
SENATE BILL 5316

State of Washington 65th Legislature 2017 Regular Session

By Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger, and Wilson

Read first time 01/20/17. Referred to Committee on State Government.

1 AN ACT Relating to the removal of provisions that are no longer
2 necessary for continued publication in the Revised Code of
3 Washington; amending RCW 43.320.017, 70.95.532, 80.01.080,
4 48.18A.035, 48.25.140, 48.29.015, 21.20.880, 43.70.900, 29A.04.510,
5 35A.39.010, 44.05.080, 47.06.110, 82.42.090, and 82.80.070; adding a
6 new section to chapter 42.30 RCW; recodifying RCW 42.32.030;
7 decodifying RCW 43.320.012, 43.320.013, 43.320.014, 43.320.015,
8 43.320.016, 43.320.901, 15.15.900, 50.06.010, 50.13.010, 50.13.910,
9 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.315.075,
10 29A.04.903, 29A.04.905, 42.56.901, 42.56.902, 42.56.903, 71A.10.805,
11 10.77.900, 10.77.920, 10.77.930, 71.05.910, 71.05.920, 71.05.930,
12 71.24.900, 71.34.901, 5.45.920, 43.41.035, 43.41.940, 43.41.950,
13 43.41.981, and 43.88.910; and repealing RCW 66.08.230, 66.08.250,
14 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505,
15 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886,
16 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190,
17 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050,
18 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900,
19 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250,
20 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605,
21 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088,
22 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820,
23 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850,

1 47.01.141, 47.60.645, 47.78.010, 82.44.180, 82.80.040, 82.80.050,
2 82.80.060, 82.14.046, and 82.50.510.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** RELATING TO ACCOUNTABILITY & REFORM. The
5 following sections are decodified:

6 (1) RCW 43.320.012 (Department of general administration and
7 department of licensing equipment, records, funds transferred);

8 (2) RCW 43.320.013 (Department of general administration and
9 department of licensing civil service employees transferred);

10 (3) RCW 43.320.014 (Department of general administration or
11 department of licensing rules, business, contracts, and obligations
12 continued);

13 (4) RCW 43.320.015 (Department of general administration and
14 department of licensing—Validity of acts);

15 (5) RCW 43.320.016 (Apportionment of budgeted funds); and

16 (6) RCW 43.320.901 (Implementation—1993 c 472).

17 **Sec. 2.** RCW 43.320.017 and 1993 c 472 s 13 are each amended to
18 read as follows:

19 SECTION 1 CONFORMING AMENDMENT. Nothing contained in RCW
20 43.320.011 (~~through 43.320.015~~) may be construed to alter any
21 existing collective bargaining unit or the provisions of any existing
22 collective bargaining agreement until the expiration date of the
23 current agreement or until the bargaining unit has been modified by
24 action of the Washington personnel resources board as provided by
25 law.

26 NEW SECTION. **Sec. 3.** RELATING TO AGRICULTURE, WATER & RURAL
27 ECONOMIC DEVELOPMENT. RCW 15.15.900 (Effective date—1997 c 176) is
28 decodified.

29 NEW SECTION. **Sec. 4.** RELATING TO COMMERCE & LABOR. The
30 following sections are decodified:

31 (1) RCW 50.06.010 (Purpose);

32 (2) RCW 50.13.010 (Legislative intent and recognition);

33 (3) RCW 50.13.910 (Legislative designation and placement);

34 (4) RCW 50.38.900 (Effective date—1982 c 43);

- 1 (5) RCW 50.38.902 (Effective date—1993 c 62);
- 2 (6) RCW 50.60.902 (Effective date—1983 c 207);
- 3 (7) RCW 50.65.905 (Effective date—1987 c 167); and
- 4 (8) RCW 50.70.902 (Effective date—1991 c 315).

5 NEW SECTION. **Sec. 5.** RELATING TO COMMERCE & LABOR. The
6 following acts or parts of acts are each repealed:

7 (1) RCW 66.08.230 (Initial disbursement to wine commission—
8 Repayment) and 1987 c 452 s 12;

9 (2) RCW 66.08.250 (Report on streamlining liquor tax collection)
10 and 2013 c 95 s 2; and

11 (3) RCW 66.12.020 (Sales of liquor to board) and 1933 ex.s. c 62
12 s 48.

13 NEW SECTION. **Sec. 6.** RELATING TO EARLY LEARNING & K-12
14 EDUCATION. RCW 28A.315.075 (Effect of 1999 c 315—Existing provisions
15 not affected) is decodified.

16 NEW SECTION. **Sec. 7.** RELATING TO EARLY LEARNING & K-12
17 EDUCATION. The following acts or parts of acts are each repealed:

18 (1) RCW 28A.305.900 (Transfer of powers and duties—State board of
19 education) and 2005 c 497 s 301;

20 (2) RCW 28A.305.901 (Transfer of powers and duties—Academic
21 achievement and accountability commission) and 2005 c 497 s 302; and

22 (3) RCW 28A.630.005 (Pilot project to assist school-age children
23 in short-term foster care) and 2002 c 326 s 2.

24 NEW SECTION. **Sec. 8.** RELATING TO ENERGY, ENVIRONMENT &
25 TELECOMMUNICATIONS. The following acts or parts of acts are each
26 repealed:

27 (1) RCW 70.94.505 (Woodsmoke emissions—Work group) and 2007 c 339
28 s 3;

29 (2) RCW 70.95N.270 (Reports) and 2006 c 183 s 28;

30 (3) RCW 70.104.070 (Pesticide incident reporting and tracking
31 review panel—Intent) and 1989 c 380 s 67;

32 (4) RCW 70.104.090 (Pesticide panel—Responsibilities) and 1991 c
33 3 s 364 & 1989 c 380 s 69; and

34 (5) RCW 80.36.901 (Legislative review of 1985 c 450—1989 c 101)
35 and 1989 c 101 s 18 & 1985 c 450 s 44.

1 **Sec. 9.** RCW 70.95.532 and 2010 c 247 s 704 are each amended to
2 read as follows:

3 RELATING TO ENERGY, ENVIRONMENT & TELECOMMUNICATIONS. (1) All
4 receipts from tire fees imposed under RCW 70.95.510, except as
5 provided in subsection (2) of this section, must be deposited in the
6 waste tire removal account created under RCW 70.95.521. Moneys in the
7 account may be spent only after appropriation. Expenditures from the
8 account may be used for the cleanup of unauthorized waste tire piles
9 and measures that prevent future accumulation of unauthorized waste
10 tire piles.

11 (2) On September 1st of odd-numbered years, the state treasurer
12 must transfer any cash balance in excess of one million dollars from
13 the waste tire removal account created under RCW 70.95.521 to the
14 motor vehicle account for the purpose of road wear related
15 maintenance on state and local public highways.

16 (~~(3) During the 2009-2011 fiscal biennium, the legislature may~~
17 ~~transfer any cash balance in excess of one million dollars from the~~
18 ~~waste tire removal account to the motor vehicle account for the~~
19 ~~purpose of road wear related maintenance on state and local public~~
20 ~~highways.))~~)

21 **Sec. 10.** RCW 80.01.080 and 2010 1st sp.s. c 37 s 950 are each
22 amended to read as follows:

23 RELATING TO ENERGY, ENVIRONMENT & TELECOMMUNICATIONS. There is
24 created in the state treasury a public service revolving fund.
25 Regulatory fees payable by all types of public service companies
26 shall be deposited to the credit of the public service revolving
27 fund. Except for expenses payable out of the pipeline safety account,
28 all expense of operation of the Washington utilities and
29 transportation commission shall be payable out of the public service
30 revolving fund.

31 (~~(During the 2009-2011 fiscal biennium, the legislature may~~
32 ~~transfer from the public service revolving fund to the state general~~
33 ~~fund such amounts as reflect the excess fund balance of the fund.))~~)

34 NEW SECTION. **Sec. 11.** SECTION 8 CONFORMING REPEALER.
35 RCW 70.104.100 (Industrial insurance statutes not affected) and 1989
36 c 380 s 70 are each repealed.

1 NEW SECTION. **Sec. 12.** RELATING TO FINANCIAL INSTITUTIONS &
2 INSURANCE. The following acts or parts of acts are each repealed:

3 (1) RCW 21.20.886 (Rule making for small securities offerings)
4 and 2014 c 144 s 5;

5 (2) RCW 31.04.501 (Implementation) and 2009 c 149 s 9; and

6 (3) RCW 48.102.190 (Existing viatical settlement licenses—July
7 26, 2009) and 2009 c 104 s 22.

8 **Sec. 13.** RCW 48.18A.035 and 2008 c 217 s 19 are each amended to
9 read as follows:

10 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (~~(1)~~) Every
11 individual variable contract issued shall have printed on its face or
12 attached thereto a notice stating in substance that the policy owner
13 shall be permitted to return the policy within ten days after it is
14 received by the policy owner and to have the market value of the
15 assets purchased by its premium, less taxes and investment brokerage
16 commissions, if any, refunded, if, after examination of the policy,
17 the policy owner is not satisfied with it for any reason. An
18 additional ten percent penalty shall be added to any premium refund
19 due which is not paid within thirty days of return of the policy to
20 the insurer or insurance producer. If a policy owner pursuant to such
21 notice returns the policy to the insurer at its home or branch office
22 or to the insurance producer through whom it was purchased, it shall
23 be void from the beginning and the parties shall be in the same
24 position as if no policy had been issued.

25 (~~(2) No later than January 1, 2010, or when the insurer has used
26 all of its existing paper variable contract forms which were in its
27 possession on July 1, 2009, whichever is earlier, the notice required
28 by subsection (1) of this section shall use the term insurance
29 producer in place of agent.~~)

30 **Sec. 14.** RCW 48.25.140 and 2008 c 217 s 33 are each amended to
31 read as follows:

32 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (~~(1)~~) There
33 shall be a provision that no insurance producer shall have the power
34 or authority to waive, change, or alter any of the terms or
35 conditions of any policy; except that, at the option of the insurer,
36 the terms or conditions may be changed by an endorsement signed by a
37 duly authorized officer of the insurer.

1 ~~((2) No later than January 1, 2010, or when the insurer has used~~
2 ~~all of its existing paper industrial life insurance contract forms~~
3 ~~which were in its possession on July 1, 2009, whichever is earlier,~~
4 ~~the notice required by subsection (1) of this section shall use the~~
5 ~~term insurance producer in place of agent.))~~

6 **Sec. 15.** RCW 48.29.015 and 2008 c 110 s 2 are each amended to
7 read as follows:

8 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) A title
9 insurance agent shall maintain records of its title orders sufficient
10 to indicate the source of the title orders.

11 (2) Every title insurance agent shall file with the commissioner
12 annually by March 15th of each year for the previous calendar year,
13 unless the commissioner for good cause shown extends the time for
14 filing, a report, on a form prescribed by the commissioner, setting
15 forth:

16 (a) The names and addresses of those persons, if any, who have
17 had a financial interest in the title insurance agent during the
18 calendar year, who are known or reasonably believed by the title
19 insurance agent to be producers of title business or associates of
20 producers; and

21 (b) The percent of title orders originating from each person who
22 owns, or had owned during the preceding calendar year, a financial
23 interest in the title insurance agent.

24 (3) Each title insurance agent shall keep current the information
25 required by that portion of the report required by subsection (2)(a)
26 of this section by reporting all changes or additions within fifteen
27 days after the end of the month in which it learns of each change or
28 addition.

29 (4) Each title insurance agent shall file that portion of the
30 report required by subsection (2)(a) of this section with its
31 application for a license.

32 ~~((5) Each title insurance agent licensed on June 12, 2008, shall~~
33 ~~file the report required under this section within thirty days after~~
34 ~~June 12, 2008.))~~

35 **Sec. 16.** RCW 21.20.880 and 2014 c 144 s 3 are each amended to
36 read as follows:

37 (1) Any offer or sale of a security is exempt from RCW 21.20.040
38 through 21.20.300 and 21.20.327, except as expressly provided, if:

1 (a) The offering is first declared exempt by the director after:
2 (i) The issuer files the offering with the director; or
3 (ii) A portal working in collaboration with the director files
4 the offering with the director on behalf of the issuer under RCW
5 21.20.883;

6 (b) The offering is conducted in accordance with the requirements
7 of section 3(a)(11) of the securities act of 1933 and securities and
8 exchange commission rule 147, 17 C.F.R. Sec. 230.147;

9 (c) The issuer is an entity organized and doing business in the
10 state of Washington;

11 (d) Each investor provides evidence or certification of residency
12 in the state of Washington at the time of purchase;

13 (e) The issuer files with the director an escrow agreement either
14 directly or through a portal providing that all offering proceeds
15 will be released to the issuer only when the aggregate capital raised
16 from all investors equals or exceeds the minimum target offering, as
17 determined by the director;

18 (f) The aggregate purchase price of all securities sold by an
19 issuer pursuant to the exemption provided by this section does not
20 exceed one million dollars during any twelve-month period;

21 (g) The aggregate amount sold to any investor by one or more
22 issuers during the twelve-month period preceding the date of the sale
23 does not exceed:

24 (i) The greater of two thousand dollars or five percent of the
25 annual income or net worth of the investor, as applicable, if either
26 the annual income or the net worth of the investor is less than one
27 hundred thousand dollars; or

28 (ii) Ten percent of the annual income or net worth of the
29 investor, as applicable, up to one hundred thousand dollars, if
30 either the annual income or net worth of the investor is one hundred
31 thousand dollars or more;

32 (h) The investor acknowledges by manual or electronic signature
33 the following statement conspicuously presented at the time of sale
34 on a page separate from other information relating to the offering:
35 "I acknowledge that I am investing in a high-risk, speculative
36 business venture, that I may lose all of my investment, and that I
37 can afford the loss of my investment";

38 (i) The issuer reasonably believes that all purchasers are
39 purchasing for investment and not for sale in connection with a
40 distribution of the security; and

1 (j) The issuer and investor provide any other information
2 reasonably requested by the director.

3 (2) Attempted compliance with the exemption provided by this
4 section does not act as an exclusive election. The issuer may claim
5 any other applicable exemption.

6 (3) For as long as securities issued under the exemption provided
7 by this section are outstanding, the issuer shall provide a quarterly
8 report to the issuer's shareholders and the director by making such
9 report publicly accessible, free of charge, at the issuer's internet
10 web site address within forty-five days of the end of each fiscal
11 quarter. The report must contain the following information:

12 (a) Executive officer and director compensation, including
13 specifically the cash compensation earned by the executive officers
14 and directors since the previous report and on an annual basis, and
15 any bonuses or other compensation, including stock options or other
16 rights to receive equity securities of the issuer or any affiliate of
17 the issuer, received by them; and

18 (b) A brief analysis by management of the issuer of the business
19 operations and financial condition of the issuer.

20 (4) Securities issued under the exemption provided by this
21 section may not be transferred by the purchaser during a one-year
22 period beginning on the date of purchase, unless the securities are
23 transferred:

24 (a) To the issuer of the securities;

25 (b) To an accredited investor;

26 (c) As part of a registered offering; or

27 (d) To a member of the family of the purchaser or the equivalent,
28 or in connection with the death or divorce or other similar
29 circumstances, in the discretion of the director.

30 (5) The director shall adopt disqualification provisions under
31 which this exemption shall not be available to any person or its
32 predecessors, affiliates, officers, directors, underwriters, or other
33 related persons. The provisions shall be substantially similar to the
34 disqualification provisions adopted by the securities and exchange
35 commission pursuant to the requirements of section 401(b)(2) of the
36 Jobs act of 2012 or, if none, as adopted in Rule 506 of Regulation D.
37 Notwithstanding the foregoing, this exemption shall become available
38 on June 12, 2014.

39 (6) Subject to RCW 21.20.450, the director may adopt, amend, or
40 repeal rules to implement this section and RCW 21.20.883, including

1 the establishment of filing and transaction fees sufficient to cover
2 the costs of administering RCW 21.20.883 and this section.

3 NEW SECTION. **Sec. 17.** RELATING TO GOVERNMENT OPERATIONS &
4 SECURITY. The following sections are decodified:

- 5 (1) RCW 29A.04.903 (Effective date—2003 c 111);
- 6 (2) RCW 29A.04.905 (Effective date—2004 c 271);
- 7 (3) RCW 42.56.901 (Part headings not law—2005 c 274);
- 8 (4) RCW 42.56.902 (Effective date—2005 c 274); and
- 9 (5) RCW 42.56.903 (Effective date—2006 c 209).

10 NEW SECTION. **Sec. 18.** RELATING TO GOVERNMENT OPERATIONS &
11 SECURITY. RCW 35.13A.0301 (Assumption of water-sewer district before
12 July 1, 1999—Limitations) and 1998 c 326 s 3 are each repealed.

13 NEW SECTION. **Sec. 19.** RELATING TO HEALTH CARE. RCW 71A.10.805
14 (Headings in Title 71A RCW not part of law) is decodified.

15 NEW SECTION. **Sec. 20.** RELATING TO HEALTH CARE. The following
16 acts or parts of acts are each repealed:

- 17 (1) RCW 70.22.005 (Transfer of duties to the department of
18 health) and 1989 1st ex.s. c 9 s 246; and
- 19 (2) RCW 71A.20.190 (Developmental disability service system task
20 force) and 2015 c 225 s 111 & 2011 1st sp.s. c 30 s 8.

21 **Sec. 21.** RCW 43.70.900 and 2015 1st sp.s. c 4 s 31 are each
22 amended to read as follows:

23 SECTION 20 CONFORMING AMENDMENT. All references to the secretary
24 or department of social and health services in the Revised Code of
25 Washington shall be construed to mean the secretary or department of
26 health when referring to the functions transferred in RCW 43.70.080,
27 18.104.005, 70.08.005, (~~(70.22.005,)~~) 70.24.005, 70.40.005,
28 70.41.005, and 70.54.005.

29 NEW SECTION. **Sec. 22.** RELATING TO HIGHER EDUCATION. The
30 following acts or parts of acts are each repealed:

- 31 (1) RCW 28B.65.010 (Legislative findings) and 1983 1st ex.s. c 72
32 s 2;
- 33 (2) RCW 28B.65.020 (Definitions) and 1983 1st ex.s. c 72 s 3;

- 1 (3) RCW 28B.65.030 (Washington state high-technology education
2 and training program established—Goals) and 1983 1st ex.s. c 72 s 4;
3 (4) RCW 28B.65.040 (Washington high-technology coordinating board
4 created—Members—Travel expenses) and 2012 c 229 s 539 & 1995 c 399 s
5 29;
6 (5) RCW 28B.65.050 (Board—Duties—Rules—Termination of board)
7 and 2012 c 229 s 540, 1998 c 245 s 22, & 1995 c 399 s 30;
8 (6) RCW 28B.65.060 (Board—Staff support) and 1995 c 399 s 31,
9 1985 c 381 s 3, & 1983 1st ex.s. c 72 s 7;
10 (7) RCW 28B.65.070 (Board—Solicitation of private and federal
11 support, gifts, conveyances, etc.) and 1983 1st ex.s. c 72 s 8;
12 (8) RCW 28B.65.080 (Consortium and baccalaureate degree training
13 programs—Board recommendations—Requirements—Coordination) and 1983
14 1st ex.s. c 72 s 9;
15 (9) RCW 28B.65.110 (Statewide off-campus telecommunications
16 system—Establishment by Washington State University for education in
17 high-technology fields);
18 (10) RCW 28B.65.900 (Short title—1983 1st ex.s. c 72) and 1983
19 1st ex.s. c 72 s 1; and
20 (11) RCW 28B.65.905 (Effective date—1983 1st ex.s. c 72) and 1983
21 1st ex.s. c 72 s 18.

22 NEW SECTION. **Sec. 23.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
23 & HOUSING. The following sections are decodified:

- 24 (1) RCW 10.77.900 (Savings—Construction—1973 1st ex.s. c 117);
25 (2) RCW 10.77.920 (Chapter successor to chapter 10.76 RCW);
26 (3) RCW 10.77.930 (Effective date—1973 1st ex.s. c 117);
27 (4) RCW 71.05.910 (Construction—1973 1st ex.s. c 142);
28 (5) RCW 71.05.920 (Section headings not part of the law);
29 (6) RCW 71.05.930 (Effective date—1973 1st ex.s. c 142);
30 (7) RCW 71.24.900 (Effective date—1967 ex.s. c 111); and
31 (8) RCW 71.34.901 (Effective date—1985 c 354).

32 NEW SECTION. **Sec. 24.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
33 & HOUSING. The following acts or parts of acts are each repealed:

- 34 (1) RCW 2.56.031 (Juvenile offender information—Plan) and 2010
35 1st sp.s. c 7 s 61 & 1993 c 415 s 2;
36 (2) RCW 10.77.810 (Joint legislative audit and review committee
37 assessment—Report) and 2012 c 256 s 9;

1 (3) RCW 10.77.820 (Washington state institute for public policy
2 study—Report) and 2012 c 256 s 10; and

3 (4) RCW 71.24.055 (Children's mental health services—Children's
4 access to care standards and benefit package—Recommendations to
5 legislature) and 2014 c 225 s 47 & 2007 c 359 s 4.

6 NEW SECTION. **Sec. 25.** RELATING TO LAW & JUSTICE. RCW 5.45.920
7 (Repeal of inconsistent provisions) is decodified.

8 NEW SECTION. **Sec. 26.** RELATING TO LAW & JUSTICE. The following
9 acts or parts of acts are each repealed:

10 (1) RCW 2.56.250 (Revocation of concealed pistol licenses—
11 Information transmittal—Work group) and 2010 c 274 s 601; and

12 (2) RCW 9.04.040 (Advertising cures of lost sexual potency—
13 Evidence) and 1921 c 168 s 2.

14 NEW SECTION. **Sec. 27.** RELATING TO LAW & JUSTICE. RCW 42.32.030
15 is recodified as a section in chapter 42.30 RCW.

16 **Sec. 28.** RCW 29A.04.510 and 2003 c 111 s 149 are each amended to
17 read as follows:

18 SECTION 27 CONFORMING AMENDMENT. (1) The Washington state
19 election administration and certification board is established and
20 has the responsibilities and authorities prescribed by this chapter.
21 The board is composed of the following members:

22 (a) The secretary of state or the secretary's designee;

23 (b) The state director of elections or the director's designee;

24 (c) Four county auditors appointed by the Washington state
25 association of county auditors or their alternates who are county
26 auditors designated by the association to serve as such alternates,
27 each appointee and alternate to serve at the pleasure of the
28 association;

29 (d) One member from each of the two largest political party
30 caucuses of the house of representatives designated by and serving at
31 the pleasure of the legislative leader of the respective caucus;

32 (e) One member from each of the two largest political party
33 caucuses of the senate designated by and serving at the pleasure of
34 the legislative leader of the respective caucus; and

1 (f) One representative from each major political party,
2 designated by and serving at the pleasure of the chair of the party's
3 state central committee.

4 (2) The board shall elect a chair from among its number; however,
5 neither the secretary of state nor the state director of elections
6 nor their designees may serve as the chair of the board. A majority
7 of the members appointed to the board constitutes a quorum for
8 conducting the business of the board. Chapter 42.30 RCW, the Open
9 Public Meetings Act, and RCW 42.32.030 (as recodified by this act)
10 regarding minutes of meetings, apply to the meetings of the board.

11 (3) Members of the board shall serve without compensation. The
12 secretary of state shall reimburse members of the board, other than
13 those who are members of the legislature, for travel expenses in
14 accordance with RCW 43.03.050 and 43.03.060. Members of the board who
15 are members of the legislature shall be reimbursed as provided in
16 chapter 44.04 RCW.

17 **Sec. 29.** RCW 35A.39.010 and 1995 c 21 s 2 are each amended to
18 read as follows:

19 SECTION 27 CONFORMING AMENDMENT. Every code city shall keep a
20 journal of minutes of its legislative meetings with orders,
21 resolutions and ordinances passed, and records of the proceedings of
22 any city department, division or commission performing quasi-judicial
23 functions as required by ordinances of the city and general laws of
24 the state and shall keep such records open to the public as required
25 by RCW 42.32.030 (as recodified by this act) and shall keep and
26 preserve all public records and publications or reproduce and destroy
27 the same as provided by Title 40 RCW. Each code city may duplicate
28 and sell copies of its ordinances at fees reasonably calculated to
29 defray the cost of such duplication and handling.

30 **Sec. 30.** RCW 44.05.080 and 2011 c 60 s 42 are each amended to
31 read as follows:

32 SECTION 27 CONFORMING AMENDMENT. In addition to other duties
33 prescribed by law, the commission shall:

34 (1) Adopt rules pursuant to the Administrative Procedure Act,
35 chapter 34.05 RCW, to carry out the provisions of Article II, section
36 43 of the state Constitution and of this chapter, which rules shall
37 provide that three voting members of the commission constitute a

1 quorum to do business, and that the votes of three of the voting
2 members are required for any official action of the commission;

3 (2) Act as the legislature's recipient of the final redistricting
4 data and maps from the United States Bureau of the Census;

5 (3) Comply with requirements to disclose and preserve public
6 records as specified in chapters 40.14 and 42.56 RCW;

7 (4) Hold open meetings pursuant to the open public meetings act,
8 chapter 42.30 RCW;

9 (5) Prepare and disclose its minutes pursuant to RCW 42.32.030
10 (as recodified by this act);

11 (6) Be subject to the provisions of RCW 42.17A.700;

12 (7) Prepare and publish a report with the plan; the report will
13 be made available to the public at the time the plan is published.
14 The report will include but will not be limited to: (a) The
15 population and percentage deviation from the average district
16 population for every district; (b) an explanation of the criteria
17 used in developing the plan with a justification of any deviation in
18 a district from the average district population; (c) a map of all the
19 districts; and (d) the estimated cost incurred by the counties for
20 adjusting precinct boundaries.

21 NEW SECTION. **Sec. 31.** RELATING TO NATURAL RESOURCES & PARKS.

22 The following acts or parts of acts are each repealed:

23 (1) RCW 43.30.8351 (Progress report) and 2009 c 163 s 3;

24 (2) RCW 76.01.080 (Lacey compound—Light industrial facilities/
25 land—Sale or exchange) and 2001 c 189 s 1;

26 (3) RCW 76.01.090 (Proposal for exchange or sale—Lacey compound
27 site) and 2001 c 189 s 2;

28 (4) RCW 76.09.380 (Report to the legislature—Emergency rules—
29 Permanent rules) and 1999 sp.s. c 4 s 205;

30 (5) RCW 77.12.605 (Whidbey Island game farm—Sale of property) and
31 1999 c 205 s 1;

32 (6) RCW 77.12.710 (Game fish production—Double by year 2000) and
33 1998 c 245 s 159, 1995 c 399 s 208, 1993 sp.s. c 2 s 70, & 1990 c 110
34 s 2;

35 (7) RCW 79A.20.005 (Findings) and 1992 c 153 s 2;

36 (8) RCW 79A.20.010 (Definitions) and 1992 c 153 s 3;

37 (9) RCW 79A.20.030 (Allocation and distribution of moneys) and
38 1994 c 264 s 30 & 1992 c 153 s 5; and

1 (10) RCW 79A.20.900 (Short title) and 1992 c 153 s 1.

2 NEW SECTION. **Sec. 32.** RELATING TO TRADE & ECONOMIC DEVELOPMENT.

3 The following acts or parts of acts are each repealed:

4 (1) RCW 43.31.088 (Business assistance center—ISO-9000 quality
5 standards) and 1994 c 140 s 2;

6 (2) RCW 43.31.522 (Marketplace program—Definitions) and 2009 c
7 565 s 29, 2005 c 136 s 17, 1993 c 280 s 46, 1990 c 57 s 2, & 1989 c
8 417 s 2;

9 (3) RCW 43.31.524 (Marketplace program—Generally) and 1993 c 280
10 s 47, 1990 c 57 s 3, & 1989 c 417 s 3;

11 (4) RCW 43.31.800 (State international trade fairs—"Director"
12 defined) and 2009 c 565 s 30, 1993 c 280 s 52, 1987 c 195 s 4, & 1965
13 c 148 s 2;

14 (5) RCW 43.31.805 (State trade fair fund) and 1998 c 345 s 3;

15 (6) RCW 43.31.810 (State international trade fairs—State aid
16 eligibility requirements) and 1987 c 195 s 5, 1975 1st ex.s. c 292 s
17 3, & 1965 c 148 s 3;

18 (7) RCW 43.31.820 (State international trade fairs—Application
19 for funds) and 1987 c 195 s 6, 1975 1st ex.s. c 292 s 4, & 1965 c 148
20 s 4;

21 (8) RCW 43.31.830 (State international trade fairs—Certification
22 of fairs—Allotments—Division and payment from state trade fair fund)
23 and 1993 c 280 s 53, 1987 c 195 s 7, 1975 1st ex.s. c 292 s 5, & 1965
24 c 148 s 5;

25 (9) RCW 43.31.832 (State trade fairs—Transfer of surplus funds in
26 state trade fair fund to general fund—Expenditure) and 1985 c 466 s
27 34, 1981 2nd ex.s. c 2 s 1, 1975 1st ex.s. c 292 s 8, & 1972 ex.s. c
28 93 s 2;

29 (10) RCW 43.31.833 (State trade fairs—Transfer of surplus funds
30 in state trade fair fund to general fund—Construction) and 1987 c 195
31 s 8, 1985 c 466 s 35, & 1972 ex.s. c 93 s 3;

32 (11) RCW 43.31.834 (State trade fairs—Transfer of surplus funds
33 in state trade fair fund to general fund—Construction) and 1985 c 466
34 s 36 & 1972 ex.s. c 93 s 4;

35 (12) RCW 43.31.840 (State international trade fairs—Post audit of
36 participating fairs—Reports) and 1993 c 280 s 54, 1975 1st ex.s. c
37 292 s 6, & 1965 c 148 s 6; and

1 (13) RCW 43.31.850 (State international trade fairs—State
2 international trade fair defined) and 1987 c 195 s 9, 1975 1st ex.s.
3 c 292 s 7, & 1965 c 148 s 8.

4 NEW SECTION. **Sec. 33.** RELATING TO TRANSPORTATION. The following
5 acts or parts of acts are each repealed:

6 (1) RCW 47.01.141 (Biennial report) and 1987 c 505 s 49, 1984 c 7
7 s 75, 1977 c 75 s 68, & 1973 2nd ex.s. c 12 s 1;

8 (2) RCW 47.60.645 (Passenger ferry account) and 2009 c 8 s 504,
9 2008 c 45 s 2, 2006 c 332 s 1, & 1995 2nd sp.s. c 14 s 558;

10 (3) RCW 47.78.010 (High capacity transportation account) and 1997
11 c 457 s 513, 1991 sp.s. c 13 ss 66, 121, 1990 c 43 s 47, & 1987 c 428
12 s 1;

13 (4) RCW 82.44.180 (Transportation fund—Deposits and
14 distributions) and 2013 c 251 s 9;

15 (5) RCW 82.80.040 (Street utility—Establishment) and 1991 c 141 s
16 1;

17 (6) RCW 82.80.050 (Street utility—Charges, credits) and 2006 c
18 301 s 5, 2000 c 103 s 21, & 1991 c 141 s 2; and

19 (7) RCW 82.80.060 (Use of other proceeds by utility) and 1991 c
20 141 s 3.

21 **Sec. 34.** RCW 47.06.110 and 2005 c 319 s 124 are each amended to
22 read as follows:

23 SECTION 33 CONFORMING AMENDMENT. The state-interest component of
24 the statewide multimodal transportation plan shall include a state
25 public transportation plan that:

26 (1) Articulates the state vision of an interest in public
27 transportation and provides quantifiable objectives, including
28 benefits indicators;

29 (2) Identifies the goals for public transit and the roles of
30 federal, state, regional, and local entities in achieving those
31 goals;

32 (3) Recommends mechanisms for coordinating state, regional, and
33 local planning for public transportation;

34 (4) Recommends mechanisms for coordinating public transportation
35 with other transportation services and modes;

36 (5) Recommends criteria, consistent with the goals identified in
37 subsection (2) of this section (~~and with RCW 82.44.180 (2) and~~

1 ~~(3))~~, for existing federal authorizations administered by the
2 department to transit agencies; and

3 (6) Recommends a statewide public transportation facilities and
4 equipment management system as required by federal law.

5 In developing the state public transportation plan, the
6 department shall involve local jurisdictions, public and private
7 providers of transportation services, nonmotorized interests, and
8 state agencies with an interest in public transportation, including
9 but not limited to the departments of (~~community, trade, and~~
10 ~~economic development~~) commerce, social and health services, and
11 ecology, the office of the superintendent of public instruction, the
12 office of the governor, and the office of financial management.

13 The department shall submit to the senate and house
14 transportation committees by December 1st of each year, reports
15 summarizing the plan's progress.

16 **Sec. 35.** RCW 82.42.090 and 1995 c 170 s 1 are each amended to
17 read as follows:

18 SECTION 33 CONFORMING AMENDMENT. All moneys collected by the
19 director from the aircraft fuel excise tax as provided in RCW
20 82.42.020 shall be transmitted to the state treasurer and shall be
21 credited to the aeronautics account hereby created in the
22 (~~transportation fund of the~~) state treasury. Moneys collected from
23 the consumer or user of aircraft fuel from either the use tax imposed
24 by RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020
25 shall be transmitted to the state treasurer and credited to the state
26 general fund.

27 **Sec. 36.** RCW 82.80.070 and 2005 c 319 s 139 are each amended to
28 read as follows:

29 SECTION 33 CONFORMING AMENDMENT. (1) The proceeds collected
30 pursuant to the exercise of the local option authority of RCW
31 82.80.010(~~(7)~~) and 82.80.030(~~(7, and 82.80.050)~~) (hereafter called
32 "local option transportation revenues") shall be used for
33 transportation purposes only, including but not limited to the
34 following: The operation and preservation of roads, streets, and
35 other transportation improvements; new construction, reconstruction,
36 and expansion of city streets, county roads, and state highways and
37 other transportation improvements; development and implementation of
38 public transportation and high capacity transit improvements and

1 programs; and planning, design, and acquisition of right-of-way and
2 sites for such transportation purposes. The proceeds collected from
3 excise taxes on the sale, distribution, or use of motor vehicle fuel
4 and special fuel under RCW 82.80.010 shall be used exclusively for
5 "highway purposes" as that term is construed in Article II, section
6 40 of the state Constitution.

7 (2) The local option transportation revenues shall be expended
8 for transportation uses consistent with the adopted transportation
9 and land use plans of the jurisdiction expending the funds and
10 consistent with any applicable and adopted regional transportation
11 plan for metropolitan planning areas.

12 (3) Each local government with a population greater than eight
13 thousand that levies or expends local option transportation funds, is
14 also required to develop and adopt a specific transportation program
15 that contains the following elements:

16 (a) The program shall identify the geographic boundaries of the
17 entire area or areas within which local option transportation
18 revenues will be levied and expended.

19 (b) The program shall be based on an adopted transportation plan
20 for the geographic areas covered and shall identify the proposed
21 operation and construction of transportation improvements and
22 services in the designated plan area intended to be funded in whole
23 or in part by local option transportation revenues and shall identify
24 the annual costs applicable to the program.

25 (c) The program shall indicate how the local transportation plan
26 is coordinated with applicable transportation plans for the region
27 and for adjacent jurisdictions.

28 (d) The program shall include at least a six-year funding plan,
29 updated annually, identifying the specific public and private sources
30 and amounts of revenue necessary to fund the program. The program
31 shall include a proposed schedule for construction of projects and
32 expenditure of revenues. The funding plan shall consider the
33 additional local tax revenue estimated to be generated by new
34 development within the plan area if all or a portion of the
35 additional revenue is proposed to be earmarked as future
36 appropriations for transportation improvements in the program.

37 (4) Local governments with a population greater than eight
38 thousand exercising the authority for local option transportation
39 funds shall periodically review and update their transportation
40 program to ensure that it is consistent with applicable local and

1 regional transportation and land use plans and within the means of
2 estimated public and private revenue available.

3 (5) In the case of expenditure for new or expanded transportation
4 facilities, improvements, and services, priorities in the use of
5 local option transportation revenues shall be identified in the
6 transportation program and expenditures shall be made based upon the
7 following criteria, which are stated in descending order of weight to
8 be attributed:

9 (a) First, the project serves a multijurisdictional function;

10 (b) Second, it is necessitated by existing or reasonably
11 foreseeable congestion;

12 (c) Third, it has the greatest person-carrying capacity;

13 (d) Fourth, it is partially funded by other government funds,
14 such as from the state transportation improvement board, or by
15 private sector contributions, such as those from the local
16 transportation act, chapter 39.92 RCW; and

17 (e) Fifth, it meets such other criteria as the local government
18 determines is appropriate.

19 (6) It is the intent of the legislature that as a condition of
20 levying, receiving, and expending local option transportation
21 revenues, no local government agency use the revenues to replace,
22 divert, or loan any revenues currently being used for transportation
23 purposes to nontransportation purposes.

24 (7) Local governments are encouraged to enter into interlocal
25 agreements to jointly develop and adopt with other local governments
26 the transportation programs required by this section for the purpose
27 of accomplishing regional transportation planning and development.

28 (8) Local governments may use all or a part of the local option
29 transportation revenues for the amortization of local government
30 general obligation and revenue bonds issued for transportation
31 purposes consistent with the requirements of this section.

32 (9) Subsections (1) through (8) of this section do not apply to a
33 regional transportation investment district imposing a tax or fee
34 under the local option authority of this chapter. Proceeds collected
35 under the exercise of local option authority under this chapter by a
36 district must be used in accordance with chapter 36.120 RCW.

37 NEW SECTION. **Sec. 37.** SECTION 32 CONFORMING REPEALERS. The
38 following acts or parts of acts are each repealed:

1 (1) RCW 82.14.046 (Sales and use tax equalization payments from
2 local transit taxes) and 1998 c 321 s 37, 1995 c 298 s 1, & 1994 c
3 241 s 2; and

4 (2) RCW 82.50.510 (Remittance of tax to state—Distribution to
5 cities, towns, counties, and schools) and 1998 c 321 s 24, 1991 c 199
6 s 227, 1990 c 42 s 322, 1975-'76 2nd ex.s. c 75 s 1, & 1971 ex.s. c
7 299 s 66.

8 NEW SECTION. **Sec. 38.** RELATING TO WAYS & MEANS. The following
9 sections are decodified:

10 (1) RCW 43.41.035 (Office of program planning and fiscal
11 management redesignated office of financial management);

12 (2) RCW 43.41.940 (Central budget agency abolished);

13 (3) RCW 43.41.950 (Saving—1969 ex.s. c 239);

14 (4) RCW 43.41.981 (Transfer of certain powers, duties, functions,
15 and assets of the department of personnel); and

16 (5) RCW 43.88.910 (Effective date—1975 1st ex.s. c 293).

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