26 Association; and the president of the Washington State Labor Council.  
27 If any of the titles or positions mentioned in this subsection are

1 ~~changed or abolished, any person occupying an equivalent or like~~  
2 ~~position shall be qualified for appointment by the governor to~~  
3 ~~membership upon the committee.~~

4 ~~(2) The committee))~~ The department of personnel shall study the  
5 duties and salaries of the directors of the several departments and the  
6 members of the several boards and commissions of state government, who  
7 are subject to appointment by the governor or whose salaries are fixed  
8 by the governor, and of the chief executive officers of the following  
9 agencies of state government:

10 The arts commission; the human rights commission; the board of  
11 accountancy; the board of pharmacy; the eastern Washington historical  
12 society; the Washington state historical society; the recreation and  
13 conservation office; the criminal justice training commission; the  
14 department of personnel; the state library; the traffic safety  
15 commission; the horse racing commission; the advisory council on  
16 vocational education; the public disclosure commission; the state  
17 conservation commission; the commission on Hispanic affairs; the  
18 commission on Asian Pacific American affairs; the state board for  
19 volunteer firefighters and reserve officers; the transportation  
20 improvement board; the public employment relations commission; the  
21 forest practices appeals board; and the energy facilities site  
22 evaluation council.

23 ~~((The committee))~~ (2) The department of personnel shall report to  
24 the governor or the chairperson of the appropriate salary fixing  
25 authority at least once in each fiscal biennium on such date as the  
26 governor may designate, but not later than seventy-five days prior to  
27 the convening of each regular session of the legislature during an odd-  
28 numbered year, its recommendations for the salaries to be fixed for  
29 each position.

30 ~~((3) Committee members shall be reimbursed by the department of~~  
31 ~~personnel for travel expenses under RCW 43.03.050 and 43.03.060.))~~

32 **Sec. 3.** RCW 34.12.100 and 1986 c 155 s 10 are each amended to read  
33 as follows:

34 The chief administrative law judge shall be paid a salary fixed by  
35 the governor after recommendation of the ~~((state committee on agency~~  
36 ~~officials' salaries))~~ department of personnel. The salaries of  
37 administrative law judges appointed under the terms of this chapter

1 shall be determined by the chief administrative law judge after  
2 recommendation of the (~~state committee on agency officials' salaries~~)  
3 department of personnel.

4 **Sec. 4.** RCW 42.17.370 and 1995 c 397 s 17 are each amended to read  
5 as follows:

6 The commission is empowered to:

7 (1) Adopt, promulgate, amend, and rescind suitable administrative  
8 rules to carry out the policies and purposes of this chapter, which  
9 rules shall be adopted under chapter 34.05 RCW. Any rule relating to  
10 campaign finance, political advertising, or related forms that would  
11 otherwise take effect after June 30th of a general election year shall  
12 take effect no earlier than the day following the general election in  
13 that year;

14 (2) Appoint and set, within the limits established by the  
15 (~~committee on agency officials' salaries~~) department of personnel  
16 under RCW 43.03.028, the compensation of an executive director who  
17 shall perform such duties and have such powers as the commission may  
18 prescribe and delegate to implement and enforce this chapter  
19 efficiently and effectively. The commission shall not delegate its  
20 authority to adopt, amend, or rescind rules nor shall it delegate  
21 authority to determine whether an actual violation of this chapter has  
22 occurred or to assess penalties for such violations;

23 (3) Prepare and publish such reports and technical studies as in  
24 its judgment will tend to promote the purposes of this chapter,  
25 including reports and statistics concerning campaign financing,  
26 lobbying, financial interests of elected officials, and enforcement of  
27 this chapter;

28 (4) Make from time to time, on its own motion, audits and field  
29 investigations;

30 (5) Make public the time and date of any formal hearing set to  
31 determine whether a violation has occurred, the question or questions  
32 to be considered, and the results thereof;

33 (6) Administer oaths and affirmations, issue subpoenas, and compel  
34 attendance, take evidence and require the production of any books,  
35 papers, correspondence, memorandums, or other records relevant or  
36 material for the purpose of any investigation authorized under this  
37 chapter, or any other proceeding under this chapter;

1 (7) Adopt and promulgate a code of fair campaign practices;

2 (8) Relieve, by rule, candidates or political committees of  
3 obligations to comply with the provisions of this chapter relating to  
4 election campaigns, if they have not received contributions nor made  
5 expenditures in connection with any election campaign of more than one  
6 thousand dollars;

7 (9) Adopt rules prescribing reasonable requirements for keeping  
8 accounts of and reporting on a quarterly basis costs incurred by state  
9 agencies, counties, cities, and other municipalities and political  
10 subdivisions in preparing, publishing, and distributing legislative  
11 information. The term "legislative information," for the purposes of  
12 this subsection, means books, pamphlets, reports, and other materials  
13 prepared, published, or distributed at substantial cost, a substantial  
14 purpose of which is to influence the passage or defeat of any  
15 legislation. The state auditor in his or her regular examination of  
16 each agency under chapter 43.09 RCW shall review the rules, accounts,  
17 and reports and make appropriate findings, comments, and  
18 recommendations in his or her examination reports concerning those  
19 agencies;

20 (10) After hearing, by order approved and ratified by a majority of  
21 the membership of the commission, suspend or modify any of the  
22 reporting requirements of this chapter in a particular case if it finds  
23 that literal application of this chapter works a manifestly  
24 unreasonable hardship and if it also finds that the suspension or  
25 modification will not frustrate the purposes of the chapter. The  
26 commission shall find that a manifestly unreasonable hardship exists if  
27 reporting the name of an entity required to be reported under RCW  
28 42.17.241(1)(g)(ii) would be likely to adversely affect the competitive  
29 position of any entity in which the person filing the report or any  
30 member of his or her immediate family holds any office, directorship,  
31 general partnership interest, or an ownership interest of ten percent  
32 or more. Any suspension or modification shall be only to the extent  
33 necessary to substantially relieve the hardship. The commission shall  
34 act to suspend or modify any reporting requirements only if it  
35 determines that facts exist that are clear and convincing proof of the  
36 findings required under this section. Requests for renewals of  
37 reporting modifications may be heard in a brief adjudicative proceeding  
38 as set forth in RCW 34.05.482 through 34.05.494 and in accordance with

1 the standards established in this section. No initial request may be  
2 heard in a brief adjudicative proceeding and no request for renewal may  
3 be heard in a brief adjudicative proceeding if the initial request was  
4 granted more than three years previously or if the applicant is holding  
5 an office or position of employment different from the office or  
6 position held when the initial request was granted. The commission  
7 shall adopt administrative rules governing the proceedings. Any  
8 citizen has standing to bring an action in Thurston county superior  
9 court to contest the propriety of any order entered under this section  
10 within one year from the date of the entry of the order; and

11 (11) Revise, at least once every five years but no more often than  
12 every two years, the monetary reporting thresholds and reporting code  
13 values of this chapter. The revisions shall be only for the purpose of  
14 recognizing economic changes as reflected by an inflationary index  
15 recommended by the office of financial management. The revisions shall  
16 be guided by the change in the index for the period commencing with the  
17 month of December preceding the last revision and concluding with the  
18 month of December preceding the month the revision is adopted. As to  
19 each of the three general categories of this chapter (reports of  
20 campaign finance, reports of lobbyist activity, and reports of the  
21 financial affairs of elected and appointed officials), the revisions  
22 shall equally affect all thresholds within each category. Revisions  
23 shall be adopted as rules under chapter 34.05 RCW. The first revision  
24 authorized by this subsection shall reflect economic changes from the  
25 time of the last legislative enactment affecting the respective code or  
26 threshold through December 1985;

27 (12) Develop and provide to filers a system for certification of  
28 reports required under this chapter which are transmitted by facsimile  
29 or electronically to the commission. Implementation of the program is  
30 contingent on the availability of funds.

31 **Sec. 5.** RCW 43.03.040 and 2009 c 5 s 5 are each amended to read as  
32 follows:

33 The directors of the several departments and members of the several  
34 boards and commissions, whose salaries are fixed by the governor and  
35 the chief executive officers of the agencies named in RCW  
36 43.03.028(~~(+2)~~) (1) as now or hereafter amended shall each severally  
37 receive such salaries, payable in monthly installments, as shall be

1 fixed by the governor or the appropriate salary fixing authority, in an  
2 amount not to exceed the recommendations of the (~~committee on agency~~  
3 ~~officials' salaries~~) department of personnel. For the twelve months  
4 following February 18, 2009, a salary or wage increase shall not be  
5 granted to any position under this section.

6 **Airport Impact Mitigation Advisory Board**

7 **Sec. 6.** RCW 43.63A.760 and 2003 1st sp.s. c 26 s 928 are each  
8 amended to read as follows:

9 (1) The airport impact mitigation account is created in the custody  
10 of the state treasury. Moneys deposited in the account, including  
11 moneys received from the port of Seattle for purposes of this section,  
12 may be used only for airport mitigation purposes as provided in this  
13 section. Only the director of (~~the department of community, trade,~~  
14 ~~and economic development~~) commerce or the director's designee may  
15 authorize expenditures from the account. The account is subject to  
16 allotment procedures under chapter 43.88 RCW, but an appropriation is  
17 not required for expenditures.

18 (2) The department of (~~community, trade, and economic~~  
19 ~~development~~) commerce shall establish a competitive process to  
20 prioritize applications for airport impact mitigation assistance  
21 through the account created in subsection (1) of this section. The  
22 department shall conduct a solicitation of project applications in the  
23 airport impact area as defined in subsection (~~(+4)~~) (3) of this  
24 section. Eligible applicants include public entities such as cities,  
25 counties, schools, parks, fire districts, and shall include  
26 organizations eligible to apply for grants under RCW 43.63A.125. The  
27 department (~~of community, trade, and economic development~~) shall  
28 evaluate and rank applications (~~in conjunction with the airport impact~~  
29 ~~mitigation advisory board established in subsection (3) of this~~  
30 ~~section~~) using objective criteria developed by the department (~~in~~  
31 ~~conjunction with the airport impact mitigation advisory board~~). At a  
32 minimum, the criteria must consider: The extent to which the applicant  
33 is impacted by the airport; and the other resources available to the  
34 applicant to mitigate the impact, including other mitigation funds.

1 The director of (~~the department of community, trade, and economic~~  
2 ~~development~~) commerce shall award grants annually to the extent funds  
3 are available in the account created in subsection (1) of this section.

4 (3) (~~The director of the department of community, trade, and~~  
5 ~~economic development shall establish the airport impact mitigation~~  
6 ~~advisory board comprised of persons in the airport impact area to~~  
7 ~~assist the director in developing criteria and ranking applications~~  
8 ~~under this section. The advisory board shall include representation of~~  
9 ~~local governments, the public in general, businesses, schools,~~  
10 ~~community services organizations, parks and recreational activities,~~  
11 ~~and others at the discretion of the director. The advisory board shall~~  
12 ~~be weighted toward those communities closest to the airport that are~~  
13 ~~more adversely impacted by airport activities.~~

14 (~~4~~) The airport impact area includes the incorporated areas of  
15 Burien, Normandy Park, Des Moines, SeaTac, (~~Tukwilla~~) Tukwila, Kent,  
16 and Federal Way, and the unincorporated portion of west King county.

17 (~~5~~) (4) The department of (~~community, trade, and economic~~  
18 ~~development~~) commerce shall report on its activities related to the  
19 account created in this section by January 1, 2004, and each January  
20 1st thereafter.

#### 21 **Athletic Training Advisory Committee**

22 NEW SECTION. **Sec. 7.** RCW 18.250.030 (Athletic training advisory  
23 committee) and 2007 c 253 s 4 are each repealed.

24 **Sec. 8.** RCW 18.250.010 and 2007 c 253 s 2 are each amended to read  
25 as follows:

26 The definitions in this section apply throughout this chapter  
27 unless the context clearly requires otherwise.

28 (1) "Athlete" means a person who participates in exercise,  
29 recreation, sport, or games requiring physical strength,  
30 range-of-motion, flexibility, body awareness and control, speed,  
31 stamina, or agility, and the exercise, recreation, sports, or games are  
32 of a type conducted in association with an educational institution or  
33 professional, amateur, or recreational sports club or organization.

1 (2) "Athletic injury" means an injury or condition sustained by an  
2 athlete that affects the person's participation or performance in  
3 exercise, recreation, sport, or games and the injury or condition is  
4 within the professional preparation and education of an athletic  
5 trainer.

6 (3) "Athletic trainer" means a person who is licensed under this  
7 chapter. An athletic trainer can practice athletic training through  
8 the consultation, referral, or guidelines of a licensed health care  
9 provider working within their scope of practice.

10 (4)(a) "Athletic training" means the application of the following  
11 principles and methods as provided by a licensed athletic trainer:

12 (i) Risk management and prevention of athletic injuries through  
13 preactivity screening and evaluation, educational programs, physical  
14 conditioning and reconditioning programs, application of commercial  
15 products, use of protective equipment, promotion of healthy behaviors,  
16 and reduction of environmental risks;

17 (ii) Recognition, evaluation, and assessment of athletic injuries  
18 by obtaining a history of the athletic injury, inspection and palpation  
19 of the injured part and associated structures, and performance of  
20 specific testing techniques related to stability and function to  
21 determine the extent of an injury;

22 (iii) Immediate care of athletic injuries, including emergency  
23 medical situations through the application of first-aid and emergency  
24 procedures and techniques for nonlife-threatening or life-threatening  
25 athletic injuries;

26 (iv) Treatment, rehabilitation, and reconditioning of athletic  
27 injuries through the application of physical agents and modalities,  
28 therapeutic activities and exercise, standard reassessment techniques  
29 and procedures, commercial products, and educational programs, in  
30 accordance with guidelines established with a licensed health care  
31 provider as provided in RCW 18.250.070; and

32 (v) Referral of an athlete to an appropriately licensed health care  
33 provider if the athletic injury requires further definitive care or the  
34 injury or condition is outside an athletic trainer's scope of practice,  
35 in accordance with RCW 18.250.070.

36 (b) "Athletic training" does not include:

37 (i) The use of spinal adjustment or manipulative mobilization of  
38 the spine and its immediate articulations;



1 (ii) Orthotic or prosthetic services with the exception of  
2 evaluation, measurement, fitting, and adjustment of temporary,  
3 prefabricated or direct-formed orthosis as defined in chapter 18.200  
4 RCW;

5 (iii) The practice of occupational therapy as defined in chapter  
6 18.59 RCW;

7 (iv) The practice of acupuncture as defined in chapter 18.06 RCW;

8 (v) Any medical diagnosis; and

9 (vi) Prescribing legend drugs or controlled substances, or surgery.

10 (5) (~~"Committee" means the athletic training advisory committee.~~  
11 ~~+6~~) "Department" means the department of health.

12 (~~+7~~) (6) "Licensed health care provider" means a physician,  
13 physician assistant, osteopathic physician, osteopathic physician  
14 assistant, advanced registered nurse practitioner, naturopath, physical  
15 therapist, chiropractor, dentist, massage practitioner, acupuncturist,  
16 occupational therapist, or podiatric physician and surgeon.

17 (~~+8~~) (7) "Secretary" means the secretary of health or the  
18 secretary's designee.

19 **Sec. 9.** RCW 18.250.020 and 2007 c 253 s 3 are each amended to read  
20 as follows:

21 (1) In addition to any other authority provided by law, the  
22 secretary may:

23 (a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to  
24 implement this chapter;

25 (b) Establish all license, examination, and renewal fees in  
26 accordance with RCW 43.70.250;

27 (c) Establish forms and procedures necessary to administer this  
28 chapter;

29 (d) Establish administrative procedures, administrative  
30 requirements, and fees in accordance with RCW 43.70.250 and 43.70.280.  
31 All fees collected under this section must be credited to the health  
32 professions account as required under RCW 43.70.320;

33 (e) Develop and administer, or approve, or both, examinations to  
34 applicants for a license under this chapter;

35 (f) Issue a license to any applicant who has met the education,  
36 training, and examination requirements for licensure and deny a license  
37 to applicants who do not meet the minimum qualifications for licensure.

1 However, denial of licenses based on unprofessional conduct or impaired  
2 practice is governed by the uniform disciplinary act, chapter 18.130  
3 RCW;

4 (g) (~~In consultation with the committee,~~) Approve examinations  
5 prepared or administered by private testing agencies or organizations  
6 for use by an applicant in meeting the licensing requirements under RCW  
7 18.250.060;

8 (h) Determine which states have credentialing requirements  
9 substantially equivalent to those of this state, and issue licenses to  
10 individuals credentialed in those states that have successfully  
11 fulfilled the requirements of RCW 18.250.080;

12 (i) Hire clerical, administrative, and investigative staff as  
13 needed to implement and administer this chapter;

14 (j) Maintain the official department record of all applicants and  
15 licensees; and

16 (k) Establish requirements and procedures for an inactive license.

17 (2) The uniform disciplinary act, chapter 18.130 RCW, governs  
18 unlicensed practice, the issuance and denial of licenses, and the  
19 discipline of licensees under this chapter.

20 **Sec. 10.** RCW 18.250.060 and 2007 c 253 s 7 are each amended to  
21 read as follows:

22 An applicant for an athletic trainer license must:

23 (1) Have received a bachelor's or advanced degree from an  
24 accredited four-year college or university that meets the academic  
25 standards of athletic training, accepted by the secretary(~~, as advised  
26 by the committee~~);

27 (2) Have successfully completed an examination administered or  
28 approved by the secretary(~~, in consultation with the committee~~); and

29 (3) Submit an application on forms prescribed by the secretary and  
30 pay the licensure fee required under this chapter.

### 31 **Basic Health Advisory Committee**

32 **Sec. 11.** RCW 70.47.040 and 1993 c 492 s 211 are each amended to  
33 read as follows:

34 (1) The Washington basic health plan is created as a program within

1 the Washington state health care authority. The administrative head  
2 and appointing authority of the plan shall be the administrator of the  
3 Washington state health care authority. The administrator shall  
4 appoint a medical director. The medical director and up to five other  
5 employees of the plan shall be exempt from the civil service law,  
6 chapter 41.06 RCW.

7 (2) The administrator shall employ such other staff as are  
8 necessary to fulfill the responsibilities and duties of the  
9 administrator, such staff to be subject to the civil service law,  
10 chapter 41.06 RCW. In addition, the administrator may contract with  
11 third parties for services necessary to carry out its activities where  
12 this will promote economy, avoid duplication of effort, and make best  
13 use of available expertise. Any such contractor or consultant shall be  
14 prohibited from releasing, publishing, or otherwise using any  
15 information made available to it under its contractual responsibility  
16 without specific permission of the plan. The administrator may call  
17 upon other agencies of the state to provide available information as  
18 necessary to assist the administrator in meeting its responsibilities  
19 under this chapter, which information shall be supplied as promptly as  
20 circumstances permit.

21 (3) The administrator may appoint such technical or advisory  
22 committees as he or she deems necessary. (~~The administrator shall  
23 appoint a standing technical advisory committee that is representative  
24 of health care professionals, health care providers, and those directly  
25 involved in the purchase, provision, or delivery of health care  
26 services, as well as consumers and those knowledgeable of the ethical  
27 issues involved with health care public policy. Individuals appointed  
28 to any technical or other advisory committee shall serve without  
29 compensation for their services as members, but may be reimbursed for  
30 their travel expenses pursuant to RCW 43.03.050 and 43.03.060.~~)

31 (4) The administrator may apply for, receive, and accept grants,  
32 gifts, and other payments, including property and service, from any  
33 governmental or other public or private entity or person, and may make  
34 arrangements as to the use of these receipts, including the undertaking  
35 of special studies and other projects relating to health care costs and  
36 access to health care.

37 (5) Whenever feasible, the administrator shall reduce the

1 administrative cost of operating the program by adopting joint policies  
2 or procedures applicable to both the basic health plan and employee  
3 health plans.

4 **Chemical Dependency Certification Advisory Committee**

5 NEW SECTION. **Sec. 12.** RCW 18.205.080 (Chemical dependency  
6 certification advisory committee--Composition--Terms) and 1998 c 243 s  
7 8 are each repealed.

8 **Sec. 13.** RCW 18.205.020 and 2008 c 135 s 15 are each amended to  
9 read as follows:

10 The definitions in this section apply throughout this chapter  
11 unless the context clearly requires otherwise.

12 (1) "Certification" means a voluntary process recognizing an  
13 individual who qualifies by examination and meets established  
14 educational prerequisites, and which protects the title of practice.

15 (2) "Certified chemical dependency professional" means an  
16 individual certified in chemical dependency counseling, under this  
17 chapter.

18 (3) "Certified chemical dependency professional trainee" means an  
19 individual working toward the education and experience requirements for  
20 certification as a chemical dependency professional.

21 (4) "Chemical dependency counseling" means employing the core  
22 competencies of chemical dependency counseling to assist or attempt to  
23 assist an alcohol or drug addicted person to develop and maintain  
24 abstinence from alcohol and other mood-altering drugs.

25 (5) (~~"Committee" means the chemical dependency certification  
26 advisory committee established under this chapter.~~

27 ~~(6))~~) "Core competencies of chemical dependency counseling" means  
28 competency in the nationally recognized knowledge, skills, and  
29 attitudes of professional practice, including assessment and diagnosis  
30 of chemical dependency, chemical dependency treatment planning and  
31 referral, patient and family education in the disease of chemical  
32 dependency, individual and group counseling with alcoholic and drug  
33 addicted individuals, relapse prevention counseling, and case

1 management, all oriented to assist alcoholic and drug addicted patients  
2 to achieve and maintain abstinence from mood-altering substances and  
3 develop independent support systems.

4 ((+7)) (6) "Department" means the department of health.

5 ((+8)) (7) "Health profession" means a profession providing health  
6 services regulated under the laws of this state.

7 ((+9)) (8) "Secretary" means the secretary of health or the  
8 secretary's designee.

9 **Sec. 14.** RCW 18.205.060 and 1998 c 243 s 6 are each amended to  
10 read as follows:

11 In addition to any other authority provided by law, the secretary  
12 has the authority to:

13 (1) Adopt rules under chapter 34.05 RCW necessary to implement this  
14 chapter(~~(, in consultation with the committee)~~);

15 (2) Establish all certification, examination, and renewal fees in  
16 accordance with RCW 43.70.250;

17 (3) Establish forms and procedures necessary to administer this  
18 chapter;

19 (4) Issue certificates to applicants who have met the education,  
20 training, and examination requirements for certification and to deny  
21 certification to applicants who do not meet the minimum qualifications,  
22 except that proceedings concerning the denial of certification based  
23 upon unprofessional conduct or impairment shall be governed by the  
24 uniform disciplinary act, chapter 18.130 RCW;

25 (5) Hire clerical, administrative, investigative, and other staff  
26 as needed to implement this chapter, and hire individuals certified  
27 under this chapter to serve as examiners for any practical  
28 examinations;

29 (6) Determine minimum education requirements and evaluate and  
30 designate those educational programs that will be accepted as proof of  
31 eligibility to take a qualifying examination for applicants for  
32 certification;

33 (7) Prepare, grade, and administer, or determine the nature of, and  
34 supervise the grading and administration of, examinations for  
35 applicants for certification;

36 (8) Determine whether alternative methods of training are  
37 equivalent to formal education, and establish forms, procedures, and

1 criteria for evaluation of an applicant's alternative training to  
2 determine the applicant's eligibility to take any qualifying  
3 examination;

4 (9) Determine which states have credentialing requirements  
5 equivalent to those of this state, and issue certificates to  
6 individuals credentialed in those states without examinations;

7 (10) Define and approve any experience requirement for  
8 certification;

9 (11) Implement and administer a program for consumer education;

10 (12) Adopt rules implementing a continuing competency program;

11 (13) Maintain the official department record of all applicants and  
12 certificated individuals;

13 (14) Establish by rule the procedures for an appeal of an  
14 examination failure; and

15 (15) Establish disclosure requirements.

16 **Citizens Advisory Council on Alcoholism and Drug Addiction**

17 NEW SECTION. **Sec. 15.** RCW 70.96A.070 (Citizens advisory council--  
18 Qualifications--Duties--Rules and policies) and 1994 c 231 s 2, 1989 c  
19 270 s 9, 1973 1st ex.s. c 155 s 1, & 1972 ex.s. c 122 s 7 are each  
20 repealed.

21 **Combined Fund Drive Committee**

22 **Sec. 16.** RCW 41.04.033 and 2003 c 205 s 1 are each amended to read  
23 as follows:

24 The (~~director of the department of personnel~~) secretary of state  
25 is authorized to adopt rules, after consultation with state agencies,  
26 institutions of higher education, and employee organizations(~~, to~~  
27 ~~create a Washington state combined fund drive committee, and~~) for the  
28 operation of the Washington state combined fund drive.

29 **Sec. 17.** RCW 41.04.0331 and 2003 c 205 s 2 are each amended to  
30 read as follows:

1        To operate the Washington state combined fund (~~drive's powers and~~  
2 ~~duties include~~) drive program, the secretary of state or the  
3 secretary's designee may but (~~are~~) is not limited to the following:

4        (1) (~~Raising~~) Raise money for charity, and reducing the  
5 disruption to government caused by multiple fund drives;

6        (2) (~~Establishing~~) Establish criteria by which a public or  
7 private nonprofit organization may participate in the combined fund  
8 drive;

9        (3) (~~Engaging~~) Engage in or encouraging fund-raising activities  
10 including the solicitation and acceptance of charitable gifts, grants,  
11 and donations from state employees, retired public employees,  
12 corporations, foundations, and other individuals for the benefit of the  
13 beneficiaries of the Washington state combined fund drive;

14        (4) (~~Requesting~~) Request the appointment of employees from state  
15 agencies and institutions of higher education to lead and manage  
16 workplace charitable giving campaigns within state government;

17        (5) (~~Engaging~~) Engage in educational activities, including  
18 classes, exhibits, seminars, workshops, and conferences, related to the  
19 basic purpose of the combined fund drive;

20        (6) (~~Engaging~~) Engage in appropriate fund-raising and advertising  
21 activities for the support of the administrative duties of the  
22 Washington state combined fund drive; and

23        (7) (~~Charging~~) Charge an administrative fee to the beneficiaries  
24 of the Washington state combined fund drive to fund the administrative  
25 duties of the Washington state combined fund drive.

26        Activities of the Washington state combined fund drive shall not  
27 result in direct commercial solicitation of state employees, or a  
28 benefit or advantage that would violate one or more provisions of  
29 chapter 42.52 RCW. This section does not authorize individual state  
30 agencies to enter into contracts or partnerships unless otherwise  
31 authorized by law.

32        **Sec. 18.** RCW 41.04.0332 and 2003 c 205 s 3 are each amended to  
33 read as follows:

34        The (~~Washington state combined fund drive committee~~) secretary of  
35 state may enter into contracts and partnerships with private  
36 institutions, persons, firms, or corporations for the benefit of the  
37 beneficiaries of the Washington state combined fund drive. Activities

1 of the Washington state combined fund drive shall not result in direct  
2 commercial solicitation of state employees, or a benefit or advantage  
3 that would violate one or more provisions of chapter 42.52 RCW. This  
4 section does not authorize individual state agencies to enter into  
5 contracts or partnerships unless otherwise authorized by law.

6 **Community Transition Coordination Networks Advisory Committee**

7 **Sec. 19.** RCW 72.78.030 and 2007 c 483 s 103 are each amended to  
8 read as follows:

9 (1) The department of (~~community, trade, and economic~~  
10 ~~development~~) commerce shall establish a community transition  
11 coordination network pilot program for the purpose of awarding grants  
12 to counties or groups of counties for implementing coordinated reentry  
13 efforts for offenders returning to the community. Grant awards are  
14 subject to the availability of amounts appropriated for this specific  
15 purpose.

16 (2) By September 1, 2007, the Washington state institute for public  
17 policy shall, in consultation with the department of (~~community,~~  
18 ~~trade, and economic development~~) commerce, develop criteria for the  
19 counties in conducting its evaluation as directed by subsection (6)(c)  
20 of this section.

21 (3) Effective February 1, 2008, any county or group of counties may  
22 apply for participation in the community transition coordination  
23 network pilot program by submitting a proposal for a community  
24 transition coordination network.

25 (4) A proposal for a community transition coordination network  
26 initiated under this section must be collaborative in nature and must  
27 seek locally appropriate evidence-based or research-based solutions and  
28 promising practices utilizing the participation of public and private  
29 entities or programs to support successful, community-based offender  
30 reentry.

31 (5) In developing a proposal for a community transition  
32 coordination network, counties or groups of counties and the department  
33 of corrections shall collaborate in addressing:

34 (a) Efficiencies that may be gained by sharing space or resources  
35 in the provision of reentry services to offenders;



1 (b) Mechanisms for communication of information about offenders,  
2 including the feasibility of shared access to databases;

3 (c) Partnerships to establish neighborhood corrections initiatives  
4 as defined in RCW 72.09.280.

5 (6) A proposal for a community transition coordination network must  
6 include:

7 (a) Descriptions of collaboration and coordination between local  
8 community policing and supervision programs and those agencies and  
9 entities identified in the inventory conducted pursuant to RCW  
10 72.78.020 to address the risks and needs of offenders under a  
11 participating county or city misdemeanor probation or other  
12 supervision program including:

13 (i) A proposed method of assessing offenders to identify the  
14 offenders' risks and needs. Counties and cities are encouraged, where  
15 possible, to make use of assessment tools developed by the department  
16 of corrections in this regard;

17 (ii) A proposal for developing and/or maintaining an individual  
18 reentry plan for offenders;

19 (iii) Connecting offenders to services and resources that meet the  
20 offender's needs as identified in his or her individual reentry plan  
21 including the identification of community representatives or volunteers  
22 that may assist the offender with his or her transition; and

23 (iv) The communication of assessment information, individual  
24 reentry plans, and service information between parties involved with  
25 (~~the~~) the offender's reentry;

26 (b) Mechanisms to provide information to former offenders regarding  
27 services available to them in the community regardless of the length of  
28 time since the offender's release and regardless of whether the  
29 offender was released from prison or jail. Mechanisms shall, at a  
30 minimum, provide for:

31 (i) Maintenance of the information gathered in RCW 72.78.020  
32 regarding services currently existing within the community that are  
33 available to offenders; and

34 (ii) Coordination of access to existing services with community  
35 providers and provision of information to offenders regarding how to  
36 access the various type of services and resources that are available in  
37 the community; and

1 (c) An evaluation of the county's or group of counties' readiness  
2 to implement a community transition coordination network including the  
3 social service needs of offenders in general, capacity of local  
4 facilities and resources to meet offenders' needs, and the cost to  
5 implement and maintain a community transition coordination network for  
6 the duration of the pilot project.

7 (7) The department of (~~community, trade, and economic~~  
8 ~~development~~) commerce shall review county applications for funding  
9 through the community transition coordination network pilot program  
10 and, no later than April 1, 2008, shall select up to four counties or  
11 groups of counties. In selecting pilot counties or regions, the  
12 department shall consider the extent to which the proposal:

13 (a) Addresses the requirements set out in subsection (6) of this  
14 section;

15 (b) Proposes effective partnerships and coordination between local  
16 community policing and supervision programs, social service and  
17 treatment providers, and the department of corrections' community  
18 justice center, if a center is located in the county or region;

19 (c) Focuses on measurable outcomes such as increased employment and  
20 income, treatment objectives, maintenance of stable housing, and  
21 reduced recidivism;

22 (d) Contributes to the diversity of pilot programs, considering  
23 factors such as geographic location, size of county or region, and  
24 reentry services currently available. The department shall ensure that  
25 a grant is awarded to at least one rural county or group of counties  
26 and at least one county or group of counties where a community justice  
27 center operated by the department of corrections is located; and

28 (e) Is feasible, given the evaluation of the social service needs  
29 of offenders, the existing capacity of local facilities and resources  
30 to meet offenders' needs, and the cost to implement a community  
31 transition coordination network in the county or group of counties.

32 (~~(8) (The department of community, trade, and economic development~~  
33 ~~shall convene a policy advisory committee composed of representatives~~  
34 ~~from the senate, the house of representatives, the governor's office of~~  
35 ~~financial management, the department of corrections, to include one~~  
36 ~~representative who is a community corrections officer, the office of~~  
37 ~~crime victims' advocacy, the Washington state association of counties,~~  
38 ~~association of Washington cities, a nonprofit provider of reentry~~

1 ~~services, and an ex-offender who has discharged the terms of his or her~~  
2 ~~sentence. The advisory committee shall meet no less than annually to~~  
3 ~~receive status reports on the implementation of community transition~~  
4 ~~coordination networks, review annual reports and the pilot project~~  
5 ~~evaluations submitted pursuant to RCW 72.78.050, and identify evidence-~~  
6 ~~based, research-based, and promising practices for other counties~~  
7 ~~seeking to establish community transition coordination networks.~~

8 (9)) Pilot networks established under this section shall extend  
9 for a period of four fiscal years, beginning July 1, 2008, and ending  
10 June 30, 2012.

11 ((10)) (9) This section expires June 30, 2013.

12 **Board of Law Enforcement Training Standards**  
13 **and Board on Correctional Training Standards**

14 NEW SECTION. **Sec. 20.** The following acts or parts of acts are  
15 each repealed:

16 (1) RCW 43.101.310 (Board on law enforcement training standards and  
17 education--Board on correctional training standards--Created--Purpose)  
18 and 1997 c 351 s 2;

19 (2) RCW 43.101.315 (Boards--Membership) and 1997 c 351 s 3;

20 (3) RCW 43.101.320 (Boards--Terms of members) and 1997 c 351 s 4;

21 (4) RCW 43.101.325 (Termination of membership upon termination of  
22 qualifying office or employment) and 1997 c 351 s 5;

23 (5) RCW 43.101.330 (Boards--Chairs--Quorum) and 1997 c 351 s 6;

24 (6) RCW 43.101.335 (Boards--Travel expenses) and 1997 c 351 s 7;

25 (7) RCW 43.101.340 (Boards--Powers--Report to commission) and 1997  
26 c 351 s 8; and

27 (8) RCW 43.101.345 (Recommendations of boards--Review by  
28 commission) and 1997 c 351 s 9.

29 **Sec. 21.** RCW 43.101.380 and 2009 c 25 s 1 are each amended to read  
30 as follows:

31 (1) The procedures governing adjudicative proceedings before  
32 agencies under chapter 34.05 RCW, the administrative procedure act,  
33 govern hearings before the commission and govern all other actions

1 before the commission unless otherwise provided in this chapter. The  
2 standard of proof in actions before the commission is clear, cogent,  
3 and convincing evidence.

4 (2) In all hearings requested under RCW 43.101.155, a five-member  
5 hearings panel shall both hear the case and make the commission's final  
6 administrative decision. Members of the commission (~~(or the board on~~  
7 ~~law enforcement training standards and education))~~) may, but need not,  
8 be((~~7~~)) appointed to the hearings panels. The commission shall appoint  
9 as follows two or more panels to hear appeals from certification  
10 actions:

11 (a) When a hearing is requested in relation to a certification  
12 action of a Washington peace officer who is not a peace officer of the  
13 Washington state patrol, the commission shall appoint to the panel:  
14 (i) One police chief; (ii) one sheriff; (iii) two certified Washington  
15 peace officers who are at or below the level of first line supervisor,  
16 one of whom is from a city or county law enforcement agency, and who  
17 have at least ten years' experience as peace officers; and (iv) one  
18 person who is not currently a peace officer and who represents a  
19 community college or four-year college or university.

20 (b) When a hearing is requested in relation to a certification  
21 action of a peace officer of the Washington state patrol, the  
22 commission shall appoint to the panel: (i) Either one police chief or  
23 one sheriff; (ii) one administrator of the state patrol; (iii) one  
24 certified Washington peace officer who is at or below the level of  
25 first line supervisor, who is not a state patrol officer, and who has  
26 at least ten years' experience as a peace officer; (iv) one state  
27 patrol officer who is at or below the level of first line supervisor,  
28 and who has at least ten years' experience as a peace officer; and (v)  
29 one person who is not currently a peace officer and who represents a  
30 community college or four-year college or university.

31 (c) When a hearing is requested in relation to a certification  
32 action of a tribal police officer, the commission shall appoint to the  
33 panel (i) either one police chief or one sheriff; (ii) one tribal  
34 police chief; (iii) one certified Washington peace officer who is at or  
35 below the level of first line supervisor, and who has at least ten  
36 years' experience as a peace officer; (iv) one tribal police officer  
37 who is at or below the level of first line supervisor, and who has at

1 least ten years' experience as a peace officer; and (v) one person who  
2 is not currently a peace officer and who represents a community college  
3 or four-year college or university.

4 (d) Persons appointed to hearings panels by the commission shall,  
5 in relation to any certification action on which they sit, have the  
6 powers, duties, and immunities, and are entitled to the emoluments,  
7 including travel expenses in accordance with RCW 43.03.050 and  
8 43.03.060, of regular commission members.

9 (3) Where the charge upon which revocation or denial is based is  
10 that a peace officer was "discharged for disqualifying misconduct," and  
11 the discharge is "final," within the meaning of RCW 43.101.105(1)(d),  
12 and the officer received a civil service hearing or arbitration hearing  
13 culminating in an affirming decision following separation from service  
14 by the employer, the hearings panel may revoke or deny certification if  
15 the hearings panel determines that the discharge occurred and was based  
16 on disqualifying misconduct; the hearings panel need not redetermine  
17 the underlying facts but may make this determination based solely on  
18 review of the records and decision relating to the employment  
19 separation proceeding. However, the hearings panel may, in its  
20 discretion, consider additional evidence to determine whether such a  
21 discharge occurred and was based on such disqualifying misconduct. The  
22 hearings panel shall, upon written request by the subject peace  
23 officer, allow the peace officer to present additional evidence of  
24 extenuating circumstances.

25 Where the charge upon which revocation or denial of certification  
26 is based is that a peace officer "has been convicted at any time of a  
27 felony offense" within the meaning of RCW 43.101.105(1)(c), the  
28 hearings panel shall revoke or deny certification if it determines that  
29 the peace officer was convicted of a felony. The hearings panel need  
30 not redetermine the underlying facts but may make this determination  
31 based solely on review of the records and decision relating to the  
32 criminal proceeding. However, the hearings panel shall, upon the  
33 panel's determination of relevancy, consider additional evidence to  
34 determine whether the peace officer was convicted of a felony.

35 Where the charge upon which revocation or denial is based is under  
36 RCW 43.101.105(1) (a), (b), (e), or (f), the hearings panel shall  
37 determine the underlying facts relating to the charge upon which  
38 revocation or denial of certification is based.

1 (4) The commission's final administrative decision is subject to  
2 judicial review under RCW 34.05.510 through 34.05.598.

3 **Customer Advisory Board--Department of Information Services**

4 NEW SECTION. **Sec. 22.** RCW 43.105.055 (Advisory committees--  
5 Customer advisory board) and 1999 c 80 s 7 & 1987 c 504 s 9 are each  
6 repealed.

7 **Sec. 23.** RCW 43.105.052 and 2000 c 180 s 1 are each amended to  
8 read as follows:

9 The department shall:

10 (1) Perform all duties and responsibilities the board delegates to  
11 the department, including but not limited to:

12 (a) The review of agency information technology portfolios and  
13 related requests; and

14 (b) Implementation of statewide and interagency policies,  
15 standards, and guidelines;

16 (2) Make available information services to state agencies and local  
17 governments and public benefit nonprofit corporations on a full cost-  
18 recovery basis. For the purposes of this section "public benefit  
19 nonprofit corporation" means a public benefit nonprofit corporation as  
20 defined in RCW 24.03.005 that is receiving local, state, or federal  
21 funds either directly or through a public agency other than an Indian  
22 tribe or political subdivision of another state. These services may  
23 include, but are not limited to:

24 (a) Telecommunications services for voice, data, and video;

25 (b) Mainframe computing services;

26 (c) Support for departmental and microcomputer evaluation,  
27 installation, and use;

28 (d) Equipment acquisition assistance, including leasing, brokering,  
29 and establishing master contracts;

30 (e) Facilities management services for information technology  
31 equipment, equipment repair, and maintenance service;

32 (f) Negotiation with local cable companies and local governments to  
33 provide for connection to local cable services to allow for access to  
34 these public and educational channels in the state;

- 1 (g) Office automation services;
- 2 (h) System development services; and
- 3 (i) Training.

4 These services are for discretionary use by customers and customers  
5 may elect other alternatives for service if those alternatives are more  
6 cost-effective or provide better service. Agencies may be required to  
7 use the backbone network portions of the telecommunications services  
8 during an initial start-up period not to exceed three years;

9 (3) Establish rates and fees for services provided by the  
10 department to assure that the services component of the department is  
11 self-supporting. A billing rate plan shall be developed for a two-year  
12 period to coincide with the budgeting process. The rate plan shall be  
13 subject to review at least annually by the (~~customer advisory board~~)  
14 office of financial management. The rate plan shall show the proposed  
15 rates by each cost center and will show the components of the rate  
16 structure as mutually determined by the department and the (~~customer  
17 advisory board~~) office of financial management. The same rate  
18 structure will apply to all user agencies of each cost center. The  
19 rate plan and any adjustments to rates shall be approved by the office  
20 of financial management. The services component shall not subsidize  
21 the operations of the strategic planning and policy component;

22 (4) With the advice of the information services board and agencies,  
23 develop a state strategic information technology plan and performance  
24 reports as required under RCW 43.105.160;

25 (5) Develop plans for the department's achievement of statewide  
26 goals and objectives set forth in the state strategic information  
27 technology plan required under RCW 43.105.160. These plans shall  
28 address such services as telecommunications, central and distributed  
29 computing, local area networks, office automation, and end user  
30 computing. The department shall seek the advice of the (~~customer  
31 advisory board and the~~) board in the development of these plans;

32 (6) Under direction of the information services board and in  
33 collaboration with the department of personnel, and other agencies as  
34 may be appropriate, develop training plans and coordinate training  
35 programs that are responsive to the needs of agencies;

36 (7) Identify opportunities for the effective use of information  
37 services and coordinate appropriate responses to those opportunities;

1 (8) Assess agencies' projects, acquisitions, plans, information  
2 technology portfolios, or overall information processing performance as  
3 requested by the board, agencies, the director of financial management,  
4 or the legislature. Agencies may be required to reimburse the  
5 department for agency-requested reviews;

6 (9) Develop planning, budgeting, and expenditure reporting  
7 requirements, in conjunction with the office of financial management,  
8 for agencies to follow;

9 (10) Assist the office of financial management with budgetary and  
10 policy review of agency plans for information services;

11 (11) Provide staff support from the strategic planning and policy  
12 component to the board for:

13 (a) Meeting preparation, notices, and minutes;

14 (b) Promulgation of policies, standards, and guidelines adopted by  
15 the board;

16 (c) Supervision of studies and reports requested by the board;

17 (d) Conducting reviews and assessments as directed by the board;

18 (12) Be the lead agency in coordinating video telecommunications  
19 services for all state agencies and develop, pursuant to board  
20 policies, standards and common specifications for leased and purchased  
21 telecommunications equipment. The department shall not evaluate the  
22 merits of school curriculum, higher education course offerings, or  
23 other education and training programs proposed for transmission and/or  
24 reception using video telecommunications resources. Nothing in this  
25 section shall abrogate or abridge the legal responsibilities of  
26 licensees of telecommunications facilities as licensed by the federal  
27 communication commission on March 27, 1990; and

28 (13) Perform all other matters and things necessary to carry out  
29 the purposes and provisions of this chapter.

30 **Revenue-Simplified Sales and Use Tax Administration**  
31 **Advisory Group**

32 **Sec. 24.** RCW 82.58.020 and 2002 c 267 s 4 are each amended to read  
33 as follows:

34 ((+1)) For the purposes of reviewing or amending the agreement  
35 embodying the simplification requirements in RCW 82.58.050, the state



1 shall enter into multistate discussions. For purposes of these  
2 discussions, the state shall be represented by the department. ((The  
3 governor may appoint up to four persons to consult with the department  
4 at these discussions. The persons advising the department shall not be  
5 compensated and are not entitled to payment of travel expenses by the  
6 state.

7 ~~(2) The department shall regularly consult with an advisory group  
8 composed of one member from each of the two largest caucuses of the  
9 senate, appointed by the majority and minority leaders of the senate;  
10 one member from each of the two largest caucuses of the house of  
11 representatives, appointed by the speaker and minority leader of the  
12 house of representatives; representatives of retailers, including those  
13 selling via mail, telephone, and the internet; representatives of large  
14 and small businesses; and representatives of counties and cities. The  
15 department shall use its best efforts to consult with the advisory  
16 group before any multistate discussions in which it is anticipated that  
17 amendments may be proposed to the agreement embodying the  
18 simplification requirements in RCW 82.58.050.)~~

19 **Driver Instructors' Advisory Committee**

20 **Sec. 25.** RCW 46.20.100 and 2002 c 195 s 1 are each amended to read  
21 as follows:

22 (1) **Application.** The application of a person under the age of  
23 eighteen years for a driver's license or a motorcycle endorsement must  
24 be signed by a parent or guardian with custody of the minor. If the  
25 person under the age of eighteen has no father, mother, or guardian,  
26 then the application must be signed by the minor's employer.

27 (2) **Traffic safety education requirement.** For a person under the  
28 age of eighteen years to obtain a driver's license he or she must meet  
29 the traffic safety education requirements of this subsection.

30 (a) To meet the traffic safety education requirement for a driver's  
31 license the applicant must satisfactorily complete a traffic safety  
32 education course as defined in RCW 28A.220.020 for a course offered by  
33 a school district, or as defined by the department of licensing for a  
34 course offered by a driver training school licensed under chapter 46.82  
35 RCW. The course offered by a school district or an approved private

1 school must meet the standards established by the office of the state  
2 superintendent of public instruction. The course offered by a driver  
3 training school must meet the standards established by the department  
4 of licensing (~~with the advice of the driver instructors' advisory~~  
5 ~~committee, pursuant to RCW 46.82.300~~). The traffic safety education  
6 course may be provided by:

7 (i) A recognized secondary school; or

8 (ii) A driver training school licensed under chapter 46.82 RCW that  
9 is annually approved by the department of licensing.

10 (b) To meet the traffic safety education requirement for a  
11 motorcycle endorsement, the applicant must successfully complete a  
12 motorcycle safety education course that meets the standards established  
13 by the department of licensing.

14 (c) The department may waive the traffic safety education  
15 requirement for a driver's license if the applicant demonstrates to the  
16 department's satisfaction that:

17 (i) He or she was unable to take or complete a traffic safety  
18 education course;

19 (ii) A need exists for the applicant to operate a motor vehicle;  
20 and

21 (iii) He or she has the ability to operate a motor vehicle in such  
22 a manner as not to jeopardize the safety of persons or property.

23 The department may adopt rules to implement this subsection (2)(c) in  
24 concert with the supervisor of the traffic safety education section of  
25 the office of the superintendent of public instruction.

26 (d) The department may waive the traffic safety education  
27 requirement if the applicant was licensed to drive a motor vehicle or  
28 motorcycle outside this state and provides proof that he or she has had  
29 education equivalent to that required under this subsection.

30 **Sec. 26.** RCW 46.82.280 and 2009 c 101 s 1 are each amended to read  
31 as follows:

32 The definitions in this section apply throughout this chapter  
33 unless the context clearly requires otherwise.

34 (1) (~~"Advisory committee" means the driving instructors' advisory~~  
35 ~~committee as created in this chapter.~~

36 (2)) "Behind-the-wheel instruction" means instruction in an

1 approved driver training school instruction vehicle according to and  
2 inclusive of the minimum required curriculum. Behind-the-wheel  
3 instruction is characterized by driving experience.

4 ~~((+3))~~ (2) "Classroom" means a space dedicated to and used  
5 exclusively by a driver training instructor for the instruction of  
6 students. With prior department approval, a branch office classroom  
7 may be located within alternative facilities, such as a public or  
8 private library, school, community college, college or university, or  
9 a business training facility.

10 ~~((+4))~~ (3) "Classroom instruction" means that portion of a traffic  
11 safety education course that is characterized by classroom-based  
12 student instruction conducted by or under the direct supervision of a  
13 licensed instructor or licensed instructors.

14 ~~((+5))~~ (4) "Director" means the director of the department of  
15 licensing of the state of Washington.

16 ~~((+6))~~ (5) "Driver training education course" means a course of  
17 instruction in traffic safety education approved and licensed by the  
18 department of licensing that consists of classroom and behind-the-wheel  
19 instruction as documented by the minimum approved curriculum.

20 ~~((+7))~~ (6) "Driver training school" means a commercial driver  
21 training school engaged in the business of giving instruction, for a  
22 fee, in the operation of automobiles.

23 ~~((+8))~~ (7) "Enrollment" means the collecting of a fee or the  
24 signing of a contract for a driver training education course.  
25 "Enrollment" does not include the collecting of names and contact  
26 information for enrolling students once a driver training school is  
27 licensed to instruct.

28 ~~((+9))~~ (8) "Fraudulent practices" means any conduct or  
29 representation on the part of a driver training school owner or  
30 instructor including:

31 (a) Inducing anyone to believe, or to give the impression, that a  
32 license to operate a motor vehicle or any other license granted by the  
33 director may be obtained by any means other than those prescribed by  
34 law, or furnishing or obtaining the same by illegal or improper means,  
35 or requesting, accepting, or collecting money for such purposes;

36 (b) Operating a driver training school without a license, providing  
37 instruction without an instructor's license, verifying enrollment prior

1 to being licensed, misleading or false statements on applications for  
2 a commercial driver training school license or instructor's license or  
3 on any required records or supporting documentation;

4 (c) Failing to fully document and maintain all required driver  
5 training school records of instruction, school operation, and  
6 instructor training;

7 (d) Issuing a driver training course certificate without requiring  
8 completion of the necessary behind-the-wheel and classroom instruction.

9 ~~((+10))~~ (9) "Instructor" means any person employed by or otherwise  
10 associated with a driver training school to instruct persons in the  
11 operation of an automobile.

12 ~~((+11))~~ (10) "Owner" means an individual, partnership,  
13 corporation, association, or other person or group that holds a  
14 substantial interest in a driver training school.

15 ~~((+12))~~ (11) "Person" means any individual, firm, corporation,  
16 partnership, or association.

17 ~~((+13))~~ (12) "Place of business" means a designated location at  
18 which the business of a driver training school is transacted or its  
19 records are kept.

20 ~~((+14))~~ (13) "Student" means any person enrolled in an approved  
21 driver training course.

22 ~~((+15))~~ (14) "Substantial interest holder" means a person who has  
23 actual or potential influence over the management or operation of any  
24 driver training school. Evidence of substantial interest includes, but  
25 is not limited to, one or more of the following:

26 (a) Directly or indirectly owning, operating, managing, or  
27 controlling a driver training school or any part of a driver training  
28 school;

29 (b) Directly or indirectly profiting from or assuming liability for  
30 debts of a driver training school;

31 (c) Is an officer or director of a driver training school;

32 (d) Owning ten percent or more of any class of stock in a privately  
33 or closely held corporate driver training school, or five percent or  
34 more of any class of stock in a publicly traded corporate driver  
35 training school;

36 (e) Furnishing ten percent or more of the capital, whether in cash,  
37 goods, or services, for the operation of a driver training school  
38 during any calendar year; or

1 (f) Directly or indirectly receiving a salary, commission,  
2 royalties, or other form of compensation from the activity in which a  
3 driver training school is or seeks to be engaged.

4 NEW SECTION. **Sec. 27.** RCW 46.82.300 (Driver instructors' advisory  
5 committee) and 2009 c 101 s 2, 2006 c 219 s 3, 2002 c 195 s 5, 1984 c  
6 287 s 93, & 1979 ex.s. c 51 s 3 are each repealed.

7 **Sec. 28.** RCW 46.82.330 and 2009 c 101 s 6 are each amended to read  
8 as follows:

9 (1) The application for an instructor's license shall document the  
10 applicant's fitness, knowledge, skills, and abilities to teach the  
11 classroom and behind-the-wheel phases of a driver training education  
12 program in a commercial driver training school.

13 (2) An applicant shall be eligible to apply for an original  
14 instructor's certificate if the applicant possesses and meets the  
15 following qualifications and conditions:

16 (a) Has been licensed to drive for five or more years and possesses  
17 a current and valid Washington driver's license or is a resident of a  
18 jurisdiction immediately adjacent to Washington state and possesses a  
19 current and valid license issued by such jurisdiction, and does not  
20 have on his or her driving record any of the violations or penalties  
21 set forth in (a)(i), (ii), or (iii) of this subsection. The director  
22 shall have the right to examine the driving record of the applicant  
23 from the department of licensing and from other jurisdictions and from  
24 these records determine if the applicant has had:

25 (i) Not more than one moving traffic violation within the preceding  
26 twelve months or more than two moving traffic violations in the  
27 preceding twenty-four months;

28 (ii) No drug or alcohol-related traffic violation or incident  
29 within the preceding three years. If there are two or more drug or  
30 alcohol-related traffic violations in the applicant's driving history,  
31 the applicant is no longer eligible to be a driving instructor; and

32 (iii) No driver's license suspension, cancellation, revocation, or  
33 denial within the preceding two years, or no more than two of these  
34 occurrences in the preceding five years;

35 (b) Is a high school graduate or the equivalent and at least  
36 twenty-one years of age;

1 (c) Has completed an acceptable application on a form prescribed by  
2 the director;

3 (d) Has satisfactorily completed a course of instruction in the  
4 training of drivers acceptable to the director that is no less than  
5 sixty hours in length and includes instruction in classroom and behind-  
6 the-wheel teaching methods and supervised practice behind-the-wheel  
7 teaching of driving techniques; and

8 (e) Has paid an examination fee as set by rule of the department  
9 and has successfully completed an instructor's examination (~~as~~  
10 ~~approved by the advisory committee~~)).

11 **Sec. 29.** RCW 46.82.420 and 2008 c 125 s 3 are each amended to read  
12 as follows:

13 (1) The (~~advisory committee shall consult with the~~) department  
14 (~~in the development and maintenance of~~) shall develop and maintain a  
15 basic minimum required curriculum and (~~the department~~) shall furnish  
16 to each qualifying applicant for an instructor's license or a driver  
17 training school license a copy of such curriculum.

18 (2) In addition to information on the safe, lawful, and responsible  
19 operation of motor vehicles on the state's highways, the basic minimum  
20 required curriculum shall include information on:

21 (a) Intermediate driver's license issuance, passenger and driving  
22 restrictions and sanctions for violating the restrictions, and the  
23 effect of traffic violations and collisions on the driving privileges;

24 (b) The effects of alcohol and drug use on motor vehicle operators,  
25 including information on drug and alcohol related traffic injury and  
26 mortality rates in the state of Washington and the current penalties  
27 for driving under the influence of drugs or alcohol;

28 (c) Motorcycle awareness, approved by the director, to ensure new  
29 operators of motor vehicles have been instructed in the importance of  
30 safely sharing the road with motorcyclists;

31 (d) Bicycle safety, to ensure that operators of motor vehicles have  
32 been instructed in the importance of safely sharing the road with  
33 bicyclists; and

34 (e) Pedestrian safety, to ensure that operators of motor vehicles  
35 have been instructed in the importance of safely sharing the road with  
36 pedestrians.

1 (3) Should the director be presented with acceptable proof that any  
2 licensed instructor or driver training school is not showing proper  
3 diligence in teaching such basic minimum curriculum as required, the  
4 instructor or school shall be required to appear before the ((~~advisory~~  
5 ~~committee~~)) director and show cause why the license of the instructor  
6 or school should not be revoked for such negligence. If the  
7 ((~~committee~~)) director does not accept such reasons as may be offered,  
8 the director may revoke the license of the instructor or school, or  
9 both.

10 **Emergency Medical Services Licensing and Certification Advisory**  
11 **Committee**

12 NEW SECTION. **Sec. 30.** The following acts or parts of acts are  
13 each repealed:

14 (1) RCW 18.73.040 (Emergency medical services licensing and  
15 certification advisory committee) and 1990 c 269 s 6, 1984 c 279 s 55,  
16 1981 c 338 s 13, 1979 ex.s. c 261 s 2, 1975-'76 2nd ex.s. c 34 s 43, &  
17 1973 1st ex.s. c 208 s 4; and

18 (2) RCW 18.73.050 (Committee--Duties--Review of rules) and 1990 c  
19 269 s 7, 1987 c 214 s 3, 1979 ex.s. c 261 s 3, & 1973 1st ex.s. c 208  
20 s 5.

21 **Sec. 31.** RCW 18.71.205 and 1996 c 191 s 55 and 1996 c 178 s 6 are  
22 each reenacted and amended to read as follows:

23 (1) The secretary of the department of health(~~(, in conjunction~~  
24 ~~with the advice and assistance of the emergency medical services~~  
25 ~~licensing and certification advisory committee as prescribed in RCW~~  
26 ~~18.73.050, and the commission,)) shall prescribe:~~

27 (a) Practice parameters, training standards for, and levels of,  
28 physician trained emergency medical service intermediate life support  
29 technicians and paramedics;

30 (b) Minimum standards and performance requirements for the  
31 certification and recertification of physician's trained emergency  
32 medical service intermediate life support technicians and paramedics;  
33 and

1 (c) Procedures for certification, recertification, and  
2 decertification of physician's trained emergency medical service  
3 intermediate life support technicians and paramedics.

4 (2) Initial certification shall be for a period established by the  
5 secretary pursuant to RCW 43.70.250 and 43.70.280.

6 (3) Recertification shall be granted upon proof of continuing  
7 satisfactory performance and education, and shall be for a period  
8 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

9 (4) As used in chapters 18.71 and 18.73 RCW, "approved medical  
10 program director" means a person who:

11 (a) Is licensed to practice medicine and surgery pursuant to  
12 chapter 18.71 RCW or osteopathic medicine and surgery pursuant to  
13 chapter 18.57 RCW; and

14 (b) Is qualified and knowledgeable in the administration and  
15 management of emergency care and services; and

16 (c) Is so certified by the department of health for a county, group  
17 of counties, or cities with populations over four hundred thousand in  
18 coordination with the recommendations of the local medical community  
19 and local emergency medical services and trauma care council.

20 (5) The Uniform Disciplinary Act, chapter 18.130 RCW, governs  
21 uncertified practice, the issuance and denial of certificates, and the  
22 disciplining of certificate holders under this section. The secretary  
23 shall be the disciplining authority under this section. Disciplinary  
24 action shall be initiated against a person credentialed under this  
25 chapter in a manner consistent with the responsibilities and duties of  
26 the medical program director under whom such person is responsible.

27 (6) Such activities of physician's trained emergency medical  
28 service intermediate life support technicians and paramedics shall be  
29 limited to actions taken under the express written or oral order of  
30 medical program directors and shall not be construed at any time to  
31 include free standing or nondirected actions, for actions not  
32 presenting an emergency or life-threatening condition.

33 **Sec. 32.** RCW 18.73.030 and 2005 c 193 s 2 are each amended to read  
34 as follows:

35 ~~((Unless a different meaning is plainly required by the context,~~  
36 ~~the following words and phrases as used in this chapter shall have the~~



1 ~~meanings indicated.))~~ The definitions in this section apply throughout  
2 this chapter unless the context clearly requires otherwise.

3 (1) "Secretary" means the secretary of the department of health.

4 (2) "Department" means the department of health.

5 (3) (~~"Committee" means the emergency medical services licensing~~  
6 ~~and certification advisory committee.~~

7 ~~(4))~~ (4) "Ambulance" means a ground or air vehicle designed and used  
8 to transport the ill and injured and to provide personnel, facilities,  
9 and equipment to treat patients before and during transportation.

10 ~~((5))~~ (4) "Aid vehicle" means a vehicle used to carry aid  
11 equipment and individuals trained in first aid or emergency medical  
12 procedure.

13 ~~((6))~~ (5) "Emergency medical technician" means a person who is  
14 authorized by the secretary to render emergency medical care pursuant  
15 to RCW 18.73.081.

16 ~~((7))~~ (6) "Ambulance service" means an organization that operates  
17 one or more ambulances.

18 ~~((8))~~ (7) "Aid service" means an organization that operates one  
19 or more aid vehicles.

20 ~~((9))~~ (8) "Emergency medical service" means medical treatment and  
21 care which may be rendered at the scene of any medical emergency or  
22 while transporting any patient in an ambulance to an appropriate  
23 medical facility, including ambulance transportation between medical  
24 facilities.

25 ~~((10))~~ (9) "Communications system" means a radio and landline  
26 network which provides rapid public access, coordinated central  
27 dispatching of services, and coordination of personnel, equipment, and  
28 facilities in an emergency medical services and trauma care system.

29 ~~((11))~~ (10) "Prehospital patient care protocols" means the  
30 written procedure adopted by the emergency medical services medical  
31 program director which direct the out-of-hospital emergency care of the  
32 emergency patient which includes the trauma care patient. These  
33 procedures shall be based upon the assessment of the patient's medical  
34 needs and what treatment will be provided for emergency conditions.  
35 The protocols shall meet or exceed statewide minimum standards  
36 developed by the department in rule as authorized in chapter 70.168  
37 RCW.

1        ~~((+12+))~~ (11) "Patient care procedures" means written operating  
2 guidelines adopted by the regional emergency medical services and  
3 trauma care council, in consultation with the local emergency medical  
4 services and trauma care councils, emergency communication centers, and  
5 the emergency medical services medical program director, in accordance  
6 with statewide minimum standards. The patient care procedures shall  
7 identify the level of medical care personnel to be dispatched to an  
8 emergency scene, procedures for triage of patients, the level of trauma  
9 care facility to first receive the patient, and the name and location  
10 of other trauma care facilities to receive the patient should an  
11 interfacility transfer be necessary. Procedures on interfacility  
12 transfer of patients shall be consistent with the transfer procedures  
13 in chapter 70.170 RCW.

14        ~~((+13+))~~ (12) "Emergency medical services medical program director"  
15 means a person who is an approved medical program director as defined  
16 by RCW 18.71.205(4).

17        ~~((+14+))~~ (13) "Council" means the local or regional emergency  
18 medical services and trauma care council as authorized under chapter  
19 70.168 RCW.

20        ~~((+15+))~~ (14) "Basic life support" means noninvasive emergency  
21 medical services requiring basic medical treatment skills as defined in  
22 chapter 18.73 RCW.

23        ~~((+16+))~~ (15) "Advanced life support" means invasive emergency  
24 medical services requiring advanced medical treatment skills as defined  
25 by chapter 18.71 RCW.

26        ~~((+17+))~~ (16) "First responder" means a person who is authorized by  
27 the secretary to render emergency medical care as defined by RCW  
28 18.73.081.

29        ~~((+18+))~~ (17) "Stretcher" means a cart designed to serve as a  
30 litter for the transportation of a patient in a prone or supine  
31 position as is commonly used in the ambulance industry, such as wheeled  
32 stretchers, portable stretchers, stair chairs, solid backboards, scoop  
33 stretchers, basket stretchers, or flexible stretchers. The term does  
34 not include personal mobility aids that recline at an angle or remain  
35 at a flat position, that are owned or leased for a period of at least  
36 one week by the individual using the equipment or the individual's  
37 guardian or representative, such as wheelchairs, personal gurneys, or  
38 banana carts.

1       **Sec. 33.** RCW 18.73.101 and 2000 c 93 s 17 are each amended to read  
2 as follows:

3       The secretary may grant a variance from a provision of this chapter  
4 and RCW 18.71.200 through 18.71.220 if no detriment to health and  
5 safety would result from the variance and compliance is expected to  
6 cause reduction or loss of existing emergency medical services.  
7 Variances may be granted for a period of no more than one year. A  
8 variance may be renewed by the secretary (~~upon approval of the~~  
9 ~~committee~~)).

10                                   **Employee Retirement Benefits Board**

11       NEW SECTION.       **Sec. 34.** RCW 41.50.086 (Employee retirement  
12 benefits board--Created--Membership) and 2001 c 181 s 1, 1998 c 341 s  
13 506, & 1995 c 239 s 301 are each repealed.

14       **Sec. 35.** RCW 41.50.088 and 2005 c 327 s 14 are each amended to  
15 read as follows:

16       (1) The (~~board~~) director shall adopt rules as necessary and  
17 exercise the following powers and duties:

18       (a) The (~~board~~) director shall recommend to the state investment  
19 board types of options for member self-directed investment in the  
20 teachers' retirement system plan 3, the school employees' retirement  
21 system plan 3, and the public employees' retirement system plan 3 as  
22 deemed by the (~~board~~) director to be reflective of the members'  
23 preferences;

24       (b) By July 1, 2005, subject to favorable tax determination by the  
25 internal revenue service, the (~~board~~) director shall make optional  
26 actuarially equivalent life annuity benefit payment schedules available  
27 to members and survivors that may be purchased from the combined plan  
28 2 and plan 3 funds under RCW 41.50.075; and

29       (c) Determination of the basis for administrative charges to the  
30 self-directed investment fund to offset self-directed account expenses;

31       (2) The (~~board~~) director shall recommend to the state investment  
32 board types of options for participant self-directed investment in the  
33 state deferred compensation plan, as deemed by the (~~board~~) director  
34 to be reflective of the participants' preferences.

1       **Sec. 36.** RCW 41.50.770 and 1998 c 116 s 11 are each amended to  
2 read as follows:

3       (1) "Employee" as used in this section and RCW 41.50.780 includes  
4 all full-time, part-time, and career seasonal employees of the state,  
5 a county, a municipality, or other political subdivision of the state,  
6 whether or not covered by civil service; elected and appointed  
7 officials of the executive branch of the government, including full-  
8 time members of boards, commissions, or committees; justices of the  
9 supreme court and judges of the court of appeals and of the superior  
10 and district courts; and members of the state legislature or of the  
11 legislative authority of any county, city, or town.

12       (2) The state, through the department, and any county,  
13 municipality, or other political subdivision of the state acting  
14 through its principal supervising official or governing body is  
15 authorized to contract with an employee to defer a portion of that  
16 employee's income, which deferred portion shall in no event exceed the  
17 amount allowable under 26 U.S.C. Sec. 457, and deposit or invest such  
18 deferred portion in a credit union, savings and loan association, bank,  
19 or mutual savings bank or purchase life insurance, shares of an  
20 investment company, or fixed and/or variable annuity contracts from any  
21 insurance company or any investment company licensed to contract  
22 business in this state.

23       (3) Employees participating in the state deferred compensation plan  
24 administered by the department shall self-direct the investment of the  
25 deferred portion of their income through the selection of investment  
26 options as set forth in subsection (4) of this section.

27       (4) The department can provide such plans as it deems are in the  
28 interests of state employees. In addition to the types of investments  
29 described in this section, the state investment board, with respect to  
30 the state deferred compensation plan, shall invest the deferred portion  
31 of an employee's income, without limitation as to amount, in accordance  
32 with RCW 43.84.150, 43.33A.140, and 41.50.780, and pursuant to  
33 investment policy established by the state investment board for the  
34 state deferred compensation plans. The state investment board, after  
35 consultation with the (~~employee retirement benefits board~~) director  
36 regarding any recommendations made pursuant to RCW 41.50.088(2), shall  
37 provide a set of options for participants to choose from for investment  
38 of the deferred portion of their income. Any income deferred under

1 such a plan shall continue to be included as regular compensation, for  
2 the purpose of computing the state or local retirement and pension  
3 benefits earned by any employee.

4 (5) Coverage of an employee under a deferred compensation plan  
5 under this section shall not render such employee ineligible for  
6 simultaneous membership and participation in any pension system for  
7 public employees.

8 **Sec. 37.** RCW 41.50.780 and 2008 c 229 s 12 are each amended to  
9 read as follows:

10 (1) The deferred compensation principal account is hereby created  
11 in the state treasury.

12 (2) The amount of compensation deferred by employees under  
13 agreements entered into under the authority contained in RCW 41.50.770  
14 shall be paid into the deferred compensation principal account and  
15 shall be sufficient to cover costs of administration and staffing in  
16 addition to such other amounts as determined by the department. The  
17 deferred compensation principal account shall be used to carry out the  
18 purposes of RCW 41.50.770. All eligible state employees shall be given  
19 the opportunity to participate in agreements entered into by the  
20 department under RCW 41.50.770. State agencies shall cooperate with  
21 the department in providing employees with the opportunity to  
22 participate.

23 (3) Any county, municipality, or other subdivision of the state may  
24 elect to participate in any agreements entered into by the department  
25 under RCW 41.50.770, including the making of payments therefrom to the  
26 employees participating in a deferred compensation plan upon their  
27 separation from state or other qualifying service. Accordingly, the  
28 deferred compensation principal account shall be considered to be a  
29 public pension or retirement fund within the meaning of Article XXIX,  
30 section 1 of the state Constitution, for the purpose of determining  
31 eligible investments and deposits of the moneys therein.

32 (4) All moneys in the state deferred compensation principal account  
33 and the state deferred compensation administrative account, all  
34 property and rights purchased therewith, and all income attributable  
35 thereto, shall be held in trust by the state investment board, as set  
36 forth under RCW 43.33A.030, for the exclusive benefit of the state  
37 deferred compensation plan's participants and their beneficiaries.

1 Neither the participant, nor the participant's beneficiary or  
2 beneficiaries, nor any other designee, has any right to commute, sell,  
3 assign, transfer, or otherwise convey the right to receive any payments  
4 under the plan. These payments and right thereto are nonassignable and  
5 nontransferable. Unpaid accumulated deferrals are not subject to  
6 attachment, garnishment, or execution and are not transferable by  
7 operation of law in event of bankruptcy or insolvency, except to the  
8 extent otherwise required by law.

9 (5) The state investment board has the full power to invest moneys  
10 in the state deferred compensation principal account and the state  
11 deferred compensation administrative account in accordance with RCW  
12 43.84.150, 43.33A.140, and 41.50.770, and cumulative investment  
13 directions received pursuant to RCW 41.50.770. All investment and  
14 operating costs of the state investment board associated with the  
15 investment of the deferred compensation plan assets shall be paid  
16 pursuant to RCW 43.33A.160 and 43.84.160. With the exception of these  
17 expenses, one hundred percent of all earnings from these investments  
18 shall accrue directly to the deferred compensation principal account.

19 (6)(a) No state board or commission, agency, or any officer,  
20 employee, or member thereof is liable for any loss or deficiency  
21 resulting from participant investments selected pursuant to RCW  
22 41.50.770(3).

23 (b) Neither the (~~employee retirement benefits board~~) department,  
24 nor the director or any employee, nor the state investment board, nor  
25 any officer, employee, or member thereof is liable for any loss or  
26 deficiency resulting from reasonable efforts to implement investment  
27 directions pursuant to RCW 41.50.770(3).

28 (7) The deferred compensation administrative account is hereby  
29 created in the state treasury. All expenses of the department  
30 pertaining to the deferred compensation plan including staffing and  
31 administrative expenses shall be paid out of the deferred compensation  
32 administrative account. Any excess balances credited to this account  
33 over administrative expenses disbursed from this account shall be  
34 transferred to the deferred compensation principal account at such time  
35 and in such amounts as may be determined by the department with the  
36 approval of the office of financial management. Any deficiency in the  
37 deferred compensation administrative account caused by an excess of

1 administrative expenses disbursed from this account shall be  
2 transferred to this account from the deferred compensation principal  
3 account.

4 (8)(a)(i) The department shall keep or cause to be kept full and  
5 adequate accounts and records of the assets of each individual  
6 participant, obligations, transactions, and affairs of any deferred  
7 compensation plans created under RCW 41.50.770 and this section. The  
8 department shall account for and report on the investment of state  
9 deferred compensation plan assets or may enter into an agreement with  
10 the state investment board for such accounting and reporting.

11 (ii) The department's duties related to individual participant  
12 accounts include conducting the activities of trade instruction,  
13 settlement activities, and direction of cash movement and related wire  
14 transfers with the custodian bank and outside investment firms.

15 (iii) The department has sole responsibility for contracting with  
16 any recordkeepers for individual participant accounts and shall manage  
17 the performance of recordkeepers under those contracts.

18 (b)(i) The department's duties under (a)(ii) of this subsection do  
19 not limit the authority of the state investment board to conduct its  
20 responsibilities for asset management and balancing of the deferred  
21 compensation funds.

22 (ii) The state investment board has sole responsibility for  
23 contracting with outside investment firms to provide investment  
24 management for the deferred compensation funds and shall manage the  
25 performance of investment managers under those contracts.

26 (c) The state treasurer shall designate and define the terms of  
27 engagement for the custodial banks.

28 (9) The department may adopt rules necessary to carry out its  
29 responsibilities under RCW 41.50.770 and this section.

30 **Sec. 38.** RCW 41.34.020 and 2000 c 247 s 401 are each amended to  
31 read as follows:

32 As used in this chapter, the following terms have the meanings  
33 indicated:

34 (1) "Actuary" means the state actuary or the office of the state  
35 actuary.

36 (2) (~~"Board" means the employee retirement benefits board~~  
37 ~~authorized in chapter 41.50 RCW.~~)

1       ~~(3)~~) "Department" means the department of retirement systems.

2       ~~((4))~~ (3)(a) "Compensation" for teachers for purposes of this  
3 chapter is the same as "earnable compensation" for plan 3 in chapter  
4 41.32 RCW except that the compensation may be reported when paid,  
5 rather than when earned.

6       (b) "Compensation" for classified employees for purposes of this  
7 chapter is the same as "compensation earnable" for plan 3 in RCW  
8 41.35.010, except that the compensation may be reported when paid,  
9 rather than when earned.

10       (c) "Compensation" for public employees for purposes of this  
11 chapter is the same as "compensation earnable" for plan 3 in RCW  
12 41.40.010, except that the compensation may be reported when paid,  
13 rather than when earned.

14       ~~((5))~~ (4)(a) "Employer" for teachers for purposes of this chapter  
15 means the same as "employer" for plan 3 in chapter 41.32 RCW.

16       (b) "Employer" for classified employees for purposes of this  
17 chapter means the same as "employer" for plan 3 in RCW 41.35.010.

18       (c) "Employer" for public employees for purposes of this chapter  
19 means the same as "employer" for plan 3 in RCW 41.40.010.

20       ~~((6))~~ (5) "Member" means any employee included in the membership  
21 of a retirement system as provided for in chapter 41.32 RCW of plan 3,  
22 chapter 41.35 RCW of plan 3, or chapter 41.40 RCW of plan 3.

23       ~~((7))~~ (6) "Member account" or "member's account" means the sum of  
24 the contributions and earnings on behalf of the member.

25       ~~((8))~~ (7) "Retiree" means any member in receipt of an allowance  
26 or other benefit provided by this chapter resulting from service  
27 rendered to an employer by such member.

28       ~~((9))~~ (8) "Teacher" means a member of the teachers' retirement  
29 system plan 3 as defined in RCW 41.32.010(29).

30       ~~((10))~~ (9) "Classified employee" means a member of the school  
31 employees' retirement system plan 3 as defined in RCW 41.35.010.

32       ~~((11))~~ (10) "Public employee" means a member of the public  
33 employees' retirement system plan 3 as defined in RCW 41.40.010.

34       **Sec. 39.** RCW 41.34.040 and 2003 c 156 s 1 are each amended to read  
35 as follows:

36       (1) A member shall contribute from his or her compensation



1 according to one of the following rate structures in addition to the  
2 mandatory minimum five percent:

<u>Option A</u>	<u>Contribution Rate</u>
All Ages	0.0% fixed
<u>Option B</u>	
Up to Age 35	0.0%
Age 35 to 44	1.0%
Age 45 and above	2.5%
<u>Option C</u>	
Up to Age 35	1.0%
Age 35 to 44	2.5%
Age 45 and above	3.5%
<u>Option D</u>	
All Ages	2.0%
<u>Option E</u>	
All Ages	5.0%
<u>Option F</u>	
All Ages	10.0%

19 (2) The ((~~board~~)) department shall have the right to offer  
20 contribution rate options in addition to those listed in subsection (1)  
21 of this section, provided that no significant additional administrative  
22 costs are created. All options offered by the ((~~board~~)) department  
23 shall conform to the requirements stated in subsections (3) and (5) of  
24 this section.

25 (3)(a) For members of the teachers' retirement system entering plan  
26 3 under RCW 41.32.835 or members of the school employees' retirement  
27 system entering plan 3 under RCW 41.35.610, within ninety days of  
28 becoming a member he or she has an option to choose one of the above  
29 contribution rate structures. If the member does not select an option  
30 within the ninety-day period, he or she shall be assigned option A.

31 (b) For members of the public employees' retirement system entering  
32 plan 3 under RCW 41.40.785, within the ninety days described in RCW  
33 41.40.785 an employee who irrevocably chooses plan 3 shall select one  
34 of the above contribution rate structures. If the member does not

1 select an option within the ninety-day period, he or she shall be  
2 assigned option A.

3 (c) For members of the teachers' retirement system transferring to  
4 plan 3 under RCW 41.32.817, members of the school employees' retirement  
5 system transferring to plan 3 under RCW 41.35.510, or members of the  
6 public employees' retirement system transferring to plan 3 under RCW  
7 41.40.795, upon election to plan 3 he or she must choose one of the  
8 above contribution rate structures.

9 (d) Within ninety days of the date that an employee changes  
10 employers, he or she has an option to choose one of the above  
11 contribution rate structures. If the member does not select an option  
12 within this ninety-day period, he or she shall be assigned option A.

13 (4) Each year, members may change their contribution rate option by  
14 notifying their employer in writing during the month of January.

15 (5) Contributions shall begin the first day of the pay cycle in  
16 which the rate option is made, or the first day of the pay cycle in  
17 which the end of the ninety-day period occurs.

18 **Sec. 40.** RCW 41.34.070 and 2005 c 327 s 3 are each amended to read  
19 as follows:

20 (1) If the member retires, becomes disabled, or otherwise  
21 terminates employment, the balance in the member's account may be  
22 distributed in accordance with an option selected by the member either  
23 as a lump sum or pursuant to other options authorized by the ((~~board~~))  
24 department.

25 (2) If the member dies while in service, the balance of the  
26 member's account may be distributed in accordance with an option  
27 selected by the member either as a lump sum or pursuant to other  
28 options authorized by the ((~~board~~)) department. The distribution is as  
29 follows:

30 (a) The distribution shall be made to such person or persons as the  
31 member shall have nominated by written designation duly executed and  
32 filed with the department;

33 (b) If there be no such designated person or persons still living  
34 at the time of the member's death, the balance of the member's account  
35 in the retirement system, less any amount identified as owing to an  
36 obligee upon withdrawal of such account balance pursuant to a court

1 order filed under RCW 41.50.670, shall be paid to the member's  
2 surviving spouse as if in fact such spouse had been nominated by  
3 written designation;

4 (c) If there is no surviving spouse, then to such person or  
5 persons, trust, or organization as the member shall have nominated by  
6 written designation duly executed and filed with the department; or

7 (d) If there is no such designated person or persons still living  
8 at the time of the member's death, then to the member's legal  
9 representatives.

10 (3) If a member has a terminal illness and terminates from  
11 employment, the member may choose to have the balance in the member's  
12 account distributed as a lump sum payment based on the most recent  
13 valuation in order to expedite the distribution. The department shall  
14 make this payment within ten working days after receipt of notice of  
15 termination of employment, documentation verifying the terminal  
16 illness, and an application for payment.

17 (4) The distribution under subsections (1), (2), or (3) of this  
18 section shall be less any amount identified as owing to an obligee upon  
19 withdrawal pursuant to a court order filed under RCW 41.50.670.

20 **Sec. 41.** RCW 41.34.130 and 2001 c 181 s 3 are each amended to read  
21 as follows:

22 (1) The state investment board has the full authority to invest all  
23 self-directed investment moneys in accordance with RCW 43.84.150 and  
24 43.33A.140, and cumulative investment directions received pursuant to  
25 RCW 41.34.060 and this section. In carrying out this authority the  
26 state investment board, after consultation with the (~~employee~~  
27 ~~retirement benefits board~~) department regarding any recommendations  
28 made pursuant to RCW 41.50.088(1)(b), shall provide a set of options  
29 for members to choose from for self-directed investment.

30 (2) All investment and operating costs of the state investment  
31 board associated with making self-directed investments shall be paid by  
32 members and recovered under procedures agreed to by the (~~board~~)  
33 department and the state investment board pursuant to the principles  
34 set forth in RCW 43.33A.160 and 43.84.160. All other expenses caused  
35 by self-directed investment shall be paid by the member in accordance  
36 with rules established by the (~~board~~) department under RCW 41.50.088.

1 With the exception of these expenses, all earnings from self-directed  
2 investments shall accrue to the member's account.

3 (3)(a)(i) The department shall keep or cause to be kept full and  
4 adequate accounts and records of each individual member's account. The  
5 department shall account for and report on the investment of defined  
6 contribution assets or may enter into an agreement with the state  
7 investment board for such accounting and reporting under this chapter.

8 (ii) The department's duties related to individual participant  
9 accounts include conducting the activities of trade instruction,  
10 settlement activities, and direction of cash movement and related wire  
11 transfers with the custodian bank and outside investment firms.

12 (iii) The department has sole responsibility for contracting with  
13 any recordkeepers for individual participant accounts and shall manage  
14 the performance of recordkeepers under those contracts.

15 (b)(i) The department's duties under (a)(ii) of this subsection do  
16 not limit the authority of the state investment board to conduct its  
17 responsibilities for asset management and balancing of the deferred  
18 compensation funds.

19 (ii) The state investment board has sole responsibility for  
20 contracting with outside investment firms to provide investment  
21 management for the deferred compensation funds and shall manage the  
22 performance of investment managers under those contracts.

23 (c) The state treasurer shall designate and define the terms of  
24 engagement for the custodial banks.

25 **Sec. 42.** RCW 41.34.140 and 1999 c 265 s 2 are each amended to read  
26 as follows:

27 (1) A state board or commission, agency, or any officer, employee,  
28 or member thereof is not liable for any loss or deficiency resulting  
29 from member defined contribution investments selected or required  
30 pursuant to RCW 41.34.060 (1) or (3).

31 (2) Neither the (~~board~~) department, nor director or any employee,  
32 nor the state investment board, nor any officer, employee, or member  
33 thereof is liable for any loss or deficiency resulting from reasonable  
34 efforts to implement investment directions pursuant to RCW 41.34.060  
35 (1) or (3).

36 (3) The state investment board, or any officer, employee, or member

1 thereof is not liable with respect to any declared monthly unit  
2 valuations or crediting of rates of return, or any other exercise of  
3 powers or duties, including discretion, under RCW 41.34.060(2).

4 (4) The department, or any officer or employee thereof, is not  
5 liable for crediting rates of return which are consistent with the  
6 state investment board's declaration of monthly unit valuations  
7 pursuant to RCW 41.34.060(2).

8 **Sec. 43.** RCW 43.33A.135 and 1998 c 116 s 13 are each amended to  
9 read as follows:

10 The state investment board has the full power to establish  
11 investment policy, develop participant investment options, and manage  
12 investment funds for the state deferred compensation plan, consistent  
13 with the provisions of RCW 41.50.770 and 41.50.780. The board may  
14 continue to offer the investment options provided as of June 11, 1998,  
15 until the board establishes a deferred compensation plan investment  
16 policy and adopts new investment options after considering the  
17 recommendations of the ((~~employee retirement benefits board~~))  
18 department of retirement systems.

19 **Environmental and Land Use Hearings Board**

20 NEW SECTION. **Sec. 44.** The following acts or parts of acts are  
21 each repealed:

- 22 (1) RCW 43.21L.005 (Purpose) and 2003 c 393 s 1;  
23 (2) RCW 43.21L.010 (Definitions) and 2003 c 393 s 2;  
24 (3) RCW 43.21L.020 (Exclusive review process--Exception--Procedural  
25 rules) and 2003 c 393 s 3;  
26 (4) RCW 43.21L.030 (Designation as qualifying project--Request for  
27 determination--Duties of office of permit assistance) and 2003 c 393 s  
28 4;  
29 (5) RCW 43.21L.040 (Environmental and land use hearings board) and  
30 2003 c 393 s 5;  
31 (6) RCW 43.21L.050 (Review proceedings--Commencement--Rules for  
32 filing and service) and 2003 c 393 s 6;  
33 (7) RCW 43.21L.060 (Standing) and 2003 c 393 s 7;  
34 (8) RCW 43.21L.070 (Petition requirements) and 2003 c 393 s 8;

1 (9) RCW 43.21L.080 (Affidavit certifying applications for permits--  
2 Initial hearing on jurisdictional and preliminary matters) and 2003 c  
3 393 s 9;

4 (10) RCW 43.21L.090 (Expedited review of petitions) and 2003 c 393  
5 s 10;

6 (11) RCW 43.21L.100 (Stay or suspension of board action) and 2003  
7 c 393 s 11;

8 (12) RCW 43.21L.110 (Decision record--Certified copy to board--  
9 Costs) and 2003 c 393 s 12;

10 (13) RCW 43.21L.120 (Board review of permit decisions--Correction  
11 of errors and omissions--Pretrial discovery--Requests for records under  
12 chapter 42.56 RCW) and 2005 c 274 s 295 & 2003 c 393 s 13;

13 (14) RCW 43.21L.130 (Standards for granting relief--Action by  
14 board) and 2003 c 393 s 14;

15 (15) RCW 43.21L.140 (Judicial review) and 2003 c 393 s 15;

16 (16) RCW 43.21L.900 (Implementation--2003 c 393) and 2003 c 393 s  
17 24; and

18 (17) RCW 43.21L.901 (Effective date--2003 c 393) and 2003 c 393 s  
19 25.

20 **Sec. 45.** RCW 36.70C.030 and 2003 c 393 s 17 are each amended to  
21 read as follows:

22 (1) This chapter replaces the writ of certiorari for appeal of land  
23 use decisions and shall be the exclusive means of judicial review of  
24 land use decisions, except that this chapter does not apply to:

25 (a) Judicial review of:

26 (i) Land use decisions made by bodies that are not part of a local  
27 jurisdiction;

28 (ii) Land use decisions of a local jurisdiction that are subject to  
29 review by a quasi-judicial body created by state law, such as the  
30 shorelines hearings board(~~(, the environmental and land use hearings~~  
31 ~~board,)) or the growth management hearings board;~~

32 (b) Judicial review of applications for a writ of mandamus or  
33 prohibition; or

34 (c) Claims provided by any law for monetary damages or  
35 compensation. If one or more claims for damages or compensation are  
36 set forth in the same complaint with a land use petition brought under  
37 this chapter, the claims are not subject to the procedures and

1 standards, including deadlines, provided in this chapter for review of  
2 the petition. The judge who hears the land use petition may, if  
3 appropriate, preside at a trial for damages or compensation.

4 (2) The superior court civil rules govern procedural matters under  
5 this chapter to the extent that the rules are consistent with this  
6 chapter.

7 **Sec. 46.** RCW 43.21B.005 and 2003 c 393 s 18 and 2003 c 39 s 22  
8 are each reenacted and amended to read as follows:

9 (1) There is created an environmental hearings office of the state  
10 of Washington. The environmental hearings office shall consist of the  
11 pollution control hearings board created in RCW 43.21B.010, the forest  
12 practices appeals board created in RCW 76.09.210, the shorelines  
13 hearings board created in RCW 90.58.170, (~~the environmental and land~~  
14 ~~use hearings board created in chapter 43.21B RCW,~~) and the hydraulic  
15 appeals board created in RCW (~~77.55.170~~) 77.55.301. The chair of the  
16 pollution control hearings board shall be the chief executive officer  
17 of the environmental hearings office. Membership, powers, functions,  
18 and duties of the pollution control hearings board, the forest  
19 practices appeals board, the shorelines hearings board, and the  
20 hydraulic appeals board shall be as provided by law.

21 (2) The chief executive officer of the environmental hearings  
22 office may appoint an administrative appeals judge who shall possess  
23 the powers and duties conferred by the administrative procedure act,  
24 chapter 34.05 RCW, in cases before the boards comprising the office.  
25 The administrative appeals judge shall have a demonstrated knowledge of  
26 environmental law, and shall be admitted to the practice of law in the  
27 state of Washington. Additional administrative appeals judges may also  
28 be appointed by the chief executive officer on the same terms.  
29 Administrative appeals judges shall not be subject to chapter 41.06  
30 RCW.

31 (3) The administrative appeals judges appointed under subsection  
32 (2) of this section are subject to discipline and termination, for  
33 cause, by the chief executive officer. Upon written request by the  
34 person so disciplined or terminated, the chief executive officer shall  
35 state the reasons for such action in writing. The person affected has  
36 a right of review by the superior court of Thurston county on petition

1 for reinstatement or other remedy filed within thirty days of receipt  
2 of such written reasons.

3 (4) The chief executive officer may appoint, discharge, and fix the  
4 compensation of such administrative or clerical staff as may be  
5 necessary.

6 (5) The chief executive officer may also contract for required  
7 services.

8 **Family Practice Education Advisory Board**

9 NEW SECTION. **Sec. 47.** The following acts or parts of acts are  
10 each repealed:

11 (1) RCW 70.112.030 (Family practice education advisory board--  
12 Chairman--Membership) and 1975 1st ex.s. c 108 s 3;

13 (2) RCW 70.112.040 (Advisory board--Terms of members--Filling  
14 vacancies) and 1975 1st ex.s. c 108 s 4; and

15 (3) RCW 70.112.050 (Advisory board--Duties) and 1998 c 245 s 111 &  
16 1975 1st ex.s. c 108 s 5.

17 **Sec. 48.** RCW 70.112.010 and 1975 1st ex.s. c 108 s 1 are each  
18 amended to read as follows:

19 (1) "School of medicine" means the University of Washington school  
20 of medicine located in Seattle, Washington;

21 (2) "Residency programs" mean community based family practice  
22 residency educational programs either in existence or established under  
23 this chapter;

24 (3) "Affiliated" means established or developed in cooperation with  
25 the school of medicine;

26 (4) "Family practice unit" means the community facility or  
27 classroom used for training of ambulatory health skills within a  
28 residency training program; and

29 ~~((5) "Advisory board" means the family practice education advisory  
30 board created by this chapter.))~~

31 **Sec. 49.** RCW 70.112.020 and 1975 1st ex.s. c 108 s 2 are each  
32 amended to read as follows:

33 There is established a statewide medical education system for the



1 purpose of training resident physicians in family practice. The dean  
2 of the school of medicine shall be responsible for implementing the  
3 development and expansion of residency programs in cooperation with the  
4 medical profession, hospitals, and clinics located throughout the  
5 state. The chairman of the department of family medicine in the school  
6 of medicine(~~(, with the consent of the advisory board,)~~) shall  
7 determine where affiliated residency programs shall exist; giving  
8 consideration to communities in the state where the population,  
9 hospital facilities, number of physicians, and interest in medical  
10 education indicate the potential success of the residency program. The  
11 medical education system shall provide financial support for residents  
12 in training for those programs which are affiliated with the school of  
13 medicine and shall establish positions for appropriate faculty to staff  
14 these programs. The number of programs shall be determined by the  
15 board and be in keeping with the needs of the state.

16 **Fire Protection Policy Board**

17 NEW SECTION. **Sec. 50.** The following acts or parts of acts are  
18 each repealed:

19 (1) RCW 43.43.932 (State fire protection policy board--Created--  
20 Members) and 2005 c 35 s 1, 1995 c 369 s 15, & 1986 c 266 s 55; and

21 (2) RCW 43.43.936 (State fire protection policy board--Advisory  
22 duties) and 1995 c 369 s 17, 1993 c 280 s 70, & 1986 c 266 s 57.

23 **Sec. 51.** RCW 43.43.930 and 1995 c 369 s 14 are each amended to  
24 read as follows:

25 The legislature finds that fire protection services at the state  
26 level are provided by different, independent state agencies. This has  
27 resulted in a lack of a comprehensive state-level focus for state fire  
28 protection services, funding, and policy. The legislature further  
29 finds that the paramount duty of the state in fire protection services  
30 is to enhance the capacity of all local jurisdictions to assure that  
31 their personnel with fire suppression, prevention, inspection, origin  
32 and cause, and arson investigation responsibilities are adequately  
33 trained to discharge their responsibilities. It is the intent of the  
34 legislature to consolidate fire protection services into a single state

1 agency (~~and to create a state board with the responsibility of (1)~~  
2 ~~establishing a comprehensive state policy regarding fire protection~~  
3 ~~services and (2) advising the chief of the Washington state patrol and~~  
4 ~~the director of fire protection on matters relating to their duties~~  
5 ~~under state law)). It is also the intent of the legislature that the~~  
6 fire protection services program created herein will assist local fire  
7 protection agencies in program development without encroaching upon  
8 their historic autonomy. It is the further intent of the legislature  
9 that the fire protection services program be implemented incrementally  
10 to assure a smooth transition, to build local, regional, and state  
11 capacity, and to avoid undue burdens on jurisdictions with limited  
12 resources.

13 **Sec. 52.** RCW 43.43.934 and 2003 c 316 s 1 are each amended to read  
14 as follows:

15 (~~Except for matters relating to the statutory duties of the chief~~  
16 ~~of the Washington state patrol that are to be carried out through)) The  
17 director of fire protection(~~, the board shall have the responsibility~~  
18 ~~of developing a comprehensive state policy regarding fire protection~~  
19 ~~services. In carrying out its duties, the board)) shall:~~~~

20 (1)(a) (~~Adopt a state fire training and education master plan that~~  
21 ~~allows to the maximum feasible extent for negotiated agreements;)) (i)  
22 With the state board for community and technical colleges (~~(to)~~)  
23 provide academic, vocational, and field training programs for the fire  
24 service; and (ii) with the higher education coordinating board and the  
25 state colleges and universities (~~(to)~~)  
26 provide instructional programs  
27 requiring advanced training, especially in command and management  
28 skills;~~

29 (b) (~~Adopt minimum standards for each level of responsibility~~  
30 ~~among personnel with fire suppression, prevention, inspection, and~~  
31 ~~investigation responsibilities that assure continuing assessment of~~  
32 ~~skills and are flexible enough to meet emerging technologies. With~~  
33 ~~particular respect to training for fire investigations, the master plan~~  
34 ~~shall encourage cross training in appropriate law enforcement skills.~~  
35 ~~To meet special local needs, fire agencies may adopt more stringent~~  
36 ~~requirements than those adopted by the state;~~

37 (~~e~~)) Cooperate with the common schools, technical and community  
colleges, institutions of higher education, and any department or

1 division of the state, or of any county or municipal corporation in  
2 establishing and maintaining instruction in fire service training and  
3 education in accordance with any act of congress and legislation  
4 enacted by the legislature in pursuance thereof and in establishing,  
5 building, and operating training and education facilities.

6 Industrial fire departments and private fire investigators may  
7 participate in training and education programs under this chapter for  
8 a reasonable fee established by rule;

9 ~~((d))~~ (c) Develop and adopt a master plan for constructing,  
10 equipping, maintaining, and operating necessary fire service training  
11 and education facilities subject to the provisions of chapter 43.19  
12 RCW;

13 ~~((e))~~ (d) Develop and adopt a master plan for the purchase,  
14 lease, or other acquisition of real estate necessary for fire service  
15 training and education facilities in a manner provided by law; and

16 ~~((f))~~ (e) Develop and adopt a plan with a goal of providing  
17 firefighter one and wildland training(~~(, as defined by the board,)~~) to  
18 all firefighters in the state. Wildland training reimbursement will be  
19 provided if a fire protection district or a city fire department has  
20 and is fulfilling their interior attack policy or if they do not have  
21 an interior attack policy. The plan will include a reimbursement for  
22 fire protection districts and city fire departments of not less than  
23 three dollars for every hour of firefighter one or wildland training.  
24 The Washington state patrol shall not provide reimbursement for more  
25 than two hundred hours of firefighter one or wildland training for each  
26 firefighter trained.

27 (2) ~~((In addition to its responsibilities for fire service  
28 training, the board shall:~~

29 ~~(a) Adopt a state fire protection master plan;~~

30 ~~(b) Monitor fire protection in the state and develop objectives and  
31 priorities to improve fire protection for the state's citizens  
32 including: (i) The comprehensiveness of state and local inspections  
33 required by law for fire and life safety; (ii) the level of skills and  
34 training of inspectors, as well as needs for additional training; and  
35 (iii) the efforts of local, regional, and state inspection agencies to  
36 improve coordination and reduce duplication among inspection efforts;~~

37 ~~(c) Establish and promote state arson control programs and ensure  
38 development of local arson control programs;~~

1 ~~(d) Provide representation for local fire protection services to~~  
2 ~~the governor in state level fire protection planning matters such as,~~  
3 ~~but not limited to, hazardous materials control;~~

4 ~~(e) Recommend to the adjutant general rules on minimum information~~  
5 ~~requirements of automatic location identification for the purposes of~~  
6 ~~enhanced 911 emergency service;~~

7 ~~(f) Seek and solicit grants, gifts, bequests, devises, and matching~~  
8 ~~funds for use in furthering the objectives and duties of the board, and~~  
9 ~~establish procedures for administering them;~~

10 ~~(g))~~ (a) Promote mutual aid and disaster planning for fire  
11 services in this state;

12 ~~((h))~~ (b) Assure the dissemination of information concerning the  
13 amount of fire damage including that damage caused by arson, and its  
14 causes and prevention; and

15 ~~((i))~~ (c) Implement any legislation enacted by the legislature to  
16 meet the requirements of any acts of congress that apply to this  
17 section.

18 (3) In carrying out its statutory duties, the ~~((board))~~ office of  
19 the state fire marshal shall give particular consideration to the  
20 appropriate roles to be played by the state and by local jurisdictions  
21 with fire protection responsibilities. Any determinations on the  
22 division of responsibility shall be made in consultation with local  
23 fire officials and their representatives.

24 To the extent possible, the ~~((board))~~ office of the state fire  
25 marshal shall encourage development of regional units along compatible  
26 geographic, population, economic, and fire risk dimensions. Such  
27 regional units may serve to: (a) Reinforce coordination among state  
28 and local activities in fire service training, reporting, inspections,  
29 and investigations; (b) identify areas of special need, particularly in  
30 smaller jurisdictions with inadequate resources; (c) assist the state  
31 in its oversight responsibilities; (d) identify funding needs and  
32 options at both the state and local levels; and (e) provide models for  
33 building local capacity in fire protection programs.

34 **Sec. 53.** RCW 43.43.938 and 1995 c 369 s 18 are each amended to  
35 read as follows:

36 (1) Wherever the term state fire marshal appears in the Revised

1 Code of Washington or the Washington Administrative Code it shall mean  
2 the director of fire protection.

3 (2) The chief of the Washington state patrol shall appoint an  
4 officer who shall be known as the director of fire protection. ((The  
5 board, after consulting with the chief of the Washington state patrol,  
6 shall prescribe qualifications for the position of director of fire  
7 protection. The board shall submit to the chief of the Washington  
8 state patrol a list containing the names of three persons whom the  
9 board believes meet its qualifications. If requested by the chief of  
10 the Washington state patrol, the board shall submit one additional list  
11 of three persons whom the board believes meet its qualifications. The  
12 appointment shall be from one of the lists of persons submitted by the  
13 board.))

14 (3) The director of fire protection may designate one or more  
15 deputies and may delegate to those deputies his or her duties and  
16 authorities as deemed appropriate.

17 (4) The director of fire protection(~~(, in accordance with the~~  
18 ~~policies, objectives, and priorities of the fire protection policy~~  
19 ~~board,)) shall prepare a biennial budget pertaining to fire protection  
20 services. Such biennial budget shall be submitted as part of the  
21 Washington state patrol's budget request.~~

22 (5) The director of fire protection, shall implement and  
23 administer, within constraints established by budgeted resources, (~~the~~  
24 ~~policies, objectives, and priorities of the board and~~) all duties of  
25 the chief of the Washington state patrol that are to be carried out  
26 through the director of fire protection, and all of the duties of the  
27 director of fire protection. Such administration shall include  
28 negotiation of agreements with the state board for community and  
29 technical colleges, the higher education coordinating board, and the  
30 state colleges and universities as provided in RCW ((~~43.63A.320~~)  
31 43.43.934). Programs covered by such agreements shall include, but not  
32 be limited to, planning curricula, developing and delivering  
33 instructional programs and materials, and using existing instructional  
34 personnel and facilities. Where appropriate, such contracts shall also  
35 include planning and conducting instructional programs at the state  
36 fire service training center.

37 ((~~6~~) The chief of the Washington state patrol, through the

1 ~~director of fire protection, shall seek the advice of the board in~~  
2 ~~carrying out his or her duties under law.))~~

3 **Sec. 54.** RCW 43.43.962 and 2003 c 405 s 3 are each amended to read  
4 as follows:

5 The (~~state fire protection policy board~~) director of fire  
6 protection shall review and make recommendations to the chief on the  
7 refinement and maintenance of the Washington state fire services  
8 mobilization plan, which shall include the procedures to be used during  
9 fire and other emergencies for coordinating local, regional, and state  
10 fire jurisdiction resources. In carrying out this duty, the director  
11 of fire protection (~~policy board~~) shall consult with and solicit  
12 recommendations from representatives of state and local fire and  
13 emergency management organizations, regional fire defense boards, and  
14 the department of natural resources. The Washington state fire  
15 services mobilization plan shall be consistent with, and made part of,  
16 the Washington state comprehensive emergency management plan. The  
17 chief shall review the fire services mobilization plan as submitted by  
18 the director of fire protection (~~policy board~~), recommend changes  
19 that may be necessary, and approve the fire services mobilization plan  
20 for inclusion within the state comprehensive emergency management plan.

21 It is the responsibility of the chief to mobilize jurisdictions  
22 under the Washington state fire services mobilization plan. The state  
23 fire marshal shall serve as the state fire resources coordinator when  
24 the Washington state fire services mobilization plan is mobilized.

25 **Sec. 55.** RCW 43.43.963 and 1997 c 49 s 11 are each amended to read  
26 as follows:

27 Regions within the state are initially established as follows but  
28 may be adjusted as necessary by the state fire marshal:

29 (1) Northwest region - Whatcom, Skagit, Snohomish, San Juan, and  
30 Island counties;

31 (2) Northeast region - Okanogan, Ferry, Stevens, Pend Oreille,  
32 Spokane, and Lincoln counties;

33 (3) Olympic region - Clallam and Jefferson counties;

34 (4) South Puget Sound region - Kitsap, Mason, King, and Pierce  
35 counties;

1 (5) Southeast region - Chelan, Douglas, Kittitas, Grant, Adams,  
2 Whitman, Yakima, Klickitat, Benton, Franklin, Walla Walla, Columbia,  
3 Garfield, and Asotin counties;

4 (6) Central region - Grays Harbor, Thurston, Pacific, and Lewis  
5 counties; and

6 (7) Southwest region - Wahkiakum, Cowlitz, Clark, and Skamania  
7 counties.

8 Within each of these regions there is created a regional fire  
9 defense board. The regional fire defense boards shall consist of two  
10 members from each county in the region. One member from each county  
11 shall be appointed by the county fire chiefs' association or, in the  
12 event there is no such county association, by the county's legislative  
13 authority. Each county's office of emergency management or, in the  
14 event there is no such office, the county's legislative authority shall  
15 select the second representative to the regional board. The department  
16 of natural resources fire control chief shall appoint a representative  
17 from each department of natural resources region to serve as a member  
18 of the appropriate regional fire defense board. Members of each  
19 regional board will select a chairperson and secretary as officers.  
20 Members serving on the regional boards do so in a voluntary capacity  
21 and are not eligible for reimbursement for meeting-related expenses  
22 from the state.

23 Regional defense boards shall develop regional fire service plans  
24 that include provisions for organized fire agencies to respond across  
25 municipal, county, or regional boundaries. Each regional plan shall be  
26 consistent with the incident command system, the Washington state fire  
27 services mobilization plan, and regional response plans already adopted  
28 and in use in the state. The regional boards shall work with the  
29 relevant local government entities to facilitate development of  
30 intergovernmental agreements if any such agreements are required to  
31 implement a regional fire service plan. Each regional plan shall be  
32 approved by the (~~fire protection policy board before implementation~~)  
33 director of fire protection.

34 **Sec. 56.** RCW 43.44.030 and 1991 c 170 s 2 are each amended to read  
35 as follows:

36 (~~Nonconstruction standards relative to fire prevention and safety~~  
37 ~~for all schools under the jurisdiction of the superintendent of public~~

1 ~~instruction and state board of education shall be established by the~~  
2 ~~state fire protection board.))~~ The director of fire protection shall  
3 make or cause to be made plan reviews and construction inspections for  
4 all E-1 occupancies as may be necessary to insure compliance with the  
5 state building code and standards for schools adopted under chapter  
6 19.27 RCW. Nothing in this section prohibits the director of fire  
7 protection from delegating construction inspection authority to any  
8 local jurisdiction.

9 **Sec. 57.** RCW 43.44.060 and 1999 c 231 s 1 are each amended to read  
10 as follows:

11 (1) The chief of each organized fire department, or the sheriff or  
12 other designated county official having jurisdiction over areas not  
13 within the jurisdiction of any fire department, shall report  
14 statistical information and data to the chief of the Washington state  
15 patrol, through the director of fire protection, on each fire occurring  
16 within the official's jurisdiction and, within two business days,  
17 report any death resulting from fire. Reports shall be consistent with  
18 the national fire incident reporting system developed by the United  
19 States fire administration and rules established by the chief of the  
20 Washington state patrol, through the director of fire protection. The  
21 chief of the Washington state patrol, through the director of fire  
22 protection, and the department of natural resources shall jointly  
23 determine the statistical information to be reported on fires on land  
24 under the jurisdiction of the department of natural resources.

25 (2) The chief of the Washington state patrol, through the director  
26 of fire protection, shall analyze the information and data reported,  
27 compile a report, and distribute a copy annually by July 1st to each  
28 chief fire official in the state. Upon request, the chief of the  
29 Washington state patrol, through the director of fire protection, shall  
30 also furnish a copy of the report to any other interested person at  
31 cost.

32 ~~((3) In carrying out the duties relating to collecting, analyzing,~~  
33 ~~and reporting statistical fire data, the fire protection policy board~~  
34 ~~may purchase statistical fire data from a qualified individual or~~  
35 ~~organization. The information shall meet the diverse needs of state~~  
36 ~~and local fire reporting agencies and shall be (a) defined in~~  
37 ~~understandable terms of common usage in the fire community; (b)~~



1 ~~adaptable to the varying levels of resources available; (c) maintained~~  
2 ~~in a manner that will foster both technical support and resource~~  
3 ~~sharing; and (d) designed to meet both short and long term needs.)~~

4 **Sec. 58.** RCW 38.52.530 and 2006 c 210 s 1 are each amended to read  
5 as follows:

6 The enhanced 911 advisory committee is created to advise and assist  
7 the state enhanced 911 coordinator in coordinating and facilitating the  
8 implementation and operation of enhanced 911 throughout the state. The  
9 director shall appoint members of the committee who represent diverse  
10 geographical areas of the state and include state residents who are  
11 members of the national emergency number association, the associated  
12 public communications officers Washington chapter, the Washington state  
13 fire chiefs association, the Washington association of sheriffs and  
14 police chiefs, the Washington state council of firefighters, the  
15 Washington state council of police officers, the Washington ambulance  
16 association, (~~the state fire protection policy board,~~) the Washington  
17 state firefighters association, the Washington state association of  
18 fire marshals, the Washington fire commissioners association, the  
19 Washington state patrol, the association of Washington cities, the  
20 Washington state association of counties, the utilities and  
21 transportation commission or commission staff, a representative of a  
22 voice over internet protocol company, and an equal number of  
23 representatives of large and small local exchange telephone companies  
24 and large and small radio communications service companies offering  
25 commercial mobile radio service in the state. This section expires  
26 December 31, 2011.

27 **Sec. 59.** RCW 49.26.120 and 1995 c 218 s 6 are each amended to read  
28 as follows:

29 (1) No person may assign any employee, contract with, or permit any  
30 individual or person to remove or encapsulate asbestos in any facility  
31 unless performed by a certified asbestos worker and under the direct,  
32 on-site supervision of a certified asbestos supervisor. In cases in  
33 which an employer conducts an asbestos abatement project in its own  
34 facility and by its own employees, supervision can be performed in the  
35 regular course of a certified asbestos supervisor's duties. Asbestos

1 workers must have access to certified asbestos supervisors throughout  
2 the duration of the project.

3 (2) The department shall require persons undertaking asbestos  
4 projects to provide written notice to the department before the  
5 commencement of the project except as provided in RCW 49.26.125. The  
6 notice shall include a written description containing such information  
7 as the department requires by rule. The department may by rule allow  
8 a person to report multiple projects at one site in one report. The  
9 department shall by rule establish the procedure and criteria by which  
10 a person will be considered to have attempted to meet the  
11 prenotification requirement.

12 (3) The department shall consult with the (~~state fire protection~~  
13 ~~policy board,~~) Washington state association of fire chiefs and may  
14 establish any additional policies and procedures for municipal fire  
15 department and fire district personnel who clean up sites after fires  
16 which have rendered it likely that asbestos has been or will be  
17 disturbed or released into the air.

18 **Hazardous Substance Mixed Waste Advisory Board**

19 NEW SECTION. **Sec. 60.** The following acts or parts of acts are  
20 each repealed:

21 (1) RCW 70.105E.070 (Disclosure of costs and clean-up budgets) and  
22 2005 c 1 s 7; and

23 (2) RCW 70.105E.090 (Advisory board--Public involvement--Funding)  
24 and 2005 c 1 s 9.

25 **Health and Welfare Advisory Board**  
26 **and Property and Liability Advisory Board**

27 NEW SECTION. **Sec. 61.** The following acts or parts of acts are  
28 each repealed:

29 (1) RCW 48.62.051 (Health and welfare advisory board--Creation--  
30 Membership--Duties) and 1991 sp.s. c 30 s 5; and

31 (2) RCW 48.62.041 (Property and liability advisory board--  
32 Creation--Membership--Duties) and 1991 sp.s. c 30 s 4.

1           **Sec. 62.** RCW 48.62.061 and 1991 sp.s. c 30 s 6 are each amended to  
2 read as follows:

3           The state risk manager(~~(, in consultation with the property and~~  
4 ~~liability advisory board,)~~) shall adopt rules governing the management  
5 and operation of both individual and joint local government self-  
6 insurance programs covering property or liability risks. The state  
7 risk manager shall also adopt rules governing the management and  
8 operation of both individual and joint local government self-insured  
9 health and welfare benefits programs (~~(in consultation with the health~~  
10 ~~and welfare benefits advisory board)~~). All rules shall be appropriate  
11 for the type of program and class of risk covered. The state risk  
12 manager's rules shall include:

13           (1) Standards for the management, operation, and solvency of self-  
14 insurance programs, including the necessity and frequency of actuarial  
15 analyses and claims audits;

16           (2) Standards for claims management procedures; and

17           (3) Standards for contracts between self-insurance programs and  
18 private businesses including standards for contracts between third-  
19 party administrators and programs.

20           **Sec. 63.** RCW 48.62.161 and 1991 sp.s. c 30 s 16 are each amended  
21 to read as follows:

22           (1) The state risk manager shall establish and charge an  
23 investigation fee in an amount necessary to cover the costs for the  
24 initial review and approval of a self-insurance program. The fee must  
25 accompany the initial submission of the plan of operation and  
26 management.

27           (2) The costs of subsequent reviews and investigations shall be  
28 charged to the self-insurance program being reviewed or investigated in  
29 accordance with the actual time and expenses incurred in the review or  
30 investigation.

31           (3) (~~(After the formation of the two advisory boards, each board)~~)  
32 The state risk manager may calculate, levy, and collect from each joint  
33 property and liability self-insurance program and each individual and  
34 joint health and welfare benefit program regulated by this chapter a  
35 start-up assessment to pay initial expenses and operating costs of  
36 (~~(the boards and)~~) the risk manager's office in administering this

1 chapter. Any program failing to remit its assessment when due is  
2 subject to denial of permission to operate or to a cease and desist  
3 order until the assessment is paid.

4 **Higher Education Coordinating Board Advisory Council**

5 NEW SECTION. **Sec. 64.** RCW 28B.76.100 (Advisory council) and 2007  
6 c 458 s 103, 2004 c 275 s 2, & 1985 c 370 s 9 are each repealed.

7 **Higher Education Coordinating Board Research Advisory Group**

8 **Sec. 65.** RCW 28B.76.280 and 2004 c 275 s 12 are each amended to  
9 read as follows:

10 (1) In consultation with the institutions of higher education and  
11 state education agencies, the board shall identify the data needed to  
12 carry out its responsibilities for policy analysis, accountability,  
13 program improvements, and public information. The primary goals of the  
14 board's data collection and research are to describe how students and  
15 other beneficiaries of higher education are being served; to support  
16 higher education accountability; and to assist state policymakers and  
17 institutions in making policy decisions.

18 (2) The board shall (~~convene a research advisory group and shall~~  
19 ~~collaborate with the group to~~) identify the most cost-effective manner  
20 for the board to collect data or access existing data. The board shall  
21 (~~work with the advisory group to~~) develop research priorities,  
22 policies, and common definitions to maximize the reliability and  
23 consistency of data across institutions. (~~The advisory group shall~~  
24 ~~include representatives of public and independent higher education~~  
25 ~~institutions and other state agencies, including the state board for~~  
26 ~~community and technical colleges, the office of the superintendent of~~  
27 ~~public instruction, the office of financial management, the employment~~  
28 ~~security department, the workforce training and education coordinating~~  
29 ~~board, and other agencies as appropriate.~~)

30 (3) Specific protocols shall be developed by the board (~~and the~~  
31 ~~advisory group~~) to protect the privacy of individual student records

1 while ensuring the availability of student data for legitimate research  
2 purposes.

3 **Industry Cluster Advisory Committee**

4 **Sec. 66.** RCW 43.330.090 and 2009 c 151 s 1 are each amended to  
5 read as follows:

6 (1) The department shall work with private sector organizations,  
7 industry and sector associations, federal agencies, state agencies that  
8 use a sector-based approach to service delivery, local governments,  
9 local associate development organizations, and higher education and  
10 training institutions in the development of industry sector-based  
11 strategies to diversify the economy, facilitate technology transfer and  
12 diffusion, and increase value-added production. The industry sectors  
13 targeted by the department may include, but are not limited to,  
14 aerospace, agriculture, food processing, forest products, marine  
15 services, health and biomedical, software, digital and interactive  
16 media, transportation and distribution, and microelectronics. The  
17 department shall, on a continuing basis, evaluate the potential return  
18 to the state from devoting additional resources to an industry sector-  
19 based approach to economic development and identifying and assisting  
20 additional sectors.

21 (2) The department's sector-based strategies shall include, but not  
22 be limited to, cluster-based strategies that focus on assisting  
23 regional industry sectors and related firms and institutions that meet  
24 the definition of an industry cluster in this section and based on  
25 criteria identified by the working group established in this chapter.

26 (3)(a) The department shall promote, market, and encourage growth  
27 in the production of films and videos, as well as television  
28 commercials within the state; to this end the department is directed to  
29 assist in the location of a film and video production studio within the  
30 state.

31 (b) The department may, in carrying out its efforts to encourage  
32 film and video production in the state, solicit and receive gifts,  
33 grants, funds, fees, and endowments, in trust or otherwise, from  
34 tribal, local, or other governmental entities, as well as private  
35 sources, and may expend the same or any income therefrom for the

1 encouragement of film and video production. All revenue received for  
2 such purposes shall be deposited into the film and video promotion  
3 account created in RCW 43.330.092.

4 (4) In assisting in the development of regional and statewide  
5 industry cluster-based strategies, the department's activities shall  
6 include, but are not limited to:

7 (a) Facilitating regional focus group discussions and conducting  
8 studies to identify industry clusters, appraise the current information  
9 linkages within a cluster, and identify issues of common concern within  
10 a cluster;

11 (b) Supporting industry and cluster associations, publications of  
12 association and cluster directories, and related efforts to create or  
13 expand the activities of industry and cluster associations;

14 (c) Administering a competitive grant program to fund economic  
15 development activities designed to further regional cluster growth. In  
16 administering the program, the department shall work with (~~(an industry  
17 cluster advisory committee with equal representation from)~~) the  
18 economic development commission, the workforce training and education  
19 coordinating board, the state board for community and technical  
20 colleges, the employment security department, business, and labor.

21 (i) The (~~(industry cluster advisory committee)~~) department shall  
22 (~~(recommend)~~) seek recommendations on criteria for evaluating  
23 applications for grant funds and recommend applicants for receipt of  
24 grant funds. Criteria shall include not duplicating the purpose or  
25 efforts of industry skill panels.

26 (ii) Applicants must include organizations from at least two  
27 counties and participants from the local business community. Eligible  
28 organizations include, but are not limited to, local governments,  
29 economic development councils, chambers of commerce, federally  
30 recognized Indian tribes, workforce development councils, and  
31 educational institutions.

32 (iii) Applications must evidence financial participation of the  
33 partner organizations.

34 (iv) Eligible activities include the formation of cluster economic  
35 development partnerships, research and analysis of economic development  
36 needs of the cluster, the development of a plan to meet the economic  
37 development needs of the cluster, and activities to implement the plan.

1 (v) Priority shall be given to applicants that complement industry  
2 skill panels and will use the grant funds to build linkages and joint  
3 projects.

4 (vi) The maximum amount of a grant is one hundred thousand dollars.

5 (vii) A maximum of one hundred thousand dollars total can go to  
6 King, Pierce, Kitsap, and Snohomish counties combined.

7 (viii) No more than ten percent of funds received for the grant  
8 program may be used by the department for administrative costs.

9 (5) As used in this chapter, "industry cluster" means a geographic  
10 concentration of interconnected companies in a single industry, related  
11 businesses in other industries, including suppliers and customers, and  
12 associated institutions, including government and education.

### 13 **Integrated Justice Information Board**

14 NEW SECTION. **Sec. 67.** The following acts or parts of acts are  
15 each repealed:

16 (1) RCW 10.98.200 (Findings--Intent) and 2005 c 274 s 208 & 2003 c  
17 104 s 1;

18 (2) RCW 10.98.210 (Washington integrated justice information  
19 board--Members) and 2003 c 104 s 3;

20 (3) RCW 10.98.220 (Washington integrated justice information  
21 board--Meetings) and 2003 c 104 s 4;

22 (4) RCW 10.98.230 (Washington integrated justice information  
23 board--Powers and duties) and 2003 c 104 s 5; and

24 (5) RCW 10.98.240 (Washington integrated justice information  
25 board--Report) and 2003 c 104 s 6.

### 26 **Juvenile Justice Advisory Committee**

27 **Sec. 68.** RCW 2.56.031 and 1993 c 415 s 2 are each amended to read  
28 as follows:

29 The administrator for the courts shall develop a plan to improve  
30 the collection and reporting of information on juvenile offenders by  
31 all juvenile courts in the state. The information related to juvenile  
32 offenders shall include, but is not limited to, social, demographic,

1 education, and economic data on juvenile offenders and where possible,  
2 their families. Development and implementation of the plan shall be  
3 accomplished in consultation with the human rights commission, (~~the~~  
4 ~~governor's juvenile justice advisory committee,~~) superior court  
5 judges, juvenile justice administrators, and interested juvenile  
6 justice practitioners and researchers. The plan shall include a  
7 schedule and budget for implementation and shall be provided to the  
8 office of financial management by September 15, 1993.

9 **Sec. 69.** RCW 13.40.510 and 1997 c 338 s 61 are each amended to  
10 read as follows:

11 (1) In order to receive funds under RCW 13.40.500 through  
12 13.40.540, local governments may, through their respective agencies  
13 that administer funding for consolidated juvenile services, submit  
14 proposals that establish community juvenile accountability programs  
15 within their communities. These proposals must be submitted to the  
16 juvenile rehabilitation administration of the department of social and  
17 health services for certification.

18 (2) The proposals must:

19 (a) Demonstrate that the proposals were developed with the input of  
20 (~~the community public health and safety networks established under RCW~~  
21 ~~70.190.060, and~~) the local law and justice councils established under  
22 RCW 72.09.300;

23 (b) Describe how local community groups or members are involved in  
24 the implementation of the programs funded under RCW 13.40.500 through  
25 13.40.540;

26 (c) Include a description of how the grant funds will contribute to  
27 the expected outcomes of the program and the reduction of youth  
28 violence and juvenile crime in their community. Data approaches are  
29 not required to be replicated if the networks have information that  
30 addresses risks in the community for juvenile offenders.

31 (3) A local government receiving a grant under this section shall  
32 agree that any funds received must be used efficiently to encourage the  
33 use of community-based programs that reduce the reliance on secure  
34 confinement as the sole means of holding juvenile offenders accountable  
35 for their crimes. The local government shall also agree to account for  
36 the expenditure of all funds received under the grant and to submit to



1 audits for compliance with the grant criteria developed under RCW  
2 13.40.520.

3 (4) The juvenile rehabilitation administration, in consultation  
4 with the Washington association of juvenile court administrators((~~7~~))  
5 and the state law and justice advisory council, (~~(and the family policy~~  
6 ~~council,~~)) shall establish guidelines for programs that may be funded  
7 under RCW 13.40.500 through 13.40.540. The guidelines must:

8 (a) Target diverted and adjudicated juvenile offenders;

9 (b) Include assessment methods to determine services, programs, and  
10 intervention strategies most likely to change behaviors and norms of  
11 juvenile offenders;

12 (c) Provide maximum structured supervision in the community.  
13 Programs should use natural surveillance and community guardians such  
14 as employers, relatives, teachers, clergy, and community mentors to the  
15 greatest extent possible;

16 (d) Promote good work ethic values and educational skills and  
17 competencies necessary for the juvenile offender to function  
18 effectively and positively in the community;

19 (e) Maximize the efficient delivery of treatment services aimed at  
20 reducing risk factors associated with the commission of juvenile  
21 offenses;

22 (f) Maximize the reintegration of the juvenile offender into the  
23 community upon release from confinement;

24 (g) Maximize the juvenile offender's opportunities to make full  
25 restitution to the victims and amends to the community;

26 (h) Support and encourage increased court discretion in imposing  
27 community-based intervention strategies;

28 (i) Be compatible with research that shows which prevention and  
29 early intervention strategies work with juvenile offenders;

30 (j) Be outcome-based in that it describes what outcomes will be  
31 achieved or what outcomes have already been achieved;

32 (k) Include an evaluation component; and

33 (l) Recognize the diversity of local needs.

34 (5) The state law and justice advisory council(~~(, with the~~  
35 ~~assistance of the family policy council and the governor's juvenile~~  
36 ~~justice advisory committee,~~)) may provide support and technical  
37 assistance to local governments for training and education regarding  
38 community-based prevention and intervention strategies.

1 **K-20 Educational Network Board**

2 **K-20 Network Technical Steering Committee**

3 NEW SECTION. **Sec. 70.** The following acts or parts of acts are  
4 each repealed:

5 (1) RCW 43.105.800 (K-20 educational network board) and 1999 c 285  
6 s 2; and

7 (2) RCW 43.105.810 (K-20 network technical steering committee) and  
8 1999 c 285 s 6.

9 **Sec. 71.** RCW 43.105.020 and 2009 c 565 s 32, 2009 c 509 s 7, and  
10 2009 c 486 s 14 are each reenacted and amended to read as follows:

11 The definitions in this section apply throughout this chapter  
12 unless the context clearly (~~required~~ ~~[requires]~~) requires otherwise.

13 (1) "Administrator" means the community technology opportunity  
14 program administrator designated by the department.

15 (2) "Backbone network" means the shared high-density portions of  
16 the state's telecommunications transmission facilities. It includes  
17 specially conditioned high-speed communications carrier lines,  
18 multiplexors, switches associated with such communications lines, and  
19 any equipment and software components necessary for management and  
20 control of the backbone network.

21 (3) "Board" means the information services board.

22 (4) "Broadband" means a high-speed, high capacity transmission  
23 medium, using land-based, satellite, wireless, or any other mechanism,  
24 that can carry either signals or transmit data, or both, over long  
25 distances by using a wide range of frequencies.

26 (5) "Committee" means the state interoperability executive  
27 committee.

28 (6) "Common vendor registration and bid notification system" has  
29 the definition in RCW 39.29.006.

30 (7) "Community technology programs" means programs that are engaged  
31 in diffusing information and communications technology in local  
32 communities, particularly in unserved and underserved areas of the  
33 state. These programs may include, but are not limited to, programs  
34 that provide education and skill-building opportunities, hardware and  
35 software, internet connectivity, digital media literacy, development of

1 locally relevant content, and delivery of vital services through  
2 technology.

3 (8) "Council" means the advisory council on digital inclusion  
4 created in RCW 43.105.400.

5 (9) "Department" means the department of information services.

6 (10) "Director" means the director of the department.

7 (11) "Educational sectors" means those institutions of higher  
8 education, school districts, and educational service districts that use  
9 the network for distance education, data transmission, and other uses  
10 permitted by the K-20 board.

11 (12) "Equipment" means the machines, devices, and transmission  
12 facilities used in information processing, such as computers, word  
13 processors, terminals, telephones, wireless communications system  
14 facilities, cables, and any physical facility necessary for the  
15 operation of such equipment.

16 (13) "High-speed internet" means broadband.

17 (14) "Information" includes, but is not limited to, data, text,  
18 voice, and video.

19 (15) "Information processing" means the electronic capture,  
20 collection, storage, manipulation, transmission, retrieval, and  
21 presentation of information in the form of data, text, voice, or image  
22 and includes telecommunications and office automation functions.

23 (16) "Information services" means data processing,  
24 telecommunications, office automation, and computerized information  
25 systems.

26 (17) "Information technology portfolio" or "portfolio" means a  
27 strategic management process documenting relationships between agency  
28 missions and information technology and telecommunications investments.

29 ~~(18) ("K-20 educational network board" or "K-20 board" means the  
30 K-20 educational network board created in RCW 43.105.800.~~

31 ~~(19))~~ (19) "K-20 network" means the network established in RCW  
32 43.105.820.

33 ~~((20) "K-20 network technical steering committee" or "committee"  
34 means the K-20 network technical steering committee created in RCW  
35 43.105.810.~~

36 ~~(21))~~ (19) "Local governments" includes all municipal and quasi  
37 municipal corporations and political subdivisions, and all agencies of  
38 such corporations and subdivisions authorized to contract separately.

1       ~~((+22+))~~ (20) "Oversight" means a process of comprehensive risk  
2 analysis and management designed to ensure optimum use of information  
3 technology resources and telecommunications.

4       ~~((+23+))~~ (21) "Proprietary software" means that software offered  
5 for sale or license.

6       ~~((+24+))~~ (22) "Purchased services" means services provided by a  
7 vendor to accomplish routine, continuing, and necessary functions.  
8 This term includes, but is not limited to, services acquired for  
9 equipment maintenance and repair, operation of a physical plant,  
10 security, computer hardware and software installation and maintenance,  
11 telecommunications installation and maintenance, data entry, keypunch  
12 services, programming services, and computer time-sharing.

13       ~~((+25+))~~ (23) "Small business" has the definition in RCW 39.29.006.

14       ~~((+26+))~~ (24) "Telecommunications" means the transmission of  
15 information by wire, radio, optical cable, electromagnetic, or other  
16 means.

17       ~~((+27+))~~ (25) "Video telecommunications" means the electronic  
18 interconnection of two or more sites for the purpose of transmitting  
19 and/or receiving visual and associated audio information. Video  
20 telecommunications shall not include existing public television  
21 broadcast stations as currently designated by the department of  
22 commerce under chapter 43.330 RCW.

23       **Sec. 72.** RCW 43.105.041 and 2009 c 486 s 13 are each amended to  
24 read as follows:

25       (1) The board shall have the following powers and duties related to  
26 information services:

27       (a) To develop standards and procedures governing the acquisition  
28 and disposition of equipment, proprietary software and purchased  
29 services, licensing of the radio spectrum by or on behalf of state  
30 agencies, and confidentiality of computerized data;

31       (b) To purchase, lease, rent, or otherwise acquire, dispose of, and  
32 maintain equipment, proprietary software, and purchased services, or to  
33 delegate to other agencies and institutions of state government, under  
34 appropriate standards, the authority to purchase, lease, rent, or  
35 otherwise acquire, dispose of, and maintain equipment, proprietary  
36 software, and purchased services: PROVIDED, That, agencies and  
37 institutions of state government are expressly prohibited from

1 acquiring or disposing of equipment, proprietary software, and  
2 purchased services without such delegation of authority. The  
3 acquisition and disposition of equipment, proprietary software, and  
4 purchased services is exempt from RCW 43.19.1919 and, as provided in  
5 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200,  
6 except that the board, the department, and state agencies, as  
7 delegated, must post notices of technology procurement bids on the  
8 state's common vendor registration and bid notification system. This  
9 subsection (1)(b) does not apply to the legislative branch;

10 (c) To develop statewide or interagency technical policies,  
11 standards, and procedures;

12 (d) To review and approve standards and common specifications for  
13 new or expanded telecommunications networks proposed by agencies,  
14 public postsecondary education institutions, educational service  
15 districts, or statewide or regional providers of K-12 information  
16 technology services, and to assure the cost-effective development and  
17 incremental implementation of a statewide video telecommunications  
18 system to serve: Public schools; educational service districts;  
19 vocational-technical institutes; community colleges; colleges and  
20 universities; state and local government; and the general public  
21 through public affairs programming;

22 (e) To provide direction concerning strategic planning goals and  
23 objectives for the state. The board shall seek input from the  
24 legislature and the judiciary;

25 (f) To develop and implement a process for the resolution of  
26 appeals by:

27 (i) Vendors concerning the conduct of an acquisition process by an  
28 agency or the department; or

29 (ii) A customer agency concerning the provision of services by the  
30 department or by other state agency providers;

31 (g) To establish policies for the periodic review by the department  
32 of agency performance which may include but are not limited to analysis  
33 of:

34 (i) Planning, management, control, and use of information services;

35 (ii) Training and education; and

36 (iii) Project management;

37 (h) To set its meeting schedules and convene at scheduled times, or

1 meet at the request of a majority of its members, the chair, or the  
2 director;

3 (i) To review and approve that portion of the department's budget  
4 requests that provides for support to the board; and

5 (j) To develop procurement policies and procedures, such as  
6 unbundled contracting and subcontracting, that encourage and facilitate  
7 the purchase of products and services by state agencies and  
8 institutions from Washington small businesses to the maximum extent  
9 practicable and consistent with international trade agreement  
10 commitments.

11 (2) Statewide technical standards to promote and facilitate  
12 electronic information sharing and access are an essential component of  
13 acceptable and reliable public access service and complement content-  
14 related standards designed to meet those goals. The board shall:

15 (a) Establish technical standards to facilitate electronic access  
16 to government information and interoperability of information systems,  
17 including wireless communications systems. Local governments are  
18 strongly encouraged to follow the standards established by the board;  
19 and

20 (b) Require agencies to consider electronic public access needs  
21 when planning new information systems or major upgrades of systems.

22 In developing these standards, the board is encouraged to include  
23 the state library, state archives, and appropriate representatives of  
24 state and local government.

25 (3)(a) The board(~~(, in consultation with the K-20 board,)~~) has the  
26 duty to govern, operate, and oversee the technical design,  
27 implementation, and operation of the K-20 network including, but not  
28 limited to, the following duties: Establishment and implementation of  
29 K-20 network technical policy, including technical standards and  
30 conditions of use; review and approval of network design; procurement  
31 of shared network services and equipment; and resolving user/provider  
32 disputes concerning technical matters. The board shall delegate  
33 general operational and technical oversight to the (~~K-20 network~~  
34 ~~technical steering committee~~) department as appropriate.

35 (b) The board has the authority to adopt rules under chapter 34.05  
36 RCW to implement the provisions regarding the technical operations and  
37 conditions of use of the K-20 network.

1       **Sec. 73.** RCW 43.105.805 and 1999 c 285 s 3 are each amended to  
2 read as follows:

3       The ((K-20)) board has the following powers and duties:

4       (1) In cooperation with the educational sectors and other  
5 interested parties, to establish goals and measurable objectives for  
6 the network;

7       (2) To ensure that the goals and measurable objectives of the  
8 network are the basis for any decisions or recommendations regarding  
9 the technical development and operation of the network;

10       (3) To adopt, modify, and implement policies to facilitate network  
11 development, operation, and expansion. Such policies may include but  
12 need not be limited to the following issues: Quality of educational  
13 services; access to the network by recognized organizations and  
14 accredited institutions that deliver educational programming, including  
15 public libraries; prioritization of programming within limited  
16 resources; prioritization of access to the system and the sharing of  
17 technological advances; network security; identification and evaluation  
18 of emerging technologies for delivery of educational programs; future  
19 expansion or redirection of the system; network fee structures; and  
20 costs for the development and operation of the network;

21       (4) To prepare and submit to the governor and the legislature a  
22 coordinated budget for network development, operation, and expansion.  
23 The budget shall include the recommendations of the ((K-20)) board on  
24 (a) any state funding requested for network transport and equipment,  
25 distance education facilities and hardware or software specific to the  
26 use of the network, and proposed new network end sites, (b) annual  
27 copayments to be charged to public educational sector institutions and  
28 other public entities connected to the network, and (c) charges to  
29 nongovernmental entities connected to the network;

30       (5) To adopt and monitor the implementation of a methodology to  
31 evaluate the effectiveness of the network in achieving the educational  
32 goals and measurable objectives;

33       (6) To authorize the release of funds from the K-20 technology  
34 account under RCW 43.105.830 for network expenditures;

35       (7) To establish by rule acceptable use policies governing user  
36 eligibility for participation in the K-20 network, acceptable uses of  
37 network resources, and procedures for enforcement of such policies.  
38 The ((K-20)) board shall set forth appropriate procedures for

1 enforcement of acceptable use policies, that may include suspension of  
2 network connections and removal of shared equipment for violations of  
3 network conditions or policies. (~~However, the information services~~)  
4 The board shall have sole responsibility for the implementation of  
5 enforcement procedures relating to technical conditions of use.

6 **Sec. 74.** RCW 43.105.820 and 1999 c 285 s 11 are each amended to  
7 read as follows:

8 The information services board shall prepare a technical plan for  
9 the design and construction of the K-20 telecommunication system. The  
10 board shall ensure that the technical plan adheres to the goals and  
11 objectives established under RCW 43.105.041. The board shall provide  
12 formal project approval and oversight during the development and  
13 implementation of the K-20 telecommunications network. In approving  
14 the plan, the board shall conduct a request for proposal process. The  
15 technical plan shall be developed in phases as follows:

16 (1) Phase one shall provide a telecommunication backbone connecting  
17 educational service districts, the main campuses of public  
18 baccalaureate institutions, the branch campuses of public research  
19 institutions, and the main campuses of community colleges and technical  
20 colleges.

21 (2) Phase two shall provide for (a) connection to the network by  
22 entities that include, but need not be limited to: School districts,  
23 public higher education off-campus and extension centers, and branch  
24 campuses of community colleges and technical colleges, as prioritized  
25 by the K-20 telecommunications oversight and policy committee, or as  
26 modified by the board; (b) distance education facilities and components  
27 for entities listed in subsections (1) and (2) of this section; and (c)  
28 connection for independent nonprofit institutions of higher education,  
29 provided that:

30 (i) The (~~K-20~~) board and each independent nonprofit institution  
31 of higher education to be connected agree in writing to terms and  
32 conditions of connectivity. The terms and conditions shall ensure,  
33 among other things, that the provision of K-20 services does not  
34 violate Article VIII, section 5 of the state Constitution and that the  
35 institution shall adhere to network policies; and

36 (ii) The (~~K-20~~) board determines that inclusion of the



1 independent nonprofit institutions of higher education will not  
2 significantly affect the network's eligibility for federal universal  
3 service fund discounts or subsidies.

4 (3) Subsequent phases may include, but need not be limited to,  
5 connections to public libraries, state and local governments, community  
6 resource centers, and the private sector.

7 **Washington Main Street Advisory Committee**

8 NEW SECTION. **Sec. 75.** RCW 43.360.040 (Washington main street  
9 advisory committee) and 2005 c 514 s 911 are each repealed.

10 **Mortgage Brokers**

11 NEW SECTION. **Sec. 76.** RCW 19.146.280 (Mortgage broker  
12 commission--Code of conduct--Complaint review) and 2009 c 518 s 1, 2006  
13 c 19 s 17, 2001 c 177 s 6, 1997 c 106 s 20, 1994 c 33 s 26, & 1993 c  
14 468 s 21 are each repealed.

15 **Sec. 77.** RCW 19.146.225 and 2006 c 19 s 14 are each amended to  
16 read as follows:

17 In accordance with the administrative procedure act, chapter 34.05  
18 RCW, the director may issue rules under this chapter only (~~after~~  
19 ~~seeking the advice of the mortgage broker commission and only~~) for the  
20 purpose of governing the activities of licensed mortgage brokers, loan  
21 originators, and other persons subject to this chapter.

22 **Oil Spill Advisory Council**

23 NEW SECTION. **Sec. 78.** The following acts or parts of acts are  
24 each repealed:

25 (1) RCW 90.56.120 (Oil spill advisory council--Meetings--Travel  
26 expenses and compensation) and 2006 c 372 s 907 & 2005 c 304 s 2; and

27 (2) RCW 90.56.130 (Council--Duties--Work plan--Reports) and 2005 c  
28 304 s 3.

1           **Sec. 79.** RCW 90.56.005 and 2005 c 304 s 1 are each amended to read  
2 as follows:

3           (1) The legislature declares that water borne transportation as a  
4 source of supply for oil and hazardous substances poses special concern  
5 for the state of Washington. Each year billions of gallons of crude  
6 oil and refined petroleum products are transported as cargo and fuel by  
7 vessels on the navigable waters of the state. These shipments are  
8 expected to increase in the coming years. Vessels transporting oil  
9 into Washington travel on some of the most unique and special marine  
10 environments in the United States. These marine environments are a  
11 source of natural beauty, recreation, and economic livelihood for many  
12 residents of this state. As a result, the state has an obligation to  
13 ensure the citizens of the state that the waters of the state will be  
14 protected from oil spills.

15           (2) The legislature finds that prevention is the best method to  
16 protect the unique and special marine environments in this state. The  
17 technology for containing and cleaning up a spill of oil or hazardous  
18 substances is at best only partially effective. Preventing spills is  
19 more protective of the environment and more cost-effective when all the  
20 response and damage costs associated with responding to a spill are  
21 considered. Therefore, the legislature finds that the primary  
22 objective of the state is to achieve a zero spills strategy to prevent  
23 any oil or hazardous substances from entering waters of the state.

24           (3) The legislature also finds that:

25           (a) Recent accidents in Washington, Alaska, southern California,  
26 Texas, Pennsylvania, and other parts of the nation have shown that the  
27 transportation, transfer, and storage of oil have caused significant  
28 damage to the marine environment;

29           (b) Even with the best efforts, it is nearly impossible to remove  
30 all oil that is spilled into the water, and average removal rates are  
31 only fourteen percent;

32           (c) Washington's navigable waters are treasured environmental and  
33 economic resources that the state cannot afford to place at undue risk  
34 from an oil spill;

35           (d) The state has a fundamental responsibility, as the trustee of  
36 the state's natural resources and the protector of public health and  
37 the environment to prevent the spill of oil; and

1 (e) In section 5002 of the federal oil pollution act of 1990, the  
2 United States congress found that many people believed that complacency  
3 on the part of industry and government was one of the contributing  
4 factors to the Exxon Valdez spill and, further, that one method to  
5 combat this complacency is to involve local citizens in the monitoring  
6 and oversight of oil spill plans. Congress also found that a mechanism  
7 should be established that fosters the long-term partnership of  
8 industry, government, and local communities in overseeing compliance  
9 with environmental concerns in the operation of crude oil terminals.  
10 Moreover, congress concluded that, in addition to Alaska, a program of  
11 citizen monitoring and oversight should be established in other major  
12 crude oil terminals in the United States because recent oil spills  
13 indicate that the safe transportation of oil is a national problem.

14 (4) In order to establish a comprehensive prevention and response  
15 program to protect Washington's waters and natural resources from  
16 spills of oil, it is the purpose of this chapter:

17 (a) To establish state agency expertise in marine safety and to  
18 centralize state activities in spill prevention and response  
19 activities;

20 (b) To prevent spills of oil and to promote programs that reduce  
21 the risk of both catastrophic and small chronic spills;

22 (c) To ensure that responsible parties are liable, and have the  
23 resources and ability, to respond to spills and provide compensation  
24 for all costs and damages;

25 (d) To provide for state spill response and wildlife rescue  
26 planning and implementation;

27 (e) To support and complement the federal oil pollution act of 1990  
28 and other federal law, especially those provisions relating to the  
29 national contingency plan for cleanup of oil spills and discharges,  
30 including provisions relating to the responsibilities of state agencies  
31 designated as natural resource trustees. The legislature intends this  
32 chapter to be interpreted and implemented in a manner consistent with  
33 federal law;

34 (f) To provide broad powers of regulation to the department of  
35 ecology relating to spill prevention and response;

36 (g) To provide for ((an)) independent ((oil spill advisory council  
37 to)) review on an ongoing basis the adequacy of oil spill prevention,  
38 preparedness, and response activities in this state; and

1 (h) To provide an adequate funding source for state response and  
2 prevention programs.

3 **Sec. 80.** RCW 90.56.060 and 2005 c 304 s 4 are each amended to read  
4 as follows:

5 (1) The department shall prepare and annually update a statewide  
6 master oil and hazardous substance spill prevention and contingency  
7 plan. In preparing the plan, the department shall consult with an  
8 advisory committee representing diverse interests concerned with oil  
9 and hazardous substance spills, including the United States coast  
10 guard, the federal environmental protection agency, state agencies,  
11 local governments, port districts, private facilities, environmental  
12 organizations, oil companies, shipping companies, containment and  
13 cleanup contractors, tow companies, and hazardous substance  
14 manufacturers(~~(, and with the oil spill advisory council)~~).

15 (2) The state master plan prepared under this section shall at a  
16 minimum:

17 (a) Take into consideration the elements of oil spill prevention  
18 and contingency plans approved or submitted for approval pursuant to  
19 this chapter and chapter 88.46 RCW and oil and hazardous substance  
20 spill contingency plans prepared pursuant to other state or federal law  
21 or prepared by federal agencies and regional entities;

22 (b) State the respective responsibilities as established by  
23 relevant statutes and rules of each of the following in the prevention  
24 of and the assessment, containment, and cleanup of a worst case spill  
25 of oil or hazardous substances into the environment of the state: (i)  
26 State agencies; (ii) local governments; (iii) appropriate federal  
27 agencies; (iv) facility operators; (v) property owners whose land or  
28 other property may be affected by the oil or hazardous substance spill;  
29 and (vi) other parties identified by the department as having an  
30 interest in or the resources to assist in the containment and cleanup  
31 of an oil or hazardous substance spill;

32 (c) State the respective responsibilities of the parties identified  
33 in (b) of this subsection in an emergency response;

34 (d) Identify actions necessary to reduce the likelihood of spills  
35 of oil and hazardous substances;

36 (e) Identify and obtain mapping of environmentally sensitive areas  
37 at particular risk to oil and hazardous substance spills;

1 (f) Establish an incident command system for responding to oil and  
2 hazardous substances spills; and

3 (g) Establish a process for immediately notifying affected tribes  
4 of any oil spill.

5 (3) In preparing and updating the state master plan, the department  
6 shall:

7 (a) Consult with federal, provincial, municipal, and community  
8 officials, other state agencies, the state of Oregon, and with  
9 representatives of affected regional organizations;

10 (b) Submit the draft plan to the public for review and comment;

11 (c) Submit to the appropriate standing committees of the  
12 legislature for review, not later than November 1st of each year, the  
13 plan and any annual revision of the plan; and

14 (d) Require or schedule unannounced oil spill drills as required by  
15 RCW 90.56.260 to test the sufficiency of oil spill contingency plans  
16 approved under RCW 90.56.210.

17 (4) The department shall evaluate the functions of advisory  
18 committees created by the department regarding oil spill prevention,  
19 preparedness, and response programs, and shall revise or eliminate  
20 those functions which are no longer necessary.

21 **Olympic Natural Resources Center Policy Advisory Board**

22 **Sec. 81.** RCW 43.30.820 and 1991 c 316 s 3 are each amended to read  
23 as follows:

24 The Olympic natural resources center shall operate under the  
25 authority of the board of regents of the University of Washington. It  
26 shall be administered by a director appointed jointly by the deans of  
27 the college of forest resources and the college of ocean and fishery  
28 sciences. The director shall be a member of the faculty of one of  
29 those colleges. The director shall appoint and maintain a scientific  
30 or technical committee, and other committees as necessary, to advise  
31 the director on the efficiency, effectiveness, and quality of the  
32 center's activities.

33 ~~((A policy advisory board consisting of eleven members shall be  
34 appointed by the governor to advise the deans and the director on  
35 policies for the center that are consistent with the purposes of the~~

1 center. Membership on the policy advisory board shall broadly  
2 represent the various interests concerned with the purposes of the  
3 center, including state and federal government, environmental  
4 organizations, local community, timber industry, and Indian tribes.

5 Service on boards and committees of the center shall be without  
6 compensation but actual travel expenses incurred in connection with  
7 service to the center may be reimbursed from appropriated funds in  
8 accordance with RCW 43.03.050 and 43.03.060.))

9 **On-site Wastewater Treatment Systems Advisory Committee**

10 NEW SECTION. **Sec. 82.** The following acts or parts of acts are  
11 each repealed:

- 12 (1) RCW 18.210.040 (Advisory committee) and 1999 c 263 s 5; and  
13 (2) RCW 18.210.070 (Advisory committee--Duties) and 1999 c 263 s 8.

14 **Sec. 83.** RCW 18.210.010 and 1999 c 263 s 2 are each amended to  
15 read as follows:

16 The definitions in this section apply throughout this chapter  
17 unless the context clearly requires otherwise.

18 (1) (~~("Advisory committee" means a group of individuals with broad  
19 knowledge and experience in the design, construction, and regulation of  
20 on-site wastewater treatment systems, appointed under this chapter to  
21 offer recommendations to the board and the director on the  
22 administration of the program established under this chapter.~~

23 ~~(2))~~ "Board" means the board of registration for professional  
24 engineers and land surveyors as defined in chapter 18.43 RCW.

25 ~~((3))~~ (2) "Designer," "licensee," or "permit holder" means an  
26 individual authorized under this chapter to perform design services for  
27 on-site wastewater treatment systems.

28 ~~((4))~~ (3) "Director" means the director of the Washington state  
29 department of licensing.

30 ~~((5))~~ (4) "Engineer" means a professional engineer licensed under  
31 chapter 18.43 RCW.

32 ~~((6))~~ (5) "Practice of engineering" has the meaning set forth in  
33 RCW 18.43.020(5).

1 ((+7)) (6) "On-site wastewater treatment system" means an  
2 integrated system of components that: Convey, store, treat, and/or  
3 provide subsurface soil treatment and disposal of wastewater effluent  
4 on the property where it originates or on adjacent or other property  
5 and includes piping, treatment devices, other accessories, and soil  
6 underlying the disposal component of the initial and reserve areas, for  
7 on-site wastewater treatment under three thousand five hundred gallons  
8 per day when not connected to a public sewer system.

9 ((+8)) (7) "On-site wastewater design" means the development of  
10 plans, details, specifications, instructions, or inspections by  
11 application of specialized knowledge in analysis of soils, on-site  
12 wastewater treatment systems, disposal methods, and technologies to  
13 create an integrated system of collection, transport, distribution,  
14 treatment, and disposal of on-site wastewater.

15 ((+9)) (8) "Local health jurisdiction" or "jurisdictional health  
16 department" means an administrative agency created under chapter 70.05,  
17 70.08, or 70.46 RCW, that administers the regulation and codes  
18 regarding on-site wastewater treatment systems.

19 ((+10)) (9) "Practice permit" means an authorization to practice  
20 granted to an individual who designs on-site wastewater treatment  
21 systems and who has been authorized by a local health jurisdiction to  
22 practice on or before July 1, 2000.

23 ((+11)) (10) "License" means a license to design on-site  
24 wastewater treatment systems under this chapter.

25 ((+12)) (11) "Certificate of competency" means a certificate  
26 issued to employees of local health jurisdictions indicating that the  
27 certificate holder has passed the licensing examination required under  
28 this chapter.

29 **Sec. 84.** RCW 18.210.050 and 1999 c 263 s 6 are each amended to  
30 read as follows:

31 The director may:

32 (1) ~~((Appoint and reappoint members to the advisory committee,~~  
33 ~~including temporary additional members, and remove committee members~~  
34 ~~for just cause;~~

35 (+2)) Employ administrative, clerical, and investigative staff as  
36 necessary to administer and enforce this chapter;

1        ~~((+3))~~ (2) Establish fees for applications, examinations, and  
2 renewals in accordance with chapter 43.24 RCW;  
3        ~~((+4))~~ (3) Issue practice permits and licenses to applicants who  
4 meet the requirements of this chapter; and  
5        ~~((+5))~~ (4) Exercise rule-making authority to implement this  
6 section.

7        **Sec. 85.** RCW 18.210.060 and 2002 c 86 s 258 are each amended to  
8 read as follows:

9        ~~((+1))~~ The board may:

10        ~~((+a))~~ (1) Adopt rules to implement this chapter including, but  
11 not limited to, evaluation of experience, examinations, and scope and  
12 standards of practice;

13        ~~((+b))~~ (2) Administer licensing examinations; and

14        ~~((+c))~~ (3) Review and approve or deny initial and renewal license  
15 applications.

16        ~~((+2) The board shall consider recommendations of the advisory  
17 committee made in accordance with this chapter.))~~

18                    **On-site Sewage Disposal Systems Alternative Systems**  
19                    **Technical Review Committee**

20        NEW SECTION.    **Sec. 86.** RCW 70.118.100 (Alternative systems--  
21 Technical review committee) and 1997 c 447 s 3 are each repealed.

22        **Sec. 87.** RCW 70.118.110 and 1997 c 447 s 5 are each amended to  
23 read as follows:

24        In order to assure that technical guidelines and standards keep  
25 pace with advancing technologies, the department of health in  
26 collaboration with ~~((the technical review committee,))~~ local health  
27 departments~~((,))~~ and other interested parties, must review and update  
28 as appropriate, the state guidelines and standards for alternative on-  
29 site sewage disposal every three years. The first review and update  
30 must be completed by January 1, 1999.

31                    **Orthotic and Prosthetics Advisory Committee**



1        NEW SECTION.        **Sec. 88.**        RCW 18.200.060 (Advisory committee--  
2        Composition--Terms--Duties) and 1997 c 285 s 7 are each repealed.

3        **Sec. 89.**        RCW 18.200.010 and 1997 c 285 s 2 are each amended to  
4        read as follows:

5        The definitions in this section apply throughout this chapter  
6        unless the context clearly requires otherwise.

7        (1) (~~"Advisory committee" means the orthotics and prosthetics~~  
8        ~~advisory committee.~~

9        ~~(2))~~ "Department" means the department of health.

10        ~~((3))~~ (2) "Secretary" means the secretary of health or the  
11        secretary's designee.

12        ~~((4))~~ (3) "Orthotics" means the science and practice of  
13        evaluating, measuring, designing, fabricating, assembling, fitting,  
14        adjusting, or servicing, as well as providing the initial training  
15        necessary to accomplish the fitting of, an orthosis for the support,  
16        correction, or alleviation of neuromuscular or musculoskeletal  
17        dysfunction, disease, injury, or deformity. The practice of orthotics  
18        encompasses evaluation, treatment, and consultation. With basic  
19        observational gait and postural analysis, orthotists assess and design  
20        orthoses to maximize function and provide not only the support but the  
21        alignment necessary to either prevent or correct deformity or to  
22        improve the safety and efficiency of mobility or locomotion, or both.  
23        Orthotic practice includes providing continuing patient care in order  
24        to assess its effect on the patient's tissues and to assure proper fit  
25        and function of the orthotic device by periodic evaluation.

26        ~~((5))~~ (4) "Orthotist" means a person licensed to practice  
27        orthotics under this chapter.

28        ~~((6))~~ (5) "Orthosis" means a custom-fabricated, definitive brace  
29        or support that is designed for long-term use. Except for the  
30        treatment of scoliosis, orthosis does not include prefabricated or  
31        direct-formed orthotic devices, as defined in this section, or any of  
32        the following assistive technology devices: Commercially available  
33        knee orthoses used following injury or surgery; spastic muscle tone-  
34        inhibiting orthoses; upper extremity adaptive equipment; finger  
35        splints; hand splints; custom-made, leather wrist gauntlets; face masks  
36        used following burns; wheelchair seating that is an integral part of  
37        the wheelchair and not worn by the patient independent of the

1 wheelchair; fabric or elastic supports; corsets; arch supports, also  
2 known as foot orthotics; low-temperature formed plastic splints;  
3 trusses; elastic hose; canes; crutches; cervical collars; dental  
4 appliances; and other similar devices as determined by the secretary,  
5 such as those commonly carried in stock by a pharmacy, department  
6 store, corset shop, or surgical supply facility. Prefabricated  
7 orthoses, also known as custom-fitted, or off-the-shelf, are devices  
8 that are manufactured as commercially available stock items for no  
9 specific patient. Direct-formed orthoses are devices formed or shaped  
10 during the molding process directly on the patient's body or body  
11 segment. Custom-fabricated orthoses, also known as custom-made  
12 orthoses, are devices designed and fabricated, in turn, from raw  
13 materials for a specific patient and require the generation of an  
14 image, form, or mold that replicates the patient's body or body segment  
15 and, in turn, involves the rectification of dimensions, contours, and  
16 volumes to achieve proper fit, comfort, and function for that specific  
17 patient.

18 ((+7)) (6) "Prosthetics" means the science and practice of  
19 evaluating, measuring, designing, fabricating, assembling, fitting,  
20 aligning, adjusting, or servicing, as well as providing the initial  
21 training necessary to accomplish the fitting of, a prosthesis through  
22 the replacement of external parts of a human body lost due to  
23 amputation or congenital deformities or absences. The practice of  
24 prosthetics also includes the generation of an image, form, or mold  
25 that replicates the patient's body or body segment and that requires  
26 rectification of dimensions, contours, and volumes for use in the  
27 design and fabrication of a socket to accept a residual anatomic limb  
28 to, in turn, create an artificial appendage that is designed either to  
29 support body weight or to improve or restore function or cosmesis, or  
30 both. Involved in the practice of prosthetics is observational gait  
31 analysis and clinical assessment of the requirements necessary to  
32 refine and mechanically fix the relative position of various parts of  
33 the prosthesis to maximize the function, stability, and safety of the  
34 patient. The practice of prosthetics includes providing continuing  
35 patient care in order to assess the prosthetic device's effect on the  
36 patient's tissues and to assure proper fit and function of the  
37 prosthetic device by periodic evaluation.

1       (~~(+8)~~) (7) "Prosthetist" means a person who is licensed to  
2 practice prosthetics under this chapter.

3       (~~(+9)~~) (8) "Prosthesis" means a definitive artificial limb that is  
4 alignable or articulated, or, in lower extremity applications, capable  
5 of weight bearing. Prosthesis means an artificial medical device that  
6 is not surgically implanted and that is used to replace a missing limb,  
7 appendage, or other external human body part including an artificial  
8 limb, hand, or foot. The term does not include artificial eyes, ears,  
9 fingers or toes, dental appliances, ostomy products, devices such as  
10 artificial breasts, eyelashes, wigs, or other devices as determined by  
11 the secretary that do not have a significant impact on the  
12 musculoskeletal functions of the body. In the lower extremity of the  
13 body, the term prosthesis does not include prostheses required for  
14 amputations distal to and including the transmetatarsal level. In the  
15 upper extremity of the body, the term prosthesis does not include  
16 prostheses that are provided to restore function for amputations distal  
17 to and including the carpal level.

18       (~~(+10)~~) (9) "Authorized health care practitioner" means licensed  
19 physicians, physician's assistants, osteopathic physicians,  
20 chiropractors, naturopaths, podiatric physicians and surgeons,  
21 dentists, and advanced registered nurse practitioners.

22       **Sec. 90.** RCW 18.200.050 and 1997 c 285 s 6 are each amended to  
23 read as follows:

24       In addition to other authority provided by law, the secretary has  
25 the authority to:

26       (1) Adopt rules under chapter 34.05 RCW necessary to implement this  
27 chapter;

28       (2) Establish administrative procedures, administrative  
29 requirements, and fees in accordance with RCW 43.70.250 and 43.70.280.  
30 All fees collected under this section must be credited to the health  
31 professions account as required under RCW 43.70.320;

32       (3) Register applicants, issue licenses to applicants who have met  
33 the education, training, and examination requirements for licensure,  
34 and deny licenses to applicants who do not meet the minimum  
35 qualifications, except that proceedings concerning the denial of  
36 credentials based upon unprofessional conduct or impairment are  
37 governed by the uniform disciplinary act, chapter 18.130 RCW;

1 (4) Hire clerical, administrative, investigative, and other staff  
2 as needed to implement this chapter and hire individuals licensed under  
3 this chapter to serve as examiners for any practical examinations;

4 (5) Determine minimum education requirements and evaluate and  
5 designate those educational programs from which graduation will be  
6 accepted as proof of eligibility to take a qualifying examination for  
7 applicants for licensure;

8 (6) Establish the standards and procedures for revocation of  
9 approval of education programs;

10 (7) Utilize or contract with individuals or organizations having  
11 expertise in the profession or in education to assist in the  
12 evaluations;

13 (8) Prepare and administer, or approve the preparation and  
14 administration of, examinations for applicants for licensure;

15 (9) Determine whether alternative methods of training are  
16 equivalent to formal education, and establish forms, procedures, and  
17 criteria for evaluation of an applicant's alternative training to  
18 determine the applicant's eligibility to take any qualifying  
19 examination;

20 (10) Determine which jurisdictions have licensing requirements  
21 equivalent to those of this state and issue licenses without  
22 examinations to individuals licensed in those jurisdictions;

23 (11) Define and approve any experience requirement for licensing;

24 (12) Implement and administer a program for consumer education;

25 (13) Adopt rules implementing continuing competency requirements  
26 for renewal of the license and relicensing;

27 (14) Maintain the official department records of all applicants and  
28 licensees;

29 (15) Establish by rule the procedures for an appeal of an  
30 examination failure;

31 (16) Establish requirements and procedures for an inactive license;  
32 and

33 (17) (~~With the advice of the advisory committee, the secretary~~  
34 ~~may~~) Recommend collaboration with health professions, boards, and  
35 commissions to develop appropriate referral protocols.

36 **Sec. 91.** RCW 18.200.070 and 1997 c 285 s 8 are each amended to  
37 read as follows:

1 (1) An applicant must file a written application on forms provided  
2 by the department showing to the satisfaction of the secretary(~~(, in~~  
3 ~~consultation with the advisory committee,~~) that the applicant meets  
4 the following requirements:

5 (a) The applicant possesses a baccalaureate degree with coursework  
6 appropriate for the profession approved by the secretary, or possesses  
7 equivalent training as determined by the secretary pursuant to  
8 subsections (3) and (5) of this section;

9 (b) The applicant has the amount of formal training, including the  
10 hours of classroom education and clinical practice, in areas of study  
11 as the secretary deems necessary and appropriate;

12 (c) The applicant has completed a clinical internship or residency  
13 in the professional area for which a license is sought in accordance  
14 with the standards, guidelines, or procedures for clinical internships  
15 or residencies inside or outside the state as established by the  
16 secretary, or that are otherwise substantially equivalent to the  
17 standards commonly accepted in the fields of orthotics and prosthetics  
18 as determined by the secretary pursuant to subsections (3) and (5) of  
19 this section. The secretary must set the internship as at least one  
20 year.

21 (2) An applicant for licensure as either an orthotist or  
22 prosthetist must pass all written and practical examinations that are  
23 required and approved by the secretary (~~(in consultation with the~~  
24 ~~advisory committee)~~).

25 (3) The standards and requirements for licensure established by the  
26 secretary must be substantially equal to the standards commonly  
27 accepted in the fields of orthotics and prosthetics.

28 (4) An applicant failing to make the required grade in the first  
29 examination may take up to three subsequent examinations as the  
30 applicant desires upon prepaying a fee, determined by the secretary  
31 under RCW 43.70.250, for each subsequent examination. Upon failing  
32 four examinations, the secretary may invalidate the original  
33 application and require remedial education before the person may take  
34 future examinations.

35 (5) The secretary may waive some of the education, examination, or  
36 experience requirements of this section if the secretary determines  
37 that the applicant meets alternative standards, established by the

1 secretary through rule, that are substantially equivalent to the  
2 requirements in subsections (1) and (2) of this section.

3 **Public Records Exemptions Accountability Committee**

4 NEW SECTION. **Sec. 92.** RCW 42.56.140 (Public records exemptions  
5 accountability committee) and 2007 c 198 s 2 are each repealed.

6 **Regional Fisheries Enhancement Group Advisory Board**

7 NEW SECTION. **Sec. 93.** The following acts or parts of acts are  
8 each repealed:

9 (1) RCW 77.95.110 (Regional fisheries enhancement group advisory  
10 board) and 2000 c 107 s 108; and

11 (2) RCW 77.95.120 (Regional fisheries enhancement group advisory  
12 board--Duties and authority) and 2000 c 107 s 109, 1998 c 96 s 1, &  
13 1995 c 367 s 6.

14 **Sec. 94.** RCW 77.95.100 and 2000 c 107 s 107 are each amended to  
15 read as follows:

16 The department may provide start-up funds to regional fisheries  
17 enhancement groups for costs associated with any enhancement project.  
18 The ((~~regional fisheries enhancement group advisory board and the~~))  
19 commission shall develop guidelines for providing funds to the regional  
20 fisheries enhancement groups.

21 **Sec. 95.** RCW 77.95.180 and 1995 c 367 s 3 are each amended to read  
22 as follows:

23 To maximize available state resources, the department and the  
24 department of transportation shall work in partnership ((~~with the~~  
25 ~~regional fisheries enhancement group advisory board~~)) to identify  
26 cooperative projects to eliminate fish passage barriers caused by state  
27 roads and highways. ((~~The advisory board may provide input to the~~  
28 ~~department to aid in identifying priority barrier removal projects that~~  
29 ~~can be accomplished with the assistance of regional fisheries~~  
30 ~~enhancement groups.~~)) The department of transportation shall provide

1 engineering and other technical services to assist regional fisheries  
2 enhancement groups with fish passage barrier removal projects, provided  
3 that the barrier removal projects have been identified as a priority by  
4 the department of fish and wildlife and the department of  
5 transportation has received an appropriation to continue the fish  
6 barrier removal program.

7 **Sec. 96.** RCW 77.95.190 and 1995 c 367 s 10 are each amended to  
8 read as follows:

9 The department shall (~~coordinate with the regional fisheries~~  
10 ~~enhancement group advisory board to~~) field test coho and chinook  
11 salmon remote site incubators. The purpose of field testing efforts  
12 shall be to gather conclusive scientific data on the effectiveness of  
13 coho and chinook remote site incubators.

14 **State Noxious Weed Control Board**

15 NEW SECTION. **Sec. 97.** RCW 17.10.030 (State noxious weed control  
16 board--Members--Terms--Elections--Meetings--Reimbursement for travel  
17 expenses) and 1997 c 353 s 4, 1987 c 438 s 2, 1975-'76 2nd ex.s. c 34  
18 s 23, & 1969 ex.s. c 113 s 3 are each repealed.

19 **Sec. 98.** RCW 17.10.010 and 1997 c 353 s 2 are each amended to read  
20 as follows:

21 The definitions in this section apply throughout this chapter  
22 unless the context clearly requires otherwise:

23 (1) "Noxious weed" means a plant that when established is highly  
24 destructive, competitive, or difficult to control by cultural or  
25 chemical practices.

26 (2) "State noxious weed list" means a list of noxious weeds adopted  
27 by the (~~state noxious weed control board~~) department. The list is  
28 divided into three classes:

29 (a) Class A consists of those noxious weeds not native to the state  
30 that are of limited distribution or are unrecorded in the state and  
31 that pose a serious threat to the state;

32 (b) Class B consists of those noxious weeds not native to the state

1 that are of limited distribution or are unrecorded in a region of the  
2 state and that pose a serious threat to that region;

3 (c) Class C consists of any other noxious weeds.

4 (3) "Person" means any individual, partnership, corporation, firm,  
5 the state or any department, agency, or subdivision thereof, or any  
6 other entity.

7 (4) "Owner" means the person in actual control of property, or his  
8 or her agent, whether the control is based on legal or equitable title  
9 or on any other interest entitling the holder to possession and, for  
10 purposes of liability, pursuant to RCW 17.10.170 or 17.10.210, means  
11 the possessor of legal or equitable title or the possessor of an  
12 easement: PROVIDED, That when the possessor of an easement has the  
13 right to control or limit the growth of vegetation within the  
14 boundaries of an easement, only the possessor of the easement is  
15 deemed, for the purpose of this chapter, an "owner" of the property  
16 within the boundaries of the easement.

17 (5) As pertains to the duty of an owner, the words "control",  
18 "contain", "eradicate", and the term "prevent the spread of noxious  
19 weeds" means conforming to the standards of noxious weed control or  
20 prevention in this chapter or as adopted by rule in chapter 16-750 WAC  
21 by the (~~state noxious weed control board~~) department and an activated  
22 county noxious weed control board.

23 (6) "Agent" means any occupant or any other person acting for the  
24 owner and working or in charge of the land.

25 (7) "Agricultural purposes" are those that are intended to provide  
26 for the growth and harvest of food and fiber.

27 (8) "Director" means the director of the department of agriculture  
28 or the director's appointed representative.

29 (9) "Weed district" means a weed district as defined in chapters  
30 17.04 and 17.06 RCW.

31 (10) "Aquatic noxious weed" means an aquatic plant species that is  
32 listed on the state weed list under RCW 17.10.080.

33 (11) "Screenings" means a mixture of mill or elevator run mixture  
34 or a combination of varying amounts of materials obtained in the  
35 process of cleaning either grain or seeds, or both, such as light or  
36 broken grain or seed, weed seeds, hulls, chaff, joints, straw, elevator  
37 dust, floor sweepings, sand, and dirt.

38 (12) "Department" means the department of agriculture.



1       **Sec. 99.** RCW 17.10.040 and 1997 c 353 s 5 are each amended to read  
2 as follows:

3       An inactive county noxious weed control board may be activated by  
4 any one of the following methods:

5       (1) Either within sixty days after a petition is filed by one  
6 hundred registered voters within the county or, on its own motion, the  
7 county legislative authority shall hold a hearing to determine whether  
8 there is a need, due to a damaging infestation of noxious weeds, to  
9 activate the county noxious weed control board. If such a need is  
10 found to exist, then the county legislative authority shall, in the  
11 manner provided by RCW 17.10.050, appoint five persons to the county's  
12 noxious weed control board.

13       (2) If the county's noxious weed control board is not activated  
14 within one year following a hearing by the county legislative authority  
15 to determine the need for activation, then upon the filing with the  
16 (~~state noxious weed control board~~) department of a petition comprised  
17 either of the signatures of at least two hundred registered voters  
18 within the county, or of the signatures of a majority of an adjacent  
19 county's noxious weed control board, the (~~state board~~) director  
20 shall, within six months of the date of the filing, hold a hearing in  
21 the county to determine the need for activation. If a need for  
22 activation is found to exist, then the (~~state board~~) director shall  
23 order the county legislative authority to activate the county's noxious  
24 weed control board and to appoint members to the board in the manner  
25 provided by RCW 17.10.050.

26       (3) The director(~~, upon request of the state noxious weed control~~  
27 ~~board,~~) shall order a county legislative authority to activate the  
28 noxious weed control board immediately if an infestation of a class A  
29 noxious weed or class B noxious weed designated for control on the  
30 state noxious weed list is confirmed in that county. The county  
31 legislative authority may, as an alternative to activating the noxious  
32 weed board, combat the class A noxious weed or class B noxious weed  
33 with county resources and personnel operating with the authorities and  
34 responsibilities imposed by this chapter on a county noxious weed  
35 control board. No county may continue without a noxious weed control  
36 board for a second consecutive year if the class A noxious weed or  
37 class B noxious weed has not been eradicated.

1           **Sec. 100.** RCW 17.10.070 and 1998 c 245 s 3 are each amended to  
2 read as follows:

3           ~~((1) In addition to the powers conferred on the state noxious weed  
4 control board under other provisions of this chapter, it has the power  
5 to:~~

6           ~~(a) Employ a state noxious weed control board executive secretary,  
7 and additional persons as it deems necessary, to disseminate  
8 information relating to noxious weeds to county noxious weed control  
9 boards and weed districts, to coordinate the educational and weed  
10 control efforts of the various county and regional noxious weed control  
11 boards and weed districts, and to assist the board in carrying out its  
12 responsibilities;~~

13           ~~(b) Adopt, amend, or repeal rules, pursuant to the administrative  
14 procedure act, chapter 34.05 RCW, as may be necessary to carry out the  
15 duties and authorities assigned to the board by this chapter.~~

16           ~~(2))~~ The ~~((state noxious weed control board))~~ department shall  
17 provide a written report before January 1st of each odd-numbered year  
18 to the county noxious weed control boards and the weed districts  
19 showing the expenditure of state funds on noxious weed control;  
20 specifically how the funds were spent; the status of the state, county,  
21 and district programs; and recommendations for the continued best use  
22 of state funds for noxious weed control. The report shall include  
23 recommendations as to the long-term needs regarding weed control.

24           **Sec. 101.** RCW 17.10.074 and 1997 c 353 s 9 are each amended to  
25 read as follows:

26           (1) In addition to the powers conferred on the director under other  
27 provisions of this chapter, the director(~~(, with the advice of the  
28 state noxious weed control board,)~~) has power to:

29           (a) Require the county legislative authority or the noxious weed  
30 control board of any county or any weed district to report to it  
31 concerning the presence, absence, or estimated amount of noxious weeds  
32 and measures, if any, taken or planned for the control thereof;

33           (b) Employ staff as may be necessary in the administration of this  
34 chapter;

35           (c) Adopt, amend, or repeal rules, pursuant to the administrative  
36 procedure act, chapter 34.05 RCW, as may be necessary to carry out this  
37 chapter;

1 (d) Do such things as may be necessary and incidental to the  
2 administration of its functions pursuant to this chapter including but  
3 not limited to surveying for and detecting noxious weed infestations;

4 (e) Upon receipt of a complaint signed by a majority of the members  
5 of an adjacent county noxious weed control board or weed district, or  
6 by one hundred registered voters that are land owners within the  
7 county, require the county legislative authority or noxious weed  
8 control board of the county or weed district that is the subject of the  
9 complaint to respond to the complaint within forty-five days with a  
10 plan for the control of the noxious weeds cited in the complaint;

11 (f) If the complaint in (e) of this subsection involves a class A  
12 or class B noxious weed, order the county legislative authority,  
13 noxious weed control board, or weed district to take immediate action  
14 to eradicate or control the noxious weed infestation. If the county or  
15 the weed district does not take action to control the noxious weed  
16 infestation in accordance with the order, the director may control it  
17 or cause it to be controlled. The county or weed district is liable  
18 for payment of the expense of the control work including necessary  
19 costs and expenses for attorneys' fees incurred by the director in  
20 securing payment from the county or weed district. The director may  
21 bring a civil action in a court of competent jurisdiction to collect  
22 the expenses of the control work, costs, and attorneys' fees;

23 (g) In counties without an activated noxious weed control board,  
24 enter upon any property as provided for in RCW 17.10.160, issue or  
25 cause to be issued notices and citations and take the necessary action  
26 to control noxious weeds as provided in RCW 17.10.170, hold hearings on  
27 any charge or cost of control action taken as provided for in RCW  
28 17.10.180, issue a notice of civil infraction as provided for in RCW  
29 17.10.230 and 17.10.310 through ~~((and))~~ and 17.10.350, and place a  
30 lien on any property pursuant to RCW 17.10.280, 17.10.290, and  
31 17.10.300 with the same authorities and responsibilities imposed by  
32 these sections on county noxious weed control boards;

33 (h) Adopt a list of noxious weed seeds and toxic weeds which shall  
34 be controlled in designated articles, products, or feed stuffs as  
35 provided for in RCW 17.10.235.

36 (2) The moneys appropriated for noxious weed control to the  
37 department shall be used for ~~((administration of the state noxious weed  
38 control board,))~~ the administration of the director's powers under this

1 chapter, the purchase of materials for controlling, containing, or  
2 eradicating noxious weeds, the purchase or collection of biological  
3 control agents for controlling noxious weeds, and the contracting for  
4 services to carry out the purposes of this chapter. In a county with  
5 an activated noxious weed control board, the director shall make every  
6 effort to contract with that board for the needed services.

7 ~~((3) If the director determines the need to reallocate funds  
8 previously designated for county use, the director shall convene a  
9 meeting of the state noxious weed control board to seek its advice  
10 concerning any reallocation.))~~

11 **Sec. 102.** RCW 17.10.080 and 1997 c 353 s 10 are each amended to  
12 read as follows:

13 (1) The ~~((state noxious weed control board))~~ department shall each  
14 year or more often, following a hearing, adopt a state noxious weed  
15 list.

16 (2) Any person may request during a comment period established by  
17 the ~~((state weed board))~~ director the inclusion, deletion, or  
18 designation change of any plant to the state noxious weed list.

19 (3) The ~~((state noxious weed control board))~~ department shall send  
20 a copy of the list to each activated county noxious weed control board,  
21 to each weed district, and to the county legislative authority of each  
22 county with an inactive noxious weed control board.

23 (4) The record of rule making must include the written findings of  
24 the ~~((board))~~ department for the inclusion of each plant on the list.  
25 The findings shall be made available upon request to any interested  
26 person.

27 **Sec. 103.** RCW 17.10.090 and 1997 c 353 s 11 are each amended to  
28 read as follows:

29 Each county noxious weed control board shall, within ninety days of  
30 the adoption of the state noxious weed list from the ~~((state noxious  
31 weed control board))~~ department and following a hearing, select those  
32 weeds from the class C list and those weeds from the class B list not  
33 designated for control in the noxious weed control region in which the  
34 county lies that it finds necessary to be controlled in the county.  
35 The weeds thus selected and all class A weeds and those class B weeds  
36 that have been designated for control in the noxious weed control

1 region in which the county lies shall be classified within that county  
2 as noxious weeds, and those weeds comprise the county noxious weed  
3 list.

4 **Sec. 104.** RCW 17.10.100 and 1997 c 353 s 12 are each amended to  
5 read as follows:

6 Where any of the following occur, the (~~state noxious weed control~~  
7 ~~board~~) director may, following a hearing, order any county noxious  
8 weed control board or weed district to include a noxious weed from the  
9 (~~state board's~~) department's list in the county's noxious weed list:

10 (1) Where the (~~state noxious weed control board~~) department  
11 receives a petition from at least one hundred registered voters within  
12 the county requesting that the weed be listed.

13 (2) Where the (~~state noxious weed control board~~) department  
14 receives a request for inclusion from an adjacent county's noxious weed  
15 control board or weed district, which the adjacent board or district  
16 has included that weed in its county list, and the adjacent board or  
17 weed district alleges that its noxious weed control program is being  
18 hampered by the failure to include the weed on the county's noxious  
19 weed list.

20 **Sec. 105.** RCW 17.10.130 and 1997 c 353 s 15 are each amended to  
21 read as follows:

22 The powers and duties of a regional noxious weed control board are  
23 as follows:

24 (1) The regional board shall, within ninety days of the adoption of  
25 the state noxious weed list (~~from~~) by the (~~state noxious weed~~  
26 ~~control board~~) department and following a hearing, select those weeds  
27 from the state list that it finds necessary to be controlled on a  
28 regional basis. The weeds thus selected shall also be contained in the  
29 county noxious weed list of each county in the region.

30 (2) The regional board shall take action as may be necessary to  
31 coordinate the noxious weed control programs of the region and adopt a  
32 regional plan for the control of noxious weeds.

33 **Sec. 106.** RCW 17.10.160 and 1997 c 353 s 20 are each amended to  
34 read as follows:

35 Any authorized agent or employee of the county noxious weed control

1 board (~~(or of the state noxious weed control board)~~) or of the  
2 department (~~(of agriculture)~~) where not otherwise proscribed by law may  
3 enter upon any property for the purpose of administering this chapter  
4 and any power exercisable pursuant thereto, including the taking of  
5 specimens of weeds, general inspection, and the performance of  
6 eradication or control work. Prior to carrying out the purpose for  
7 which the entry is made, the official making such entry or someone in  
8 his or her behalf, shall make a reasonable attempt to notify the owner  
9 of the property as to the purpose and need for the entry.

10 (1) When there is probable cause to believe that there is property  
11 within this state not otherwise exempt from process or execution upon  
12 which noxious weeds are standing or growing and the owner refuses  
13 permission to inspect the property, a judge of the superior court or  
14 district court in the county in which the property is located may, upon  
15 the request of the county noxious weed control board or its agent,  
16 issue a warrant directed to the board or agent authorizing the taking  
17 of specimens of weeds or other materials, general inspection, and the  
18 performance of eradication or control work.

19 (2) Application for issuance and execution and return of the  
20 warrant authorized by this section shall be in accordance with the  
21 applicable rules of the superior court or the district courts.

22 (3) Nothing in this section requires the application for and  
23 issuance of any warrant not otherwise required by law: PROVIDED, That  
24 civil liability for negligence shall lie in any case in which entry and  
25 any of the activities connected therewith are not undertaken with  
26 reasonable care.

27 (4) Any person who improperly prevents or threatens to prevent  
28 entry upon land as authorized in this section or any person who  
29 interferes with the carrying out of this chapter shall be upon  
30 conviction guilty of a misdemeanor.

31 **Sec. 107.** RCW 17.10.201 and 1997 c 353 s 34 are each amended to  
32 read as follows:

33 (1) The (~~(state noxious weed control board)~~) department shall:

34 (a) Work with the various federal and tribal land management  
35 agencies to coordinate state and federal noxious weed control;

36 (b) Encourage the various federal and tribal land management  
37 agencies to devote more time and resources to noxious weed control; and

1 (c) Assist the various federal and tribal land management agencies  
2 by seeking adequate funding for noxious weed control.

3 (2) County noxious weed control boards and weed districts shall  
4 work with the various federal and tribal land management agencies in  
5 each county in order to:

6 (a) Identify new noxious weed infestations;

7 (b) Outline and plan necessary noxious weed control actions;

8 (c) Develop coordinated noxious weed control programs; and

9 (d) Notify local federal and tribal agency land managers of noxious  
10 weed infestations.

11 (3) The department (~~(of agriculture)~~), county noxious weed control  
12 boards, and weed districts are authorized to enter federal lands, with  
13 the approval of the appropriate federal agency, to survey for and  
14 control noxious weeds where control measures of a type and extent  
15 required under this chapter have not been taken.

16 (4) The department (~~(of agriculture)~~), county noxious weed control  
17 boards, and weed districts may bill the federal land management agency  
18 that manages the land for all costs of the noxious weed control  
19 performed on federal land. If not paid by the federal agency that  
20 manages the land, the cost of the noxious weed control on federal land  
21 may be paid from any funds available to the county noxious weed control  
22 board or weed district that performed the noxious weed control.  
23 Alternatively, the costs of noxious weed control on federal land may be  
24 paid from any funds specifically appropriated to the department of  
25 agriculture for that purpose.

26 (5) The department (~~(of agriculture)~~), county noxious weed control  
27 boards, and weed districts are authorized to enter into any reasonable  
28 agreement with the appropriate authorities for the control of noxious  
29 weeds on federal or tribal lands.

30 (6) The department (~~(of agriculture)~~), county noxious weed control  
31 boards, and weed districts shall consult with state agencies managing  
32 federal land concerning noxious weed infestation and control programs.

33 **Sec. 108.** RCW 17.10.210 and 1997 c 353 s 25 are each amended to  
34 read as follows:

35 (1) Whenever the director, the county noxious weed control board,  
36 or a weed district finds that a parcel of land is so seriously infested  
37 with class A or class B noxious weeds that control measures cannot be

1 undertaken thereon without quarantining the land and restricting or  
2 denying access thereto or use thereof, the director, the county noxious  
3 weed control board, or weed district, with the approval of the director  
4 of the department (~~(of agriculture)~~), may issue an order for the  
5 quarantine and restriction or denial of access or use. Upon issuance  
6 of the order, the director, the county noxious weed control board, or  
7 the weed district shall commence necessary control measures and may  
8 institute legal action for the collection of costs for control work,  
9 which may include attorneys' fees and the costs of other appropriate  
10 actions.

11 (2) An order of quarantine shall be served, by any method  
12 sufficient for the service of civil process, on all persons known to  
13 qualify as owners of the land within the meaning of this chapter.

14 (3) The director shall (~~(, with the advice of the state noxious weed~~  
15 ~~control board,)~~) determine how the expense of control work undertaken  
16 pursuant to this section, and the cost of any quarantine in connection  
17 therewith, is apportioned.

18 **Sec. 109.** RCW 17.10.235 and 1997 c 353 s 26 are each amended to  
19 read as follows:

20 (1) The director (~~(of agriculture)~~) shall adopt (~~(, with the advice~~  
21 ~~of the state noxious weed control board,)~~) rules designating noxious  
22 weed seeds which shall be controlled in products, screenings, or  
23 articles to prevent the spread of noxious weeds. The rules shall  
24 identify the products, screenings, and articles in which the seeds must  
25 be controlled and the maximum amount of the seed to be permitted in the  
26 product, screenings, or article to avoid a hazard of spreading the  
27 noxious weed by seed from the product, screenings, or article. The  
28 director shall also adopt (~~(, with the advice of the state board,)~~)  
29 rules designating toxic weeds which shall be controlled in feed stuffs  
30 and screenings to prevent injury to the animal that consumes the feed.  
31 The rules shall identify the feed stuffs and screenings in which the  
32 toxic weeds must be controlled and the maximum amount of the toxic weed  
33 to be permitted in the feed. Rules developed under this section shall  
34 identify ways that products, screenings, articles, or feed stuffs  
35 containing noxious weed seeds or toxic weeds can be made available for  
36 beneficial uses.



1 (2) Any person who knowingly or negligently sells or otherwise  
2 distributes a product, article, screenings, or feed stuff designated by  
3 rule containing noxious weed seeds or toxic weeds designated for  
4 control by rule and in an amount greater than the amount established by  
5 the director for the seed or weed by rule is guilty of a misdemeanor.

6 (3) The department (~~(of agriculture shall)~~), upon request of the  
7 buyer, inspect products, screenings, articles, or feed stuffs  
8 designated by rule and charge fees, in accordance with chapter 22.09  
9 RCW, to determine the presence of designated noxious weed seeds or  
10 toxic weeds.

11 **Sec. 110.** RCW 17.10.250 and 1997 c 353 s 28 are each amended to  
12 read as follows:

13 The legislative authority of any county with an activated noxious  
14 weed control board or the board of any weed district may apply to the  
15 director for noxious weed control funds when informed by the director  
16 that funds are available. Any applicant must employ adequate  
17 administrative personnel to supervise an effective weed control program  
18 as determined by the director (~~(with advice from the state noxious weed  
19 control board)~~). The director (~~(with advice from the state noxious  
20 weed control board)~~) shall adopt rules on the distribution and use of  
21 noxious weed control account funds.

22 **Sec. 111.** RCW 17.10.260 and 1987 c 438 s 33 are each amended to  
23 read as follows:

24 The administrative powers granted under this chapter to the  
25 director (~~(of the department of agriculture and to the state noxious  
26 weed control board)~~) shall be exercised in conformity with the  
27 provisions of the administrative procedure act, chapter 34.05 RCW, as  
28 now or hereafter amended. The use of any substance to control noxious  
29 weeds shall be subject to the provisions of the water pollution control  
30 act, chapter 90.48 RCW, as now or hereafter amended, the Washington  
31 pesticide control act, chapter 15.58 RCW, and the Washington pesticide  
32 application act, chapter 17.21 RCW.

33 **Sec. 112.** RCW 17.10.350 and 2003 c 53 s 117 are each amended to  
34 read as follows:

35 (1) Any person found to have committed a civil infraction under

1 this chapter shall be assessed a monetary penalty not to exceed one  
2 thousand dollars. The (~~state noxious weed control board~~) director  
3 shall adopt a schedule of monetary penalties for each violation of this  
4 chapter classified as a civil infraction and submit the schedule to the  
5 appropriate court. If a monetary penalty is imposed by the court, the  
6 penalty is immediately due and payable. The court may, at its  
7 discretion, grant an extension of time, not to exceed thirty days, in  
8 which the penalty must be paid.

9 (2) Failure to pay any monetary penalties imposed under this  
10 chapter is punishable as a misdemeanor.

11 **Sec. 113.** RCW 17.15.020 and 1997 c 357 s 3 are each amended to  
12 read as follows:

13 Each of the following state agencies or institutions shall  
14 implement integrated pest management practices when carrying out the  
15 agency's or institution's duties related to pest control:

- 16 (1) The department of agriculture;
- 17 (2) (~~The state noxious weed control board;~~
- 18 ~~+3~~) The department of ecology;
- 19 ~~((+4))~~ (3) The department of fish and wildlife;
- 20 ~~((+5))~~ (4) The department of transportation;
- 21 ~~((+6))~~ (5) The parks and recreation commission;
- 22 ~~((+7))~~ (6) The department of natural resources;
- 23 ~~((+8))~~ (7) The department of corrections;
- 24 ~~((+9))~~ (8) The department of general administration; and
- 25 ~~((+10))~~ (9) Each state institution of higher education, for the  
26 institution's own building and grounds maintenance.

27 **Sec. 114.** RCW 17.26.006 and 1995 c 255 s 2 are each amended to  
28 read as follows:

29 This state is facing an environmental disaster that will affect  
30 other states as well as other nations. The legislature finds that six  
31 years is sufficient time for state agencies to debate solutions to the  
32 spartina and purple loosestrife problems that are occurring in state  
33 waters. One of the purposes of chapter 255, Laws of 1995 is to focus  
34 agency action on control and future eradication of spartina and purple  
35 loosestrife. It is the mandate of the legislature that one state  
36 agency, the department of agriculture, be responsible for a unified

1 effort to eliminate spartina and control purple loosestrife(~~(,with the~~  
2 ~~advice of the state noxious weed control board,~~) and that state agency  
3 shall be directly accountable to the legislature on the progress of the  
4 spartina eradication and purple loosestrife control program.

5 **Sec. 115.** RCW 17.26.015 and 1998 c 245 s 4 are each amended to  
6 read as follows:

7 (1) The state department of agriculture is the lead agency for the  
8 control of spartina and purple loosestrife (~~(with the advice of the~~  
9 ~~state noxious weed control board)~~).

10 (2) Responsibilities of the lead agency include:

11 (a) Coordination of the control program including memorandums of  
12 understanding, contracts, and agreements with local, state, federal,  
13 and tribal governmental entities and private parties;

14 (b) Preparation of a statewide spartina management plan utilizing  
15 integrated vegetation management strategies that encompass all of  
16 Washington's tidelands. The plan shall be developed in cooperation  
17 with local, state, federal, and tribal governments, private landowners,  
18 and concerned citizens. The plan shall prioritize areas for control.  
19 Nothing in this subsection prohibits the department from taking action  
20 to control spartina in a particular area of the state in accordance  
21 with a plan previously prepared by the state while preparing the  
22 statewide plan;

23 (c) Directing on the ground control efforts that include, but are  
24 not limited to: (i) Control work and contracts; (ii) spartina survey;  
25 (iii) collection and maintenance of spartina location data; (iv)  
26 purchasing equipment, goods, and services; (v) survey of threatened and  
27 endangered species; and (vi) site-specific environmental information  
28 and documents; and

29 (d) Evaluating the effectiveness of the control efforts.

30 (~~The lead agency shall report to the appropriate standing~~  
31 ~~committees of the house of representatives and the senate no later than~~  
32 ~~December 15th of each year through the year 1999 on the progress of the~~  
33 ~~program, the number of acres treated by various methods of control, and~~  
34 ~~on the funds spent.))~~

35 **Sec. 116.** RCW 77.60.130 and 2007 c 341 s 59 are each amended to  
36 read as follows:

1 (1) The aquatic nuisance species committee is created for the  
2 purpose of fostering state, federal, tribal, and private cooperation on  
3 aquatic nuisance species issues. The mission of the committee is to  
4 minimize the unauthorized or accidental introduction of nonnative  
5 aquatic species and give special emphasis to preventing the  
6 introduction and spread of aquatic nuisance species. The term "aquatic  
7 nuisance species" means a nonnative aquatic plant or animal species  
8 that threatens the diversity or abundance of native species, the  
9 ecological stability of infested waters, or commercial, agricultural,  
10 or recreational activities dependent on such waters.

11 (2) The committee consists of representatives from each of the  
12 following state agencies: Department of fish and wildlife, department  
13 of ecology, department of agriculture, department of health, department  
14 of natural resources, Puget Sound partnership, state patrol, (~~state~~  
15 ~~noxious weed control board,~~) and Washington sea grant program. The  
16 committee shall encourage and solicit participation by: Federally  
17 recognized tribes of Washington, federal agencies, Washington  
18 conservation organizations, environmental groups, and representatives  
19 from industries that may either be affected by the introduction of an  
20 aquatic nuisance species or that may serve as a pathway for their  
21 introduction.

22 (3) The committee has the following duties:

23 (a) Periodically revise the state of Washington aquatic nuisance  
24 species management plan, originally published in June 1998;

25 (b) Make recommendations to the legislature on statutory provisions  
26 for classifying and regulating aquatic nuisance species;

27 (c) Recommend to the (~~state noxious weed control board~~)  
28 department of agriculture that a plant be classified under the process  
29 designated by RCW 17.10.080 as an aquatic noxious weed;

30 (d) Coordinate education, research, regulatory authorities,  
31 monitoring and control programs, and participate in regional and  
32 national efforts regarding aquatic nuisance species;

33 (e) Consult with representatives from industries and other  
34 activities that may serve as a pathway for the introduction of aquatic  
35 nuisance species to develop practical strategies that will minimize the  
36 risk of new introductions; and

37 (f) Prepare a biennial report to the legislature with the first

1 report due by December 1, 2001, making recommendations for better  
2 accomplishing the purposes of this chapter, and listing the  
3 accomplishments of this chapter to date.

4 (4) The committee shall accomplish its duties through the authority  
5 and cooperation of its member agencies. Implementation of all plans  
6 and programs developed by the committee shall be through the member  
7 agencies and other cooperating organizations.

8 **Sec. 117.** RCW 79A.25.320 and 2006 c 152 s 3 are each amended to  
9 read as follows:

10 (1) Membership in the council includes a representative from the  
11 following entities:

12 (a) The department of agriculture, represented by the director or  
13 the director's designee;

14 (b) The department of fish and wildlife, represented by the  
15 director or the director's designee;

16 (c) The department of ecology, represented by the director or the  
17 director's designee;

18 (d) The department of natural resources, represented by the  
19 commissioner or the commissioner's designee;

20 (e) The department of transportation, represented by the secretary  
21 or the secretary's designee;

22 (f) ~~((The Washington state noxious weed control board, appointed by  
23 the board;~~

24 ~~(g))~~ A county located east of the crest of the Cascade mountains,  
25 appointed by the other members of the council; and

26 ~~((h))~~ (g) A county located west of the crest of the Cascade  
27 mountains, appointed by the other members of the council.

28 (2) The councilmembers may add members to the council as the  
29 councilmembers deem appropriate to accomplish its goals.

30 (3) The council must invite one representative each from the United  
31 States department of agriculture, the United States fish and wildlife  
32 service, the United States environmental protection agency, and the  
33 United States coast guard to participate on the council in a nonvoting,  
34 ex officio capacity.

35 (4) A representative of the office of the governor must convene the  
36 first meeting of the council and serve as chair until the council  
37 selects a chair. At the first meeting of the council, the council

1 shall address issues including, but not limited to, voting methods,  
2 meeting schedules, and the need for and use of advisory and technical  
3 committees.

4 **Sec. 118.** RCW 79A.25.340 and 2006 c 152 s 5 are each amended to  
5 read as follows:

6 (1) The council shall develop and periodically update a statewide  
7 strategic plan for addressing invasive species. The strategic plan  
8 should incorporate the reports and activities of the aquatic nuisance  
9 species committee, the (~~state noxious weed control board~~) department  
10 of agriculture, and other appropriate reports and activities. In  
11 addition, the council must coordinate with the biodiversity council  
12 created in Executive Order 04-02 to ensure that a statewide strategy  
13 for the control of invasive species is integrated into the thirty-year  
14 strategy for biodiversity conservation that the biodiversity council  
15 must submit to the legislature in 2007.

16 (2) The strategic plan must, at a minimum, address:

17 (a) Statewide coordination and intergovernmental cooperation;

18 (b) Prevention of new biological invasions through deliberate or  
19 unintentional introduction;

20 (c) Inventory and monitoring of invasive species;

21 (d) Early detection of and rapid response to new invasions;

22 (e) Control, management, and eradication of established populations  
23 of invasive species;

24 (f) Projects that can be implemented during the period covered by  
25 the strategic plan for the control, management, and eradication of new  
26 or established populations of invasive species;

27 (g) Revegetation, reclamation, or restoration of native species  
28 following control or eradication of invasive species;

29 (h) Tools that can be made available to assist state agencies that  
30 are responsible for managing public land to control invasive noxious  
31 weeds and recommendations as to how the agencies should be held  
32 responsible for the failure to control invasive noxious weeds;

33 (i) Research and public education;

34 (j) Funding and resources available for invasive species  
35 prevention, control, and management; and

36 (k) Recommendations for legislation necessary to carry out the  
37 purposes of this chapter.

1 (3) The strategic plan must be updated at least once every three  
2 years following its initial development. The strategic plan must be  
3 submitted to the governor and appropriate committees of the legislature  
4 by September 15th of each applicable year. The council shall complete  
5 the initial strategic plan within two years of June 7, 2006.

6 (4) Each state department and agency named to the council shall,  
7 consistent with state law, make best efforts to implement elements of  
8 the completed plan that are applicable to the department or agency.

9 **State Solid Waste Advisory Committee**

10 NEW SECTION. **Sec. 119.** The following acts or parts of acts are  
11 each repealed:

12 (1) RCW 70.95.040 (Solid waste advisory committee--Members--  
13 Meetings--Travel expenses--"Governor's award of excellence.") and 1991  
14 c 319 s 401, 1987 c 115 s 1, 1982 c 108 s 1, & 1977 c 10 s 1;

15 (2) RCW 70.95.050 (Solid waste advisory committee--Staff services  
16 and facilities) and 1969 ex.s. c 134 s 5;

17 (3) RCW 70.95.070 (Review of standards prior to adoption--  
18 Revisions, additions and modifications--Factors) and 1975-'76 2nd ex.s.  
19 c 41 s 4 & 1969 ex.s. c 134 s 7; and

20 (4) RCW 70.105.060 (Review of rules, regulations, criteria and fee  
21 schedules) and 1975-'76 2nd ex.s. c 101 s 6.

22 **Sec. 120.** RCW 70.95.030 and 2004 c 101 s 1 are each amended to  
23 read as follows:

24 As used in this chapter, unless the context indicates otherwise:

25 (1) "City" means every incorporated city and town.

26 (2) "Commission" means the utilities and transportation commission.

27 (3) (~~"Committee" means the state solid waste advisory committee.~~

28 ~~(4))~~) "Composted material" means organic solid waste that has been  
29 subjected to controlled aerobic degradation at a solid waste facility  
30 in compliance with the requirements of this chapter. Natural decay of  
31 organic solid waste under uncontrolled conditions does not result in  
32 composted material.

33 ~~((5))~~) (4) "Department" means the department of ecology.

1           ~~((+6))~~ (5) "Director" means the director of the department of  
2 ecology.

3           ~~((+7))~~ (6) "Disposal site" means the location where any final  
4 treatment, utilization, processing, or deposit of solid waste occurs.

5           ~~((+8))~~ (7) "Energy recovery" means a process operating under  
6 federal and state environmental laws and regulations for converting  
7 solid waste into usable energy and for reducing the volume of solid  
8 waste.

9           ~~((+9))~~ (8) "Functional standards" means criteria for solid waste  
10 handling expressed in terms of expected performance or solid waste  
11 handling functions.

12           ~~((+10))~~ (9) "Incineration" means a process of reducing the volume  
13 of solid waste operating under federal and state environmental laws and  
14 regulations by use of an enclosed device using controlled flame  
15 combustion.

16           ~~((+11))~~ (10) "Inert waste landfill" means a landfill that receives  
17 only inert waste, as determined under RCW 70.95.065, and includes  
18 facilities that use inert wastes as a component of fill.

19           ~~((+12))~~ (11) "Jurisdictional health department" means city,  
20 county, city-county, or district public health department.

21           ~~((+13))~~ (12) "Landfill" means a disposal facility or part of a  
22 facility at which solid waste is placed in or on land and which is not  
23 a land treatment facility.

24           ~~((+14))~~ (13) "Local government" means a city, town, or county.

25           ~~((+15))~~ (14) "Modify" means to substantially change the design or  
26 operational plans including, but not limited to, removal of a design  
27 element previously set forth in a permit application or the addition of  
28 a disposal or processing activity that is not approved in the permit.

29           ~~((+16))~~ (15) "Multiple family residence" means any structure  
30 housing two or more dwelling units.

31           ~~((+17))~~ (16) "Person" means individual, firm, association,  
32 copartnership, political subdivision, government agency, municipality,  
33 industry, public or private corporation, or any other entity  
34 whatsoever.

35           ~~((+18))~~ (17) "Recyclable materials" means those solid wastes that  
36 are separated for recycling or reuse, such as papers, metals, and  
37 glass, that are identified as recyclable material pursuant to a local  
38 comprehensive solid waste plan. Prior to the adoption of the local



1 comprehensive solid waste plan, adopted pursuant to RCW 70.95.110(2),  
2 local governments may identify recyclable materials by ordinance from  
3 July 23, 1989.

4 ~~((+19))~~ (18) "Recycling" means transforming or remanufacturing  
5 waste materials into usable or marketable materials for use other than  
6 landfill disposal or incineration.

7 ~~((+20))~~ (19) "Residence" means the regular dwelling place of an  
8 individual or individuals.

9 ~~((+21))~~ (20) "Sewage sludge" means a semisolid substance  
10 consisting of settled sewage solids combined with varying amounts of  
11 water and dissolved materials, generated from a wastewater treatment  
12 system, that does not meet the requirements of chapter 70.95J RCW.

13 ~~((+22))~~ (21) "Soil amendment" means any substance that is intended  
14 to improve the physical characteristics of the soil, except composted  
15 material, commercial fertilizers, agricultural liming agents,  
16 unmanipulated animal manures, unmanipulated vegetable manures, food  
17 wastes, food processing wastes, and materials exempted by rule of the  
18 department, such as biosolids as defined in chapter 70.95J RCW and  
19 wastewater as regulated in chapter 90.48 RCW.

20 ~~((+23))~~ (22) "Solid waste" or "wastes" means all putrescible and  
21 nonputrescible solid and semisolid wastes including, but not limited  
22 to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge,  
23 demolition and construction wastes, abandoned vehicles or parts  
24 thereof, and recyclable materials.

25 ~~((+24))~~ (23) "Solid waste handling" means the management, storage,  
26 collection, transportation, treatment, utilization, processing, and  
27 final disposal of solid wastes, including the recovery and recycling of  
28 materials from solid wastes, the recovery of energy resources from  
29 solid wastes or the conversion of the energy in solid wastes to more  
30 useful forms or combinations thereof.

31 ~~((+25))~~ (24) "Source separation" means the separation of different  
32 kinds of solid waste at the place where the waste originates.

33 ~~((+26))~~ (25) "Vehicle" includes every device physically capable of  
34 being moved upon a public or private highway, road, street, or  
35 watercourse and in, upon, or by which any person or property is or may  
36 be transported or drawn upon a public or private highway, road, street,  
37 or watercourse, except devices moved by human or animal power or used  
38 exclusively upon stationary rails or tracks.

1 ((+27)) (26) "Waste-derived soil amendment" means any soil  
2 amendment as defined in this chapter that is derived from solid waste  
3 as defined in ((RCW 70.95.030)) this section, but does not include  
4 biosolids or biosolids products regulated under chapter 70.95J RCW or  
5 wastewaters regulated under chapter 90.48 RCW.

6 ((+28)) (27) "Waste reduction" means reducing the amount or  
7 toxicity of waste generated or reusing materials.

8 ((+29)) (28) "Yard debris" means plant material commonly created  
9 in the course of maintaining yards and gardens, and through  
10 horticulture, gardening, landscaping, or similar activities. Yard  
11 debris includes but is not limited to grass clippings, leaves,  
12 branches, brush, weeds, flowers, roots, windfall fruit, vegetable  
13 garden debris, holiday trees, and tree prunings four inches or less in  
14 diameter.

15 **Sec. 121.** RCW 43.21A.520 and 1989 c 431 s 47 are each amended to  
16 read as follows:

17 (1) The department of ecology shall develop and implement an  
18 environmental excellence awards program that recognizes products that  
19 are produced, labeled, or packaged in a manner that helps ensure  
20 environmental protection. The award shall be in recognition of  
21 products that are made from recycled materials, easy to recycle,  
22 substitute for more hazardous products, or otherwise help protect the  
23 environment. Application for the award shall be voluntary. The awards  
24 may be made in a variety of product categories including, but not  
25 limited to:

- 26 (a) Paint products;
- 27 (b) Cleaning products;
- 28 (c) Pest control products;
- 29 (d) Automotive, marine, and related maintenance products;
- 30 (e) Hobby and recreation products; and
- 31 (f) Any other product available for retail or wholesale sale.

32 (2) ~~((The state solid waste advisory committee shall establish an  
33 environmental excellence product award subcommittee to develop and  
34 recommend criteria for awarding environmental excellence awards for  
35 products. The subcommittee shall also review award applications and  
36 make recommendations to the department. The subcommittee shall consist  
37 of equal representation of: (a) Product manufacturing or other~~

1 ~~business representatives; (b) environmental representatives; (c) labor~~  
2 ~~or consumer representatives; and (d) independent technical experts.~~  
3 ~~Members of the subcommittee need not necessarily be regular members of~~  
4 ~~the state solid waste advisory committee.~~

5 (3)) Products receiving an environmental excellence award pursuant  
6 to this section shall be entitled to display a logo or other symbol  
7 developed by the department to signify the award. Awards shall be  
8 given each year to as many products as qualify. The award logo may be  
9 displayed for a period to be determined by the department.

10 **Sec. 122.** RCW 70.105.010 and 2009 c 549 s 1027 are each amended to  
11 read as follows:

12 The words and phrases defined in this section shall have the  
13 meanings indicated when used in this chapter unless the context clearly  
14 requires otherwise.

15 (1) "Dangerous wastes" means any discarded, useless, unwanted, or  
16 abandoned substances, including but not limited to certain pesticides,  
17 or any residues or containers of such substances which are disposed of  
18 in such quantity or concentration as to pose a substantial present or  
19 potential hazard to human health, wildlife, or the environment because  
20 such wastes or constituents or combinations of such wastes:

21 (a) Have short-lived, toxic properties that may cause death,  
22 injury, or illness or have mutagenic, teratogenic, or carcinogenic  
23 properties; or

24 (b) Are corrosive, explosive, flammable, or may generate pressure  
25 through decomposition or other means.

26 (2) "Department" means the department of ecology.

27 (3) "Designated zone facility" means any facility that requires an  
28 interim or final status permit under rules adopted under this chapter  
29 and that is not a preempted facility as defined in this section.

30 (4) "Director" means the director of the department of ecology or  
31 the director's designee.

32 (5) "Disposal site" means a geographical site in or upon which  
33 hazardous wastes are disposed of in accordance with the provisions of  
34 this chapter.

35 (6) "Dispose or disposal" means the discarding or abandoning of  
36 hazardous wastes or the treatment, decontamination, or recycling of  
37 such wastes once they have been discarded or abandoned.

1 (7) "Extremely hazardous waste" means any dangerous waste  
2 which(~~(+)~~):

3 (a) Will persist in a hazardous form for several years or more at  
4 a disposal site and which in its persistent form

5 (i) Presents a significant environmental hazard and may be  
6 concentrated by living organisms through a food chain or may affect the  
7 genetic make-up of human beings or wildlife, and

8 (ii) Is highly toxic to human beings or wildlife

9 (b) If disposed of at a disposal site in such quantities as would  
10 present an extreme hazard to human beings or the environment.

11 (8) "Facility" means all contiguous land and structures, other  
12 appurtenances, and improvements on the land used for recycling,  
13 storing, treating, incinerating, or disposing of hazardous waste.

14 (9) "Hazardous household substances" means those substances  
15 identified by the department as hazardous household substances in the  
16 guidelines developed under RCW 70.105.220.

17 (10) "Hazardous substances" means any liquid, solid, gas, or  
18 sludge, including any material, substance, product, commodity, or  
19 waste, regardless of quantity, that exhibits any of the characteristics  
20 or criteria of hazardous waste as described in rules adopted under this  
21 chapter.

22 (11) "Hazardous waste" means and includes all dangerous and  
23 extremely hazardous waste, including substances composed of both  
24 radioactive and hazardous components.

25 (12) "Local government" means a city, town, or county.

26 (13) "Moderate-risk waste" means (a) any waste that exhibits any of  
27 the properties of hazardous waste but is exempt from regulation under  
28 this chapter solely because the waste is generated in quantities below  
29 the threshold for regulation, and (b) any household wastes which are  
30 generated from the disposal of substances identified by the department  
31 as hazardous household substances.

32 (14) "Person" means any person, firm, association, county, public  
33 or municipal or private corporation, agency, or other entity  
34 whatsoever.

35 (15) "Pesticide" shall have the meaning of the term as defined in  
36 RCW 15.58.030 as now or hereafter amended.

37 (16) "Preempted facility" means any facility that includes as a  
38 significant part of its activities any of the following operations:

1 (a) Landfill, (b) incineration, (c) land treatment, (d) surface  
2 impoundment to be closed as a landfill, or (e) waste pile to be closed  
3 as a landfill.

4 (17) "Service charge" means an assessment imposed under RCW  
5 70.105.280 against those facilities that store, treat, incinerate, or  
6 dispose of dangerous or extremely hazardous waste that contains both a  
7 nonradioactive hazardous component and a radioactive component.  
8 Service charges shall also apply to facilities undergoing closure under  
9 this chapter in those instances where closure entails the physical  
10 characterization of remaining wastes which contain both a  
11 nonradioactive hazardous component and a radioactive component or the  
12 management of such wastes through treatment or removal, except any  
13 commercial low-level radioactive waste facility.

14 ~~((18) "Solid waste advisory committee" means the same advisory  
15 committee as per RCW 70.95.040 through 70.95.070.))~~

16 **Sec. 123.** RCW 70.105.160 and 1998 c 245 s 110 are each amended to  
17 read as follows:

18 The department shall conduct a study to determine the best  
19 management practices for categories of waste for the priority waste  
20 management methods established in RCW 70.105.150, with due  
21 consideration in the course of the study to sound environmental  
22 management and available technology. As an element of the study, the  
23 department shall review methods that will help achieve the priority of  
24 RCW 70.105.150(1)(a), waste reduction. Before issuing any proposed  
25 rules, the department shall conduct public hearings regarding the best  
26 management practices for the various waste categories studied by the  
27 department. After conducting the study, the department shall prepare  
28 new rules or modify existing rules as appropriate to promote  
29 implementation of the priorities established in RCW 70.105.150 for  
30 management practices which assure use of sound environmental management  
31 techniques and available technology. The preliminary study shall be  
32 completed by July 1, 1986, and the rules shall be adopted by July 1,  
33 1987. ~~((The solid waste advisory committee shall review the studies  
34 and the new or modified rules.))~~

35 The studies shall be updated at least once every five years. The  
36 funding for these studies shall be from the hazardous waste control and  
37 elimination account, subject to legislative appropriation.

1 **Special License Plate Review Board**

2 NEW SECTION. **Sec. 124.** RCW 46.16.705 (Special license plate  
3 review board--Created) and 2005 c 319 s 117 & 2003 c 196 s 101 are each  
4 repealed.

5 **Sec. 125.** RCW 46.16.233 and 2003 c 361 s 501 and 2003 c 196 s 401  
6 are each reenacted and amended to read as follows:

7 (1) Except for those license plates issued under RCW 46.16.305(1)  
8 before January 1, 1987, under RCW 46.16.305(3), and to commercial  
9 vehicles with a gross weight in excess of twenty-six thousand pounds,  
10 effective with vehicle registrations due or to become due on January 1,  
11 2001, the appearance of the background of all vehicle license plates  
12 may vary in color and design but must be legible and clearly  
13 identifiable as a Washington state license plate, as designated by the  
14 department. Additionally, to ensure maximum legibility and  
15 reflectivity, the department shall periodically provide for the  
16 replacement of license plates, except for commercial vehicles with a  
17 gross weight in excess of twenty-six thousand pounds. Frequency of  
18 replacement shall be established in accordance with empirical studies  
19 documenting the longevity of the reflective materials used to make  
20 license plates.

21 (2) Special license plate series approved by the special license  
22 plate review board created under RCW 46.16.705 and enacted by the  
23 legislature prior to June 30, 2010, may display a symbol or artwork  
24 approved by the special license plate review board. Beginning July 1,  
25 2010, special license plate series approved by the department and  
26 enacted into law by the legislature may display a symbol or artwork  
27 approved by the department.

28 (3) By November 1, 2003, in providing for the periodic replacement  
29 of license plates, the department shall offer to vehicle owners the  
30 option of retaining their current license plate numbers. The  
31 department shall charge a retention fee of twenty dollars if this  
32 option is exercised. Revenue generated from the retention fee must be  
33 deposited into the multimodal transportation account.

34 **Sec. 126.** RCW 46.16.316 and 2005 c 210 s 2 are each amended to  
35 read as follows:

1 Except as provided in RCW 46.16.305:

2 (1) When a person who has been issued a special license plate or  
3 plates: (a) Under RCW 46.16.30901, 46.16.30903, 46.16.30905, or  
4 46.16.301 as it existed before amendment by section 5, chapter 291,  
5 Laws of 1997, or under RCW 46.16.305(2) or 46.16.324; (b) approved by  
6 the former special license plate review board (~~(under RCW 46.16.715~~  
7 ~~through 46.16.775))~~; or (c) under RCW 46.16.601 sells, trades, or  
8 otherwise transfers or releases ownership of the vehicle upon which the  
9 special license plate or plates have been displayed, he or she shall  
10 immediately report the transfer of such plate or plates to an acquired  
11 vehicle or vehicle eligible for such plates pursuant to departmental  
12 rule, or he or she shall surrender such plates to the department  
13 immediately if such surrender is required by departmental rule. If a  
14 person applies for a transfer of the plate or plates to another  
15 eligible vehicle, a transfer fee of ten dollars shall be charged in  
16 addition to all other applicable fees. Such transfer fees shall be  
17 deposited in the motor vehicle fund. Failure to surrender the plates  
18 when required is a traffic infraction.

19 (2) If the special license plate or plates issued by the department  
20 become lost, defaced, damaged, or destroyed, application for a  
21 replacement special license plate or plates shall be made and fees paid  
22 as provided by law for the replacement of regular license plates.

23 **Sec. 127.** RCW 46.16.715 and 2005 c 319 s 118 are each amended to  
24 read as follows:

25 ~~((1) The board shall meet periodically at the call of the chair,~~  
26 ~~but must meet at least one time each year within ninety days before an~~  
27 ~~upcoming regular session of the legislature. The board may adopt its~~  
28 ~~own rules and may establish its own procedures. It shall act~~  
29 ~~collectively in harmony with recorded resolutions or motions adopted by~~  
30 ~~a majority vote of the members, and it must have a quorum present to~~  
31 ~~take a vote on a special license plate application.~~

32 ~~(2) The board will be compensated from the general appropriation~~  
33 ~~for the department of licensing in accordance with RCW 43.03.250. Each~~  
34 ~~board member will be compensated in accordance with RCW 43.03.250 and~~  
35 ~~reimbursed for actual necessary traveling and other expenses in going~~  
36 ~~to, attending, and returning from meetings of the board or that are~~  
37 ~~incurred in the discharge of duties requested by the chair. However,~~

1 in no event may a board member be compensated in any year for more than  
2 one hundred twenty days, except the chair may be compensated for not  
3 more than one hundred fifty days. Service on the board does not  
4 qualify as a service credit for the purposes of a public retirement  
5 system.

6 ~~(3) The board shall keep proper records and is subject to audit by  
7 the state auditor or other auditing entities.~~

8 ~~(4)) The department of licensing shall ((provide administrative  
9 support to the board, which must include at least the following)):~~

10 ~~((a) Provide general staffing to meet the administrative needs of  
11 the board;~~

12 ~~(b) Report to the board on the reimbursement status of any new  
13 special license plate series for which the state had to pay the start-  
14 up costs;~~

15 ~~(e)) (1) Process special license plate applications and confirm  
16 that the sponsoring organization has submitted all required  
17 documentation. If an incomplete application is received, the  
18 department must return it to the sponsoring organization; and~~

19 ~~((d)) (2) Compile the annual financial reports submitted by  
20 sponsoring organizations with active special license plate series ((and  
21 present those reports to the board for review and approval)).~~

22 **Sec. 128.** RCW 46.16.725 and 2009 c 470 s 710 are each amended to  
23 read as follows:

24 (1) ~~((The creation of the board does not in any way preclude the  
25 authority of the legislature to independently propose and enact special  
26 license plate legislation.~~

27 ~~(2)) The ((board)) department must review and either approve or  
28 reject special license plate applications submitted by sponsoring  
29 organizations.~~

30 ~~((3)) (2) Duties of the ((board)) department include but are not  
31 limited to the following:~~

32 (a) Review and approve the annual financial reports submitted by  
33 sponsoring organizations with active special license plate series and  
34 present those annual financial reports to the senate and house  
35 transportation committees;

36 (b) Report annually to the senate and house transportation



1 committees on the special license plate applications that were  
2 considered by the (~~board~~) department;

3 (c) Issue approval and rejection notification letters to sponsoring  
4 organizations, (~~the department,~~) the chairs of the senate and house  
5 of representatives transportation committees, and the legislative  
6 sponsors identified in each application. The letters must be issued  
7 within seven days of making a determination on the status of an  
8 application;

9 (d) Review annually the number of plates sold for each special  
10 license plate series created after January 1, 2003. The (~~board~~)  
11 department may submit a recommendation to discontinue a special plate  
12 series to the chairs of the senate and house of representatives  
13 transportation committees(~~+~~

14 ~~(e) Provide policy guidance and directions to the department  
15 concerning the adoption of rules necessary to limit the number of  
16 special license plates that an organization or a governmental entity  
17 may apply for~~)).

18 (~~(+4)~~) (3) Except as provided in chapter 72, Laws of 2008, in  
19 order to assess the effects and impact of the proliferation of special  
20 license plates, the legislature declares a temporary moratorium on the  
21 issuance of any additional plates until July 1, 2011. During this  
22 period of time, (~~the special license plate review board created in RCW  
23 46.16.705 and~~) the department of licensing (~~are~~) is prohibited from  
24 accepting, reviewing, processing, or approving any applications.  
25 Additionally, no special license plate may be enacted by the  
26 legislature during the moratorium, unless the proposed license plate  
27 has been approved by the board before February 15, 2005.

28 **Sec. 129.** RCW 46.16.745 and 2005 c 210 s 8 are each amended to  
29 read as follows:

30 (1) A sponsoring organization meeting the requirements of RCW  
31 46.16.735, applying for the creation of a special license plate (~~to  
32 the special license plate review board~~) must, on an application  
33 supplied by the department, provide the minimum application  
34 requirements in subsection (2) of this section.

35 (2) The sponsoring organization shall:

36 (a) Submit prepayment of all start-up costs associated with the  
37 creation and implementation of the special license plate in an amount

1 determined by the department. The department shall place this money  
2 into the special license plate applicant trust account created under  
3 RCW 46.16.755(~~(+4)~~) (3);

4 (b) Provide a proposed license plate design;

5 (c) Provide a marketing strategy outlining short and long-term  
6 marketing plans for each special license plate and a financial analysis  
7 outlining the anticipated revenue and the planned expenditures of the  
8 revenues derived from the sale of the special license plate;

9 (d) Provide a signature of a legislative sponsor and proposed  
10 legislation creating the special license plate;

11 (e) Provide proof of organizational qualifications as determined by  
12 the department as provided for in RCW 46.16.735;

13 (f) Provide signature sheets that include signatures from  
14 individuals who intend to purchase the special license plate and the  
15 number of plates each individual intends to purchase. The sheets must  
16 reflect a minimum of three thousand five hundred intended purchases of  
17 the special license plate.

18 (3) After an application is approved by the (~~(special license plate~~  
19 ~~review board)~~) department, the application need not be reviewed again  
20 (~~(by the board)~~) for a period of three years.

21 **Sec. 130.** RCW 46.16.755 and 2004 c 222 s 4 are each amended to  
22 read as follows:

23 (1)(a) Revenues generated from the sale of special license plates  
24 for those sponsoring organizations who used the application process in  
25 RCW 46.16.745(~~(+3)~~) must be deposited into the motor vehicle account  
26 until the department determines that the state's implementation costs  
27 have been fully reimbursed. The department shall apply the application  
28 fee required under RCW 46.16.745(~~(+3)(a)~~) towards those costs.

29 (b) When it is determined that the state has been fully reimbursed  
30 the department must notify the house of representatives and senate  
31 transportation committees, the sponsoring organization, and the  
32 treasurer, and commence the distribution of the revenue as otherwise  
33 provided by law.

34 (2) If reimbursement does not occur within two years from the date  
35 the plate is first offered for sale to the public, the special license  
36 plate series must be placed in probationary status for a period of one  
37 year from that date. If the state is still not fully reimbursed for

1 its implementation costs after the one-year probation, the plate series  
2 must be discontinued immediately. Special plates issued before  
3 discontinuation are valid until replaced under RCW 46.16.233.

4 (3) The special license plate applicant trust account is created in  
5 the custody of the state treasurer. All receipts from special license  
6 plate applicants, except the application fee as provided in RCW  
7 46.16.745(~~(+3)~~), must be deposited into the account. Only the  
8 director of the department or the director's designee may authorize  
9 disbursements from the account. The account is not subject to the  
10 allotment procedures under chapter 43.88 RCW, nor is an appropriation  
11 required for disbursements.

12 (4) The department shall provide the special license plate  
13 applicant with a written receipt for the payment.

14 (5) The department shall maintain a record of each special license  
15 plate applicant trust account deposit, including, but not limited to,  
16 the name and address of each special license plate applicant whose  
17 funds are being deposited, the amount paid, and the date of the  
18 deposit.

19 (6) After the department receives written notice that the special  
20 license plate applicant's application has been:

21 (a) Approved by the legislature, the director shall request that  
22 the money be transferred to the motor vehicle account;

23 (b) Denied by the (~~(special license plate review board)~~) department  
24 or the legislature, the director shall provide a refund to the  
25 applicant within thirty days; or

26 (c) Withdrawn by the special license plate applicant, the director  
27 shall provide a refund to the applicant within thirty days.

28 **Sec. 131.** RCW 46.16.775 and 2003 c 196 s 304 are each amended to  
29 read as follows:

30 (1) A special license plate series created by the legislature after  
31 January 1, (~~(2004)~~) 2011, that has not been reviewed and approved by  
32 the (~~(special license plate review board)~~) department is subject to the  
33 following requirements:

34 (a) The organization sponsoring the license plate series shall,  
35 within thirty days of enactment of the legislation creating the plate  
36 series, submit prepayment of all start-up costs associated with the  
37 creation and implementation of the special license plate in an amount

1 determined by the department. The prepayment will be credited to the  
2 motor vehicle fund. The creation and implementation of the plate  
3 series may not commence until payment is received by the department.

4 (b) If the sponsoring organization is not able to meet the  
5 prepayment requirements in (a) of this subsection and can demonstrate  
6 this fact to the satisfaction of the department, the revenues generated  
7 from the sale of the special license plates must be deposited in the  
8 motor vehicle account until the department determines that the state's  
9 portion of the implementation costs have been fully reimbursed. When  
10 it is determined that the state has been fully reimbursed the  
11 department must notify the treasurer to commence distribution of the  
12 revenue according to statutory provisions.

13 (c) The sponsoring organization must provide a proposed license  
14 plate design to the department within thirty days of enactment of the  
15 legislation creating the plate series.

16 (2) The state must be reimbursed for its portion of the  
17 implementation costs within two years from the date the new plate  
18 series goes on sale to the public. If the reimbursement does not occur  
19 within the two-year time frame, the special license plate series must  
20 be placed in probationary status for a period of one year from that  
21 date. If the state is still not fully reimbursed for its  
22 implementation costs after the one-year probation, the plate series  
23 must be discontinued immediately. Those plates issued before  
24 discontinuation are valid until replaced under RCW 46.16.233.

25 (3) If the sponsoring organization ceases to exist or the purpose  
26 of the special plate series ceases to exist, revenues generated from  
27 the sale of the special license plates must be deposited into the motor  
28 vehicle account.

29 (4) A sponsoring organization may not seek to redesign their plate  
30 series until all of the existing inventory is sold or purchased by the  
31 organization itself. All cost for redesign of a plate series must be  
32 paid by the sponsoring organization.

33 **Sec. 132.** RCW 46.16.30901 and 2004 c 35 s 1 are each amended to  
34 read as follows:

35 The department shall issue a special license plate displaying a  
36 symbol, approved by the special license plate review board before June  
37 30, 2010, for professional firefighters and paramedics who are members

1 of the Washington State Council of Firefighters. Upon initial  
2 application and subsequent renewals, applicants must show proof of  
3 eligibility by providing a certificate of current membership from the  
4 Washington State Council of Firefighters. The special license plate  
5 may be used in lieu of regular or personalized license plates for  
6 vehicles required to display one or two vehicle license plates,  
7 excluding vehicles registered under chapter 46.87 RCW, upon the terms  
8 and conditions established by the department.

9 **Sec. 133.** RCW 46.16.30903 and 2004 c 48 s 1 are each amended to  
10 read as follows:

11 ~~((1) The legislature recognizes the Helping Kids Speak license  
12 plate has been reviewed by the special license plate review board under  
13 RCW 46.16.725, and found to fully comply with all provisions of RCW  
14 46.16.715 through 46.16.775.~~

15 (2)) The department shall issue a special license plate displaying  
16 a symbol, as approved by the special license plate review board before  
17 June 30, 2010, recognizing an organization that supports programs that  
18 provide no-cost speech pathology programs to children. The special  
19 license plate may be used in lieu of regular or personalized license  
20 plates for vehicles required to display one or two vehicle license  
21 plates, excluding vehicles registered under chapter 46.87 RCW, upon  
22 terms and conditions established by the department. The special plates  
23 will commemorate an organization that supports programs that provide  
24 free diagnostic and therapeutic services to children who have a severe  
25 delay in language or speech development.

26 **Sec. 134.** RCW 46.16.30905 and 2004 c 221 s 1 are each amended to  
27 read as follows:

28 ~~((1) The legislature recognizes that the law enforcement memorial  
29 license plate has been reviewed by the special license plate review  
30 board as specified in chapter 196, Laws of 2003, and was found to fully  
31 comply with all provisions of chapter 196, Laws of 2003.~~

32 (2)) The department shall issue a special license plate displaying  
33 a symbol, as approved by the special license plate review board before  
34 June 30, 2010, honoring law enforcement officers in Washington killed  
35 in the line of duty. The special license plate may be used in lieu of  
36 regular or personalized license plates for vehicles required to display

1 one or two vehicle license plates, excluding vehicles registered under  
2 chapter 46.87 RCW, upon the terms and conditions established by the  
3 department.

4 **Sec. 135.** RCW 46.16.30907 and 2005 c 42 s 1 are each amended to  
5 read as follows:

6 ~~((1) The legislature recognizes that the Washington's Wildlife  
7 license plate collection, to include three distinct designs including  
8 bear, deer, and elk, has been reviewed by the special license plate  
9 review board under RCW 46.16.725 and was found to fully comply with all  
10 provisions of RCW 46.16.715 through 46.16.775.~~

11 ~~(2))~~ The department shall issue a special license plate collection  
12 displaying a symbol or artwork, as approved by the special license  
13 plate review board and the legislature before June 30, 2010,  
14 recognizing Washington's wildlife, that may be used in lieu of regular  
15 or personalized license plates for vehicles required to display one or  
16 two vehicle license plates, excluding vehicles registered under chapter  
17 46.87 RCW, upon terms and conditions established by the department.

18 **Sec. 136.** RCW 46.16.30909 and 2005 c 44 s 1 are each amended to  
19 read as follows:

20 ~~((1) The legislature recognizes that the Washington state parks  
21 and recreation commission license plate application has been reviewed  
22 by the special license plate review board under RCW 46.16.725 and was  
23 found to fully comply with all provisions of RCW 46.16.715 through  
24 46.16.775.~~

25 ~~(2))~~ The department shall issue a special license plate displaying  
26 a symbol or artwork, as approved by the special license plate review  
27 board and the legislature before June 30, 2010, recognizing Washington  
28 state parks as premier destinations of uncommon quality that preserve  
29 significant natural, cultural, historical, and recreational resources,  
30 that may be used in lieu of regular or personalized license plates for  
31 vehicles required to display one and two vehicle license plates,  
32 excluding vehicles registered under chapter 46.87 RCW, upon terms and  
33 conditions established by the department.

34 **Sec. 137.** RCW 46.16.30911 and 2005 c 48 s 1 are each amended to  
35 read as follows:

1       ~~((1) The legislature recognizes that the "Washington Lighthouses"~~  
2 ~~license plate has been reviewed by the special license plate review~~  
3 ~~board under RCW 46.16.725, and found to fully comply with RCW 46.16.715~~  
4 ~~through 46.16.775.~~

5       (2)) The department shall issue a special license plate displaying  
6 a symbol or artwork, as approved by the special license plate review  
7 board and the legislature before June 30, 2010, recognizing an  
8 organization that supports selected Washington state lighthouses and  
9 provides environmental education programs. The special license plate  
10 may be used in lieu of regular or personalized license plates for  
11 vehicles required to display one or two vehicle license plates,  
12 excluding vehicles registered under chapter 46.87 RCW, upon terms and  
13 conditions established by the department.

14       **Sec. 138.** RCW 46.16.30913 and 2005 c 53 s 1 are each amended to  
15 read as follows:

16       ~~((1) The legislature recognizes that the "Keep Kids Safe" license~~  
17 ~~plate has been reviewed and approved by the special license plate~~  
18 ~~review board under RCW 46.16.725, and found to fully comply with all~~  
19 ~~provisions of RCW 46.16.715 through 46.16.775.~~

20       (2)) The department shall issue a special license plate displaying  
21 artwork, as approved by the special license plate review board before  
22 June 30, 2010, recognizing efforts to prevent child abuse and neglect.  
23 The special license plate may be used in lieu of regular or  
24 personalized license plates for vehicles required to display one or two  
25 vehicle license plates, excluding vehicles registered under chapter  
26 46.87 RCW, upon terms and conditions established by the department.

27       **Sec. 139.** RCW 46.16.30914 and 2005 c 71 s 1 are each amended to  
28 read as follows:

29       ~~((1) The legislature recognizes that the "we love our pets"~~  
30 ~~license plate has been reviewed by the special license plate review~~  
31 ~~board under RCW 46.16.725, and found to fully comply with all~~  
32 ~~provisions of RCW 46.16.715 through 46.16.775.~~

33       (2)) The department shall issue a special license plate displaying  
34 a symbol or artwork, as approved by the special license plate review  
35 board before June 30, 2010, recognizing an organization that assists  
36 local member agencies of the federation of animal welfare and control

1 agencies to promote and perform spay/neuter surgery on Washington state  
2 pets, in order to reduce pet overpopulation. The special license plate  
3 may be used in lieu of regular or personalized license plates for  
4 vehicles required to display one or two vehicle license plates,  
5 excluding vehicles registered under chapter 46.87 RCW, upon terms and  
6 conditions established by the department.

7 **Sec. 140.** RCW 46.16.30916 and 2005 c 85 s 1 are each amended to  
8 read as follows:

9 ~~((1) The legislature recognizes that the Gonzaga University alumni  
10 association license plate has been reviewed by the special license  
11 plate review board under RCW 46.16.725, and found to fully comply with  
12 all provisions of RCW 46.16.715 through 46.16.775.~~

13 ~~(2))~~ The department shall issue a special license plate displaying  
14 a symbol or artwork, as approved by the special license plate review  
15 board before June 30, 2010, recognizing the Gonzaga University alumni  
16 association. The special license plate may be used in lieu of regular  
17 or personalized license plates for vehicles required to display one or  
18 two vehicle license plates, excluding vehicles registered under chapter  
19 46.87 RCW, upon terms and conditions established by the department.

20 **Sec. 141.** RCW 46.16.30918 and 2005 c 177 s 1 are each amended to  
21 read as follows:

22 ~~((1) The legislature recognizes that the "Washington's National  
23 Park Fund" license plate has been reviewed by the special license plate  
24 review board under RCW 46.16.725, and found to fully comply with RCW  
25 46.16.715 through 46.16.775.~~

26 ~~(2))~~ The department shall issue a special license plate displaying  
27 a symbol or artwork, as approved by the special license plate review  
28 board and the legislature before June 30, 2010, recognizing  
29 Washington's National Park Fund, that may be used in lieu of regular or  
30 personalized license plates for vehicles required to display one or two  
31 vehicle license plates, excluding vehicles registered under chapter  
32 46.87 RCW, upon terms and conditions established by the department.

33 **Sec. 142.** RCW 46.16.30920 and 2008 c 183 s 1 are each amended to  
34 read as follows:



1       ~~((1) The legislature recognizes that the armed forces license~~  
2 ~~plate collection has been reviewed and approved by the special license~~  
3 ~~plate review board.~~

4       (2)) The department shall issue a special license plate  
5 collection, as approved by the special license plate review board and  
6 the legislature before June 30, 2010, recognizing the contribution of  
7 veterans, active duty military personnel, reservists, and members of  
8 the national guard. The collection includes six separate designs, each  
9 containing a symbol representing a different branch of the armed forces  
10 to include army, navy, air force, marine corps, coast guard, and  
11 national guard.

12       ((3)) (2) Armed forces special license plates may be used in lieu  
13 of regular or personalized license plates for vehicles required to  
14 display one and two vehicle license plates, excluding vehicles  
15 registered under chapter 46.87 RCW, upon terms and conditions  
16 established by the department.

17       ((4)) (3) Upon request, the department must make available to the  
18 purchaser, at no additional cost, a decal indicating the purchaser's  
19 military status. The department must work with the department of  
20 veterans affairs to establish a list of the decals to be made  
21 available. The list of available decals must include, but is not  
22 limited to, "veteran," "disabled veteran," "reservist," "retiree," or  
23 "active duty." The department may specify where the decal may be  
24 placed on the license plate. Decals are required to be made available  
25 only for standard six-inch by twelve-inch license plates.

26       ((5)) (4) Armed forces license plates and decals are available  
27 only to veterans as defined in RCW 41.04.007, active duty military  
28 personnel, reservists, members of the national guard, and the families  
29 of veterans and service members. Upon initial application, any  
30 purchaser requesting an armed forces license plate and decal will be  
31 required to show proof of eligibility by providing: A DD-214 or  
32 discharge papers if a veteran; a military identification or retired  
33 military identification card; or a declaration of fact attesting to the  
34 purchaser's eligibility as required under this section. "Family" or  
35 "families" means an individual's spouse, child, parent, sibling, aunt,  
36 uncle, or cousin. A child includes stepchild, adopted child, foster  
37 child, grandchild, and son or daughter-in-law. A parent includes

1 stepparent, grandparent, and in-laws. A sibling includes brother, half  
2 brother, stepbrother, sister, half sister, stepsister, and brother or  
3 sister-in-law.

4 ~~((+6))~~ (5) The department of veterans affairs must enter into an  
5 agreement with the department to reimburse the department for the costs  
6 associated with providing military status decals described in  
7 subsection ~~((+4))~~ (3) of this section.

8 ~~((+7))~~ (6) Armed forces license plates are not available free of  
9 charge to disabled veterans, former prisoners of war, or spouses of  
10 deceased former prisoners of war under the privileges defined in RCW  
11 73.04.110 and 73.04.115.

12 **Sec. 143.** RCW 46.16.30922 and 2005 c 220 s 1 are each amended to  
13 read as follows:

14 ~~((+1) The legislature recognizes that the "Ski & Ride Washington"~~  
15 ~~license plate has been reviewed and approved by the special license~~  
16 ~~plate review board under RCW 46.16.725, and found to fully comply with~~  
17 ~~RCW 46.16.715 through 46.16.775.~~

18 ~~(+2))~~ The department shall issue a special license plate displaying  
19 a symbol or artwork, as approved by the special license plate review  
20 board and the legislature before June 30, 2010, recognizing the  
21 Washington snowsports industry, that may be used in lieu of regular or  
22 personalized license plates for vehicles required to display vehicle  
23 license plates, excluding vehicles registered under chapter 46.87 RCW,  
24 upon terms and conditions established by the department.

25 **Sec. 144.** RCW 46.16.30924 and 2005 c 224 s 1 are each amended to  
26 read as follows:

27 ~~((+1) The legislature recognizes that the Wild On Washington~~  
28 ~~license plate has been reviewed by the special license plate review~~  
29 ~~board under RCW 46.16.725 and was found to fully comply with all~~  
30 ~~provisions of RCW 46.16.715 through 46.16.775.~~

31 ~~(+2))~~ The department shall issue a special license plate displaying  
32 a symbol or artwork, as approved by the special license plate review  
33 board and the legislature before June 30, 2010, referred to as "Wild On  
34 Washington license plates," that may be used in lieu of regular or  
35 personalized license plates for vehicles required to display one or two

1 vehicle license plates, excluding vehicles registered under chapter  
2 46.87 RCW, upon terms and conditions established by the department.

3 **Sec. 145.** RCW 46.16.30926 and 2005 c 225 s 1 are each amended to  
4 read as follows:

5 ~~((1) The legislature recognizes that the Endangered Wildlife  
6 license plate has been reviewed by the special license plate review  
7 board under RCW 46.16.725 and was found to fully comply with all  
8 provisions of RCW 46.16.715 through 46.16.775.~~

9 (2)) The department shall issue a special license plate displaying  
10 a symbol or artwork, as approved by the special license plate review  
11 board and the legislature before June 30, 2010, referred to as  
12 "Endangered Wildlife license plates," that may be used in lieu of  
13 regular or personalized license plates for vehicles required to display  
14 one or two vehicle license plates, excluding vehicles registered under  
15 chapter 46.87 RCW, upon terms and conditions established by the  
16 department.

17 **Sec. 146.** RCW 46.16.30928 and 2005 c 426 s 1 are each amended to  
18 read as follows:

19 ~~((1) The legislature recognizes that the "Share the Road" license  
20 plate has been reviewed by the special license plate review board under  
21 RCW 46.16.725, and found to fully comply with RCW 46.16.715 through  
22 46.16.775.~~

23 (2)) The department shall issue a special license plate displaying  
24 a symbol or artwork, as approved by the special license plate review  
25 board and the legislature before June 30, 2010, recognizing an  
26 organization that promotes bicycle safety and awareness education. The  
27 special license plate may be used in lieu of regular or personalized  
28 license plates for vehicles required to display one or two vehicle  
29 license plates, excluding vehicles registered under chapter 46.87 RCW,  
30 upon terms and conditions established by the department. The special  
31 plates will commemorate the life of Cooper Jones.

32 **Strategic Health Planning Office**  
33 **Technical Advisory Committee**

1       **Sec. 147.** RCW 43.370.020 and 2009 c 343 s 1 are each amended to  
2 read as follows:

3       (1) The office shall serve as a coordinating body for public and  
4 private efforts to improve quality in health care, promote cost-  
5 effectiveness in health care, and plan health facility and health  
6 service availability. In addition, the office shall facilitate access  
7 to health care data collected by public and private organizations as  
8 needed to conduct its planning responsibilities.

9       (2) The office shall:

10       (a) Conduct strategic health planning activities related to the  
11 preparation of the strategy, as specified in this chapter;

12       (b) Develop a computerized system for accessing, analyzing, and  
13 disseminating data relevant to strategic health planning  
14 responsibilities. The office may contract with an organization to  
15 create the computerized system capable of meeting the needs of the  
16 office;

17       (c) Have access to the information submitted as part of the health  
18 professional licensing application and renewal process, excluding  
19 social security number and background check information, whether the  
20 license is issued by the secretary of the department of health or a  
21 board or commission. The office shall also have access to information  
22 submitted to the department of health as part of the medical or health  
23 facility licensing process. Access to and use of all data shall be in  
24 accordance with state and federal confidentiality laws and ethical  
25 guidelines, and the office shall maintain the same degree of  
26 confidentiality as the department of health. For professional  
27 licensing information provided to the office, the department of health  
28 shall replace any social security number with an alternative identifier  
29 capable of linking all licensing records of an individual; and

30       (d) Conduct research and analysis or arrange for research and  
31 analysis projects to be conducted by public or private organizations to  
32 further the purposes of the strategy.

33       ~~((3) The office shall establish a technical advisory committee to~~  
34 ~~assist in the development of the strategy. Members of the committee~~  
35 ~~shall include health economists, health planners, representatives of~~  
36 ~~government and nongovernment health care purchasers, representatives of~~  
37 ~~state agencies that use or regulate entities with an interest in health~~  
38 ~~planning, representatives of acute care facilities, representatives of~~

1 ~~long-term care facilities, representatives of community-based long-term~~  
2 ~~care providers, representatives of health care providers, a~~  
3 ~~representative of one or more federally recognized Indian tribes, and~~  
4 ~~representatives of health care consumers. The committee shall include~~  
5 ~~members with experience in the provision of health services to rural~~  
6 ~~communities.))~~

7 **Sec. 148.** RCW 43.370.030 and 2007 c 259 s 52 are each amended to  
8 read as follows:

9 (1) The office(~~(, in consultation with the technical advisory~~  
10 ~~committee established under RCW 43.370.020,)) shall develop a statewide~~  
11 health resources strategy. The strategy shall establish statewide  
12 health planning policies and goals related to the availability of  
13 health care facilities and services, quality of care, and cost of care.  
14 The strategy shall identify needs according to geographic regions  
15 suitable for comprehensive health planning as designated by the office.

16 (2) The development of the strategy shall consider the following  
17 general goals and principles:

18 (a) That excess capacity of health services and facilities place  
19 considerable economic burden on the public who pay for the construction  
20 and operation of these facilities as patients, health insurance  
21 purchasers, carriers, and taxpayers; and

22 (b) That the development and ongoing maintenance of current and  
23 accurate health care information and statistics related to cost and  
24 quality of health care, as well as projections of need for health  
25 facilities and services, are essential to effective strategic health  
26 planning.

27 (3) The strategy, with public input by health service areas, shall  
28 include:

29 (a) A health system assessment and objectives component that:

30 (i) Describes state and regional population demographics, health  
31 status indicators, and trends in health status and health care needs;  
32 and

33 (ii) Identifies key policy objectives for the state health system  
34 related to access to care, health outcomes, quality, and cost-  
35 effectiveness;

36 (b) A health care facilities and services plan that shall assess  
37 the demand for health care facilities and services to inform state

1 health planning efforts and direct certificate of need determinations,  
2 for those facilities and services subject to certificate of need as  
3 provided in chapter 70.38 RCW. The plan shall include:

4 (i) An inventory of each geographic region's existing health care  
5 facilities and services;

6 (ii) Projections of need for each category of health care facility  
7 and service, including those subject to certificate of need;

8 (iii) Policies to guide the addition of new or expanded health care  
9 facilities and services to promote the use of quality, evidence-based,  
10 cost-effective health care delivery options, including any  
11 recommendations for criteria, standards, and methods relevant to the  
12 certificate of need review process; and

13 (iv) An assessment of the availability of health care providers,  
14 public health resources, transportation infrastructure, and other  
15 considerations necessary to support the needed health care facilities  
16 and services in each region;

17 (c) A health care data resource plan that identifies data elements  
18 necessary to properly conduct planning activities and to review  
19 certificate of need applications, including data related to inpatient  
20 and outpatient utilization and outcomes information, and financial and  
21 utilization information related to charity care, quality, and cost.  
22 The plan shall inventory existing data resources, both public and  
23 private, that store and disclose information relevant to the health  
24 planning process, including information necessary to conduct  
25 certificate of need activities pursuant to chapter 70.38 RCW. The plan  
26 shall identify any deficiencies in the inventory of existing data  
27 resources and the data necessary to conduct comprehensive health  
28 planning activities. The plan may recommend that the office be  
29 authorized to access existing data sources and conduct appropriate  
30 analyses of such data or that other agencies expand their data  
31 collection activities as statutory authority permits. The plan may  
32 identify any computing infrastructure deficiencies that impede the  
33 proper storage, transmission, and analysis of health planning data.  
34 The plan shall provide recommendations for increasing the availability  
35 of data related to health planning to provide greater community  
36 involvement in the health planning process and consistency in data used  
37 for certificate of need applications and determinations;

1 (d) An assessment of emerging trends in health care delivery and  
2 technology as they relate to access to health care facilities and  
3 services, quality of care, and costs of care. The assessment shall  
4 recommend any changes to the scope of health care facilities and  
5 services covered by the certificate of need program that may be  
6 warranted by these emerging trends. In addition, the assessment may  
7 recommend any changes to criteria used by the department to review  
8 certificate of need applications, as necessary;

9 (e) A rural health resource plan to assess the availability of  
10 health resources in rural areas of the state, assess the unmet needs of  
11 these communities, and evaluate how federal and state reimbursement  
12 policies can be modified, if necessary, to more efficiently and  
13 effectively meet the health care needs of rural communities. The plan  
14 shall consider the unique health care needs of rural communities, the  
15 adequacy of the rural health workforce, and transportation needs for  
16 accessing appropriate care.

17 (4) The office shall submit the initial strategy to the governor  
18 and the appropriate committees of the senate and house of  
19 representatives by January 1, 2010. Every two years the office shall  
20 submit an updated strategy. The health care facilities and services  
21 plan as it pertains to a distinct geographic planning region may be  
22 updated by individual categories on a rotating, biannual schedule.

23 (5) The office shall hold at least one public hearing and allow  
24 opportunity to submit written comments prior to the issuance of the  
25 initial strategy or an updated strategy. A public hearing shall be  
26 held prior to issuing a draft of an updated health care facilities and  
27 services plan, and another public hearing shall be held before final  
28 adoption of an updated health care facilities and services plan. Any  
29 hearing related to updating a health care facilities and services plan  
30 for a specific planning region shall be held in that region with  
31 sufficient notice to the public and an opportunity to comment.

### 32 **Veterans Innovation Program Board**

33 **Sec. 149.** RCW 43.60A.170 and 2006 c 343 s 5 are each amended to  
34 read as follows:

35 (1) The competitive grant program is created to fund innovative

1 initiatives to provide crisis and emergency relief, education,  
2 training, and employment assistance to veterans and their families in  
3 their communities.

4 ~~((1) The veterans innovations program board is created to exercise  
5 the powers granted under RCW 43.60A.160 through 43.60A.185 related to  
6 the competitive grant program.~~

7 ~~(a) The board consists of seven citizens of the state, appointed by  
8 the governor, with recognized experience in serving veterans and their  
9 families in the community regarding transition and readjustment issues;  
10 education, training, and employment needs; and other needs experienced  
11 by veterans and their families stemming from service to their country.~~

12 ~~(b) The members of the board select the chair.~~

13 ~~(c) The department shall provide staff support to the board.~~

14 ~~(d) Members of the board receive no compensation but shall be  
15 reimbursed for travel expenses as provided in RCW 43.03.050 and  
16 43.03.060.))~~

17 (2) The ((~~board~~)) department shall:

18 (a) Establish a competitive process to solicit proposals for and  
19 prioritize project applications for potential funding. The purpose of  
20 the proposals shall be in three categories:

21 (i) Crisis and emergency relief;

22 (ii) Education, training, and employment assistance; and

23 (iii) Community outreach and resources; and

24 (b) Report on January 1, 2007, to the appropriate standing  
25 committees of the legislature and to the joint committee on veterans  
26 and military affairs on the implementation of chapter 343, Laws of  
27 2006. The report must include, but is not limited to, information on  
28 the number of applications for assistance, the grant amount awarded  
29 each project, a description of each project, and performance measures  
30 of the program.

31 **Sec. 150.** RCW 43.131.406 and 2006 c 343 s 11 are each amended to  
32 read as follows:

33 The following acts or parts of acts, as now existing or hereafter  
34 amended, are each repealed, effective June 30, 2017:

35 (1) 2006 c 343 § 1 (uncodified);

36 (2) RCW 43.60A.160 and 2006 c 343 § 3;

37 (3) RCW 43.60A.165 and 2006 c 343 § 4;



- 1 (4) RCW 43.60A.170 and section 149 of this act & 2006 c 343 § 5;
- 2 (5) RCW 43.60A.175 and 2006 c 343 § 6;
- 3 (6) RCW 43.60A.180 and 2006 c 343 § 7; and
- 4 (7) RCW 43.60A.185 and 2006 c 343 § 8.

5 **Sec. 151.** RCW 43.60A.010 and 2006 c 343 s 2 are each amended to  
6 read as follows:

7 As used in this chapter the following words and phrases shall have  
8 the following meanings unless the context clearly requires otherwise:

9 (1) "Department" means the department of veterans affairs.

10 (2) "Director" means the director of the department of veterans  
11 affairs.

12 (3) "Committee" means the veterans affairs advisory committee.

13 (~~(4) "Board" means the veterans innovations program board.~~)

14 NEW SECTION. **Sec. 152.** RCW 43.60A.180 (Conflicts of interest) and  
15 2006 c 343 s 7 are each repealed.

#### 16 **Vehicle Equipment Safety Commission**

17 NEW SECTION. **Sec. 153.** The following acts or parts of acts are  
18 each repealed:

19 (1) RCW 46.38.010 (Compact enacted--Provisions) and 1963 c 204 s 1;

20 (2) RCW 46.38.020 (Legislative findings) and 1987 c 330 s 735 &  
21 1963 c 204 s 2;

22 (3) RCW 46.38.030 (Effective date of rules, etc. of vehicle safety  
23 equipment commission) and 1987 c 330 s 736, 1967 ex.s. c 145 s 57, &  
24 1963 c 204 s 3;

25 (4) RCW 46.38.040 (Appointment of commissioner and alternate  
26 commissioner) and 1987 c 330 s 737 & 1963 c 204 s 4;

27 (5) RCW 46.38.050 (Cooperation of state agencies with vehicle  
28 equipment safety commission) and 1963 c 204 s 5;

29 (6) RCW 46.38.060 (State officers for the filing of documents and  
30 receipt of notices) and 1987 c 330 s 738 & 1963 c 204 s 6;

31 (7) RCW 46.38.070 (Vehicle equipment safety commission to submit  
32 budgets to director of financial management) and 1979 c 151 s 160 &  
33 1963 c 204 s 7;

1 (8) RCW 46.38.080 (State auditor to inspect accounts of vehicle  
2 equipment safety commission) and 1963 c 204 s 8; and  
3 (9) RCW 46.38.090 (Withdrawal from compact, "executive head"  
4 defined) and 1963 c 204 s 9.

5 **Water Supply Advisory Committee**

6 NEW SECTION. **Sec. 154.** RCW 70.119A.160 (Water supply advisory  
7 committee) and 1998 c 245 s 112 & 1995 c 376 s 4 are each repealed.

8 **Sec. 155.** RCW 70.119A.180 and 2003 1st sp.s. c 5 s 7 are each  
9 amended to read as follows:

10 (1) It is the intent of the legislature that the department  
11 establish water use efficiency requirements designed to ensure  
12 efficient use of water while maintaining water system financial  
13 viability, improving affordability of supplies, and enhancing system  
14 reliability.

15 (2) The requirements of this section shall apply to all municipal  
16 water suppliers and shall be tailored to be appropriate to system size,  
17 forecasted system demand, and system supply characteristics.

18 (3) For the purposes of this section:

19 (a) Water use efficiency includes conservation planning  
20 requirements, water distribution system leakage standards, and water  
21 conservation performance reporting requirements; and

22 (b) "Municipal water supplier" and "municipal water supply  
23 purposes" have the meanings provided by RCW 90.03.015.

24 (4) To accomplish the purposes of this section, the department  
25 shall adopt rules necessary to implement this section by December 31,  
26 2005. The department shall:

27 (a) Develop conservation planning requirements that ensure  
28 municipal water suppliers are: (i) Implementing programs to integrate  
29 conservation with water system operation and management; and (ii)  
30 identifying how to appropriately fund and implement conservation  
31 activities. Requirements shall apply to the conservation element of  
32 water system plans and small water system management programs developed  
33 pursuant to chapter 43.20 RCW. In establishing the conservation  
34 planning requirements the department shall review the current

1 department conservation planning guidelines and include those elements  
2 that are appropriate for rule. Conservation planning requirements  
3 shall include but not be limited to:

4 (A) Selection of cost-effective measures to achieve a system's  
5 water conservation objectives. Requirements shall allow the municipal  
6 water supplier to select and schedule implementation of the best  
7 methods for achieving its conservation objectives;

8 (B) Evaluation of the feasibility of adopting and implementing  
9 water delivery rate structures that encourage water conservation;

10 (C) Evaluation of each system's water distribution system leakage  
11 and, if necessary, identification of steps necessary for achieving  
12 water distribution system leakage standards developed under (b) of this  
13 subsection;

14 (D) Collection and reporting of water consumption and source  
15 production and/or water purchase data. Data collection and reporting  
16 requirements shall be sufficient to identify water use patterns among  
17 utility customer classes, where applicable, and evaluate the  
18 effectiveness of each system's conservation program. Requirements,  
19 including reporting frequency, shall be appropriate to system size and  
20 complexity. Reports shall be available to the public; and

21 (E) Establishment of minimum requirements for water demand forecast  
22 methodologies such that demand forecasts prepared by municipal water  
23 suppliers are sufficient for use in determining reasonably anticipated  
24 future water needs;

25 (b) Develop water distribution system leakage standards to ensure  
26 that municipal water suppliers are taking appropriate steps to reduce  
27 water system leakage rates or are maintaining their water distribution  
28 systems in a condition that results in leakage rates in compliance with  
29 the standards. Limits shall be developed in terms of percentage of  
30 total water produced and/or purchased and shall not be lower than ten  
31 percent. The department may consider alternatives to the percentage of  
32 total water supplied where alternatives provide a better evaluation of  
33 the water system's leakage performance. The department shall institute  
34 a graduated system of requirements based on levels of water system  
35 leakage. A municipal water supplier shall select one or more control  
36 methods appropriate for addressing leakage in its water system;

37 (c) Establish minimum requirements for water conservation  
38 performance reporting to assure that municipal water suppliers are

1 regularly evaluating and reporting their water conservation  
2 performance. The objective of setting conservation goals is to enhance  
3 the efficient use of water by the water system customers. Performance  
4 reporting shall include:

5 (i) Requirements that municipal water suppliers adopt and achieve  
6 water conservation goals. The elected governing board or governing  
7 body of the water system shall set water conservation goals for the  
8 system. In setting water conservation goals the water supplier may  
9 consider historic conservation performance and conservation investment,  
10 customer base demographics, regional climate variations, forecasted  
11 demand and system supply characteristics, system financial viability,  
12 system reliability, and affordability of water rates. Conservation  
13 goals shall be established by the municipal water supplier in an open  
14 public forum;

15 (ii) Requirements that the municipal water supplier adopt schedules  
16 for implementing conservation program elements and achieving  
17 conservation goals to ensure that progress is being made toward adopted  
18 conservation goals;

19 (iii) A reporting system for regular reviews of conservation  
20 performance against adopted goals. Performance reports shall be  
21 available to customers and the public. Requirements, including  
22 reporting frequency, shall be appropriate to system size and  
23 complexity;

24 (iv) Requirements that any system not meeting its water  
25 conservation goals shall develop a plan for modifying its conservation  
26 program to achieve its goals along with procedures for reporting  
27 performance to the department;

28 (v) If a municipal water supplier determines that further  
29 reductions in consumption are not reasonably achievable, it shall  
30 identify how current consumption levels will be maintained;

31 (d) Adopt rules that, to the maximum extent practical, utilize  
32 existing mechanisms and simplified procedures in order to minimize the  
33 cost and complexity of implementation and to avoid placing unreasonable  
34 financial burden on smaller municipal systems.

35 (5) ~~((The department shall establish an advisory committee to  
36 assist the department in developing rules for water use efficiency.  
37 The advisory committee shall include representatives from public water  
38 system customers, environmental interest groups, business interest~~

1 ~~groups, a representative cross section of municipal water suppliers, a~~  
2 ~~water utility conservation professional, tribal governments, the~~  
3 ~~department of ecology, and any other members determined necessary by~~  
4 ~~the department. The department may use the water supply advisory~~  
5 ~~committee created pursuant to RCW 70.119A.160 augmented with additional~~  
6 ~~participants as necessary to comply with this subsection to assist the~~  
7 ~~department in developing rules.~~

8       (6)) The department shall provide technical assistance upon  
9 request to municipal water suppliers and local governments regarding  
10 water conservation, which may include development of best management  
11 practices for water conservation programs, conservation landscape  
12 ordinances, conservation rate structures for public water systems, and  
13 general public education programs on water conservation.

14       ((7)) (6) To ensure compliance with this section, the department  
15 shall establish a compliance process that incorporates a graduated  
16 approach employing the full range of compliance mechanisms available to  
17 the department.

18       ((8)) (7) Prior to completion of rule making required in  
19 subsection (4) of this section, municipal water suppliers shall  
20 continue to meet the existing conservation requirements of the  
21 department and shall continue to implement their current water  
22 conservation programs.

23       **Sec. 156.** RCW 90.86.030 and 2005 c 60 s 3 are each amended to read  
24 as follows:

25       (1) The joint legislative committee on water supply during drought  
26 shall convene from time to time at the call of the chair when a drought  
27 conditions order under RCW 43.83B.405 is in effect, or when the chair  
28 determines, in consultation with the department of ecology, that it is  
29 likely that such an order will be issued within the next year.

30       (2) The committee may request and review information relating to  
31 water supply conditions in the state, and economic, environmental, and  
32 other impacts relating to decreased water supply being experienced or  
33 anticipated. The governor's executive water emergency committee, the  
34 department of ecology, (~~the water supply advisory committee,~~) and  
35 other state agencies with water management or related responsibilities  
36 shall cooperate in responding to requests from the committee.

1 (3) During drought conditions in which an order issued under RCW  
2 43.83B.405 is in effect, the department of ecology shall provide to the  
3 committee no less than monthly a report describing drought response  
4 activities of the department and other state and federal agencies  
5 participating on the water supply availability committee. The report  
6 shall include information regarding applications for, and approvals and  
7 denials of emergency water withdrawals and temporary changes or  
8 transfers of, water rights under RCW 43.83B.410.

9 (4) The committee from time to time shall make recommendations to  
10 the senate and house of representatives on budgetary and legislative  
11 actions that will improve the state's drought response programs and  
12 planning.

### 13 **Western States School Bus Safety Commission**

14 NEW SECTION. **Sec. 157.** The following acts or parts of acts are  
15 each repealed:

16 (1) RCW 46.39.010 (Compact enacted--Provisions) and 1977 ex.s. c 88  
17 s 1; and

18 (2) RCW 46.39.020 (Designation of Washington state commissioners)  
19 and 1984 c 7 s 51 & 1977 ex.s. c 88 s 2.

### 20 **Women's History Consortium**

21 NEW SECTION. **Sec. 158.** The following acts or parts of acts are  
22 each repealed:

23 (1) RCW 27.34.360 (Women's history consortium--Created--Washington  
24 state historical society as managing agency) and 2005 c 391 s 2;

25 (2) RCW 27.34.365 (Women's history consortium--Board of advisors)  
26 and 2005 c 391 s 3;

27 (3) RCW 27.34.370 (Women's history consortium--Responsibilities of  
28 board of advisors) and 2005 c 391 s 4;

29 (4) RCW 27.34.375 (Women's history consortium--Responsibilities)  
30 and 2005 c 391 s 5; and

31 (5) RCW 27.34.380 (Women's history consortium--Report to the  
32 legislature) and 2005 c 391 s 6.

1           **Interagency Integrated Pest Management Coordinating Committee**

2           NEW SECTION.   **Sec. 159.**   RCW 17.15.040 (Interagency integrated  
3 pest management coordinating committee--Creation--Composition--Duties--  
4 Public notice--Progress reports) and 1997 c 357 s 5 are each repealed.

5                           **Land Bank Technical Advisory Committee**

6           NEW SECTION.   **Sec. 160.**   RCW 79.19.070 (Land bank technical  
7 advisory committee) and 1984 c 222 s 7 are each repealed.

8                           **Forest Fire Advisory Board**

9           NEW SECTION.   **Sec. 161.**   RCW 76.04.145 (Forest fire advisory  
10 board) and 1986 c 100 s 15 are each repealed.

11           **Sec. 162.**   RCW 70.94.6534 and 2009 c 118 s 501 are each amended to  
12 read as follows:

13           (1) The department of natural resources shall have the  
14 responsibility for issuing and regulating burning permits required by  
15 it relating to the following activities for the protection of life or  
16 property and/or for the public health, safety, and welfare:

17           (a) Abating a forest fire hazard;

18           (b) Prevention of a fire hazard;

19           (c) Instruction of public officials in methods of forest fire  
20 fighting;

21           (d) Any silvicultural operation to improve the forest lands of the  
22 state; and

23           (e) Silvicultural burning used to improve or maintain fire  
24 dependent ecosystems for rare plants or animals within state, federal,  
25 and private natural area preserves, natural resource conservation  
26 areas, parks, and other wildlife areas.

27           (2) The department of natural resources shall not retain such  
28 authority, but it shall be the responsibility of the appropriate fire  
29 protection agency for permitting and regulating outdoor burning on

1 lands where the department of natural resources does not have fire  
2 protection responsibility.

3 (3) Permit fees shall be assessed for silvicultural burning under  
4 the jurisdiction of the department of natural resources and collected  
5 by the department of natural resources as provided for in this section.  
6 All fees shall be deposited in the air pollution control account,  
7 created in RCW 70.94.015. The legislature shall appropriate to the  
8 department of natural resources funds from the air pollution control  
9 account to enforce and administer the program under this section and  
10 RCW ((~~70.94.6534,~~) 70.94.6536, 70.94.6538, and 70.94.6540. Fees shall  
11 be set by rule by the department of natural resources at the level  
12 necessary to cover the costs of the program after receiving  
13 recommendations on such fees from the public ((~~and the forest fire~~  
14 ~~advisory board established by RCW 76.04.145)).~~

15 **Sec. 163.** RCW 76.04.630 and 1993 c 36 s 2 are each amended to read  
16 as follows:

17 There is created a landowner contingency forest fire suppression  
18 account in the state treasury. Moneys in the account may be spent only  
19 as provided in this section. Disbursements from the account shall be  
20 on authorization of the commissioner of public lands or the  
21 commissioner's designee. The account is subject to the allotment  
22 procedure provided under chapter 43.88 RCW, but no appropriation is  
23 required for disbursements.

24 The department may expend from this account the amounts as may be  
25 available and as it considers appropriate for the payment of emergency  
26 fire costs resulting from a participating landowner fire. The  
27 department may, when moneys are available from the landowner  
28 contingency forest fire suppression account, expend moneys for  
29 summarily abating, isolating, or reducing an extreme fire hazard under  
30 RCW 76.04.660. All moneys recovered as a result of the department's  
31 actions, from the owner or person responsible, under RCW 76.04.660  
32 shall be deposited in the landowner contingency forest fire suppression  
33 account.

34 When a determination is made that the fire was started by other  
35 than a landowner operation, moneys expended from this account in the  
36 suppression of such fire shall be recovered from the general fund  
37 appropriations as may be available for emergency fire suppression



1 costs. The department shall deposit in the landowner contingency  
2 forest fire suppression account moneys paid out of the account which  
3 are later recovered, less reasonable costs of recovery.

4 This account shall be established and renewed by an annual special  
5 forest fire suppression account assessment paid by participating  
6 landowners at a rate to be established by the department. In  
7 establishing assessments, the department shall seek to establish and  
8 thereafter reestablish a balance in the account of three million  
9 dollars. The department may establish a flat fee assessment of no more  
10 than seven dollars and fifty cents for participating landowners owning  
11 parcels of fifty acres or less. For participating landowners owning  
12 parcels larger than fifty acres, the department may charge the flat fee  
13 assessment plus a per acre assessment for every acre over fifty acres.  
14 The per acre assessment established by the department may not exceed  
15 fifteen cents per acre per year. The assessments may differ to  
16 equitably distribute the assessment based on emergency fire suppression  
17 cost experience necessitated by landowner operations. Amounts assessed  
18 for this account shall be a lien upon the forest lands with respect to  
19 which the assessment is made and may be collected as directed by the  
20 department in the same manner as forest protection assessments.  
21 Payment of emergency costs from this account shall in no way restrict  
22 the right of the department to recover costs pursuant to RCW 76.04.495  
23 or other laws.

24 When the department determines that a forest fire was started in  
25 the course of or as a result of a landowner operation, (~~it shall~~  
26 ~~notify the forest fire advisory board of the determination.~~) the  
27 determination shall be final, unless, within ninety days of the  
28 notification, (~~the forest fire advisory board~~) or an interested party  
29 serves a request for a hearing before the department. The hearing  
30 shall constitute an adjudicative proceeding under chapter 34.05 RCW,  
31 the administrative procedure act, and an appeal shall be in accordance  
32 with RCW 34.05.510 through 34.05.598.

33 **Sec. 164.** RCW 76.04.660 and 2007 c 480 s 13 are each amended to  
34 read as follows:

35 (1) The owner of land on which there is an additional fire hazard,  
36 when the hazard is the result of a landowner operation or the land is  
37 within an area covered by a forest health hazard warning issued under

1 RCW 76.06.180, shall take reasonable measures to reduce the danger of  
2 fire spreading from the area and may abate the hazard by burning or  
3 other satisfactory means.

4 (2) An extreme fire hazard shall exist within areas covered by a  
5 forest health hazard order issued by the commissioner of public lands  
6 under RCW 76.06.180 in which there is an additional fire hazard caused  
7 by disturbance agents and the landowner has failed to take such action  
8 as required by the forest health hazard order. The duties and  
9 liability of such landowner under this chapter are as described in  
10 subsections (5), (6), and (7) of this section.

11 (3) The department shall adopt rules defining areas of extreme fire  
12 hazard that the owner and person responsible shall abate. The areas  
13 shall include but are not limited to high risk areas such as where life  
14 or buildings may be endangered, areas adjacent to public highways, and  
15 areas of frequent public use.

16 (4) The department may adopt rules(~~(, after consultation with the~~  
17 ~~forest fire advisory board,)~~) defining other conditions of extreme fire  
18 hazard with a high potential for fire spreading to lands in other  
19 ownerships. The department may prescribe additional measures that  
20 shall be taken by the owner and person responsible to isolate or reduce  
21 the extreme fire hazard.

22 (5) The owner or person responsible for the existence of the  
23 extreme fire hazard is required to abate, isolate, or reduce the  
24 hazard. The duty to abate, isolate, or reduce, and liability under  
25 this chapter, arise upon creation of the extreme fire hazard.  
26 Liability shall include but not be limited to all fire suppression  
27 expenses incurred by the department, regardless of fire cause.

28 (6) If the owner or person responsible for the existence of the  
29 extreme fire hazard or forest debris subject to RCW 76.04.650 refuses,  
30 neglects, or unsuccessfully attempts to abate, isolate, or reduce the  
31 same, the department may summarily abate, isolate, or reduce the hazard  
32 as required by this chapter and recover twice the actual cost thereof  
33 from the owner or person responsible. Landowner contingency forest  
34 fire suppression account moneys may be used by the department, when  
35 available, for this purpose. Moneys recovered by the department  
36 pursuant to this section shall be returned to the landowner contingency  
37 forest fire suppression account.

1 (7) Such costs shall include all salaries and expenses of people  
2 and equipment incurred therein, including those of the department. All  
3 such costs shall also be a lien upon the land enforceable in the same  
4 manner with the same effect as a mechanic's lien.

5 (8) The summary action may be taken only after ten days' notice in  
6 writing has been given to the owner or reputed owner of the land on  
7 which the extreme fire hazard or forest debris subject to RCW 76.04.650  
8 exists. The notice shall include a suggested method of abatement and  
9 estimated cost thereof. The notice shall be by personal service or by  
10 registered or certified mail addressed to the owner or reputed owner at  
11 the owner's last known place of residence.

12 (9) A landowner or manager may make a written request to the  
13 department to inspect their property and provide a written notice that  
14 they have complied with a forest health hazard warning or forest health  
15 hazard order, or otherwise adequately abated, isolated, or reduced an  
16 additional or extreme fire hazard. An additional or extreme fire  
17 hazard shall be considered to continue to exist unless and until the  
18 department, in its sole discretion, issues such notice.

19 **State Board on Geographic Names**

20 NEW SECTION. **Sec. 165.** The following acts or parts of acts are  
21 each repealed:

- 22 (1) RCW 43.126.015 (Purposes) and 1983 c 273 s 1;
- 23 (2) RCW 43.126.025 (State board on geographic names created--  
24 Membership--Chair) and 2009 c 549 s 5174 & 1983 c 273 s 2;
- 25 (3) RCW 43.126.035 (Powers and duties) and 1983 c 273 s 3;
- 26 (4) RCW 43.126.045 (Policies--Criteria) and 1983 c 273 s 4;
- 27 (5) RCW 43.126.055 (Adoption of names--Procedure--Effect) and 1983  
28 c 273 s 5;
- 29 (6) RCW 43.126.065 (Meetings--Rules--Publication of adopted names)  
30 and 2009 c 549 s 5175 & 1983 c 273 s 6;
- 31 (7) RCW 43.126.075 (Compensation and travel expenses of members)  
32 and 1984 c 287 s 88 & 1983 c 273 s 7; and
- 33 (8) RCW 43.126.085 (Naming geographic features without board  
34 approval prohibited) and 1983 c 273 s 8.

1                   **Lieutenant Governor Appointments and Assignments**

2           **Sec. 166.** RCW 43.15.020 and 2009 c 560 s 27 are each amended to  
3 read as follows:

4           The lieutenant governor serves as president of the senate and is  
5 responsible for making appointments to, and serving on, the committees  
6 and boards as set forth in this section.

7           (1) The lieutenant governor serves on the following boards and  
8 committees:

9           (a) Capitol furnishings preservation committee, RCW 27.48.040;

10           (b) Washington higher education facilities authority, RCW  
11 28B.07.030;

12           (c) Productivity board, also known as the employee involvement and  
13 recognition board, RCW 41.60.015;

14           (d) State finance committee, RCW 43.33.010;

15           (e) State capitol committee, RCW 43.34.010;

16           (f) Washington health care facilities authority, RCW 70.37.030;

17           (g) State medal of merit nominating committee, RCW 1.40.020;

18           (h) Medal of valor committee, RCW 1.60.020; and

19           (i) Association of Washington generals, RCW 43.15.030.

20           (2) The lieutenant governor, and when serving as president of the  
21 senate, appoints members to the following boards and committees:

22           (a) Civil legal aid oversight committee, RCW 2.53.010;

23           (b) Office of public defense advisory committee, RCW 2.70.030;

24           (c) Washington state gambling commission, RCW 9.46.040;

25           (d) Sentencing guidelines commission, RCW 9.94A.860;

26           (e) State building code council, RCW 19.27.070;

27           (f) ~~((Women's history consortium board of advisors, RCW 27.34.365;~~  
28 ~~(g))~~ Financial ~~((literacy))~~ education public-private partnership,  
29 RCW 28A.300.450;

30           ~~((h))~~ (g) Joint administrative rules review committee, RCW  
31 34.05.610;

32           ~~((i))~~ (h) Capital projects advisory review board, RCW 39.10.220;

33           ~~((j))~~ (i) Select committee on pension policy, RCW 41.04.276;

34           ~~((k))~~ (j) Legislative ethics board, RCW 42.52.310;

35           ~~((l))~~ (k) Washington citizens' commission on salaries, RCW  
36 43.03.305;

37           ~~((m))~~ (l) Legislative oral history committee, RCW 44.04.325;

1        (~~(n)~~) (m) State council on aging, RCW 43.20A.685;  
2        (~~(o)~~) (n) State investment board, RCW 43.33A.020;  
3        (~~(p)~~) (o) Capitol campus design advisory committee, RCW  
4 43.34.080;  
5        (~~(q)~~) (p) Washington state arts commission, RCW 43.46.015;  
6        (~~(r)~~) (q) Information services board, RCW 43.105.032;  
7        (~~(s)~~ ~~K-20 educational network board, RCW 43.105.800;~~  
8 ~~(t)~~) (r) Municipal research council, RCW 43.110.010;  
9        (~~(u)~~) (s) Council for children and families, RCW 43.121.020;  
10       (~~(v)~~) (t) PNWER-Net working subgroup under chapter 43.147 RCW;  
11       (~~(w)~~) (u) Community economic revitalization board, RCW  
12 43.160.030;  
13       (~~(x)~~) (v) Washington economic development finance authority, RCW  
14 43.163.020;  
15       (~~(y)~~) (w) Life sciences discovery fund authority, RCW 43.350.020;  
16       (~~(z)~~) (x) Legislative children's oversight committee, RCW  
17 44.04.220;  
18       (~~(aa)~~) (y) Joint legislative audit and review committee, RCW  
19 44.28.010;  
20       (~~(bb)~~) (z) Joint committee on energy supply and energy  
21 conservation, RCW 44.39.015;  
22       (~~(cc)~~) (aa) Legislative evaluation and accountability program  
23 committee, RCW 44.48.010;  
24       (~~(dd)~~) (bb) Agency council on coordinated transportation, RCW  
25 47.06B.020;  
26       (~~(ee)~~) (cc) Manufactured housing task force, RCW 59.22.090;  
27       (~~(ff)~~) (dd) Washington horse racing commission, RCW 67.16.014;  
28       (~~(gg)~~) (ee) Correctional industries board of directors, RCW  
29 72.09.080;  
30       (~~(hh)~~) (ff) Joint committee on veterans' and military affairs,  
31 RCW 73.04.150;  
32       (~~(ii)~~) (gg) Joint legislative committee on water supply during  
33 drought, RCW 90.86.020;  
34       (~~(jj)~~) (hh) Statute law committee, RCW 1.08.001; and  
35       (~~(kk)~~) (ii) Joint legislative oversight committee on trade  
36 policy, RCW 44.55.020.



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1           Correct the title.

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