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HOUSE BILL 1063

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Padden and Mastin; by request of Law Revision Commission

Read first time 01/10/95. Referred to Committee on Law and Justice.

1 AN ACT Relating to technical corrections; correcting multiple  
2 amendments; deleting obsolete provisions; reenacting and amending RCW  
3 29.04.160, 49.60.030, 70.94.053, 70.94.055, and 75.30.120; reenacting  
4 RCW 50.62.030; creating a new section; and repealing RCW 43.19.640,  
5 43.19.645, 43.19.650, 43.19.655, 43.19.660, 43.19.665, and 70.94.222.

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

7 NEW SECTION. **Sec. 1.** The only intent of the legislature in this  
8 act is to correct multiple amendments and delete obsolete provisions.  
9 It is not the intent of the legislature to change the substance or  
10 effect of any presently effective statute.

11 **Sec. 2.** RCW 29.04.160 and 1993 c 441 s 2 and 1993 c 408 s 10 are  
12 each reenacted and amended to read as follows:

13 As soon as any or all of the voter registration data from the  
14 counties has been received under RCW 29.04.150 and processed, the  
15 secretary of state shall provide a duplicate copy of this data to the  
16 (~~state central committee~~) political party organization or other  
17 individual making the request, at cost, shall provide a duplicate copy  
18 of the master state-wide computer tape or data file of registered

1 voters to the statute law committee without cost, and shall provide a  
2 duplicate copy of the master state-wide computer tape or electronic  
3 data file of registered voters to the department of information  
4 services for purposes of creating the jury source list without cost.  
5 Restrictions as to the commercial use of the information on the state-  
6 wide computer tape or data file of registered voters, and penalties for  
7 its misuse, shall be the same as provided in RCW 29.04.110 and  
8 29.04.120 as now existing or hereafter amended.

9       **Sec. 3.** RCW 49.60.030 and 1993 c 510 s 3 and 1993 c 69 s 1 are  
10 each reenacted and amended to read as follows:

11       (1) The right to be free from discrimination because of race,  
12 creed, color, national origin, sex, or the presence of any sensory,  
13 mental, or physical disability or the use of a trained guide dog or  
14 service dog by a disabled person is recognized as and declared to be a  
15 civil right. This right shall include, but not be limited to:

16       (a) The right to obtain and hold employment without discrimination;

17       (b) The right to the full enjoyment of any of the accommodations,  
18 advantages, facilities, or privileges of any place of public resort,  
19 accommodation, assemblage, or amusement;

20       (c) The right to engage in real estate transactions without  
21 discrimination, including discrimination against families with  
22 children;

23       (d) The right to engage in credit transactions without  
24 discrimination;

25       (e) The right to engage in insurance transactions or transactions  
26 with health maintenance organizations without discrimination:  
27 PROVIDED, That a practice which is not unlawful under RCW 48.30.300,  
28 48.44.220, or 48.46.370 does not constitute an unfair practice for the  
29 purposes of this subparagraph; and

30       (f) The right to engage in commerce free from any discriminatory  
31 boycotts or blacklists. Discriminatory boycotts or blacklists for  
32 purposes of this section shall be defined as the formation or execution  
33 of any express or implied agreement, understanding, policy or  
34 contractual arrangement for economic benefit between any persons which  
35 is not specifically authorized by the laws of the United States and  
36 which is required or imposed, either directly or indirectly, overtly or  
37 covertly, by a foreign government or foreign person in order to  
38 restrict, condition, prohibit, or interfere with or in order to exclude

1 any person or persons from any business relationship on the basis of  
2 race, color, creed, religion, sex, the presence of any sensory, mental,  
3 or physical disability, or the use of a trained guide dog or service  
4 dog by a disabled person, or national origin or lawful business  
5 relationship: PROVIDED HOWEVER, That nothing herein contained shall  
6 prohibit the use of boycotts as authorized by law pertaining to labor  
7 disputes and unfair labor practices.

8 (2) Any person deeming himself or herself injured by any act in  
9 violation of this chapter shall have a civil action in a court of  
10 competent jurisdiction to enjoin further violations, or to recover the  
11 actual damages sustained by the person, or both, together with the cost  
12 of suit including reasonable attorneys' fees or any other appropriate  
13 remedy authorized by this chapter or the United States Civil Rights Act  
14 of 1964 as amended, or the Federal Fair Housing Amendments Act of 1988  
15 (42 U.S.C. Sec. 3601 et seq.)~~((and))~~.

16 (3) Except for any unfair practice committed by an employer against  
17 an employee or a prospective employee, or any unfair practice in a real  
18 estate transaction which is the basis for relief specified in the  
19 amendments to RCW 49.60.225 contained in chapter 69, Laws of 1993, any  
20 unfair practice prohibited by this chapter which is committed in the  
21 course of trade or commerce as defined in the Consumer Protection Act,  
22 chapter 19.86 RCW, is, for the purpose of applying that chapter, a  
23 matter affecting the public interest, is not reasonable in relation to  
24 the development and preservation of business, and is an unfair or  
25 deceptive act in trade or commerce.

26 **Sec. 4.** RCW 50.62.030 and 1987 c 284 s 3 and 1987 c 171 s 2 are  
27 each reenacted to read as follows:

28 Job service resources shall be used to assist with the reemployment  
29 of unemployed workers using the most efficient and effective means of  
30 service delivery. The job service program of the employment security  
31 department may undertake any program or activity for which funds are  
32 available and which furthers the goals of this chapter. These programs  
33 and activities shall include, but are not limited to:

34 (1) Giving older unemployed workers and the long-term unemployed  
35 the highest priority for all services made available under this  
36 section. The employment security department shall make the services  
37 provided under this chapter available to the older unemployed workers

1 and the long-term unemployed as soon as they register under the  
2 employment assistance program;

3 (2) Supplementing basic employment services, with special job  
4 search and claimant placement assistance designed to assist  
5 unemployment insurance claimants to obtain employment;

6 (3) Providing employment services, such as recruitment, screening,  
7 and referral of qualified workers, to agricultural areas where these  
8 services have in the past contributed to positive economic conditions  
9 for the agricultural industry; and

10 (4) Providing otherwise unobtainable information and analysis to  
11 the legislature and program managers about issues related to employment  
12 and unemployment.

13 **Sec. 5.** RCW 70.94.053 and 1991 c 363 s 143, 1991 c 199 s 701, and  
14 1991 c 125 s 1 are each reenacted and amended to read as follows:

15 (1) In each county of the state there is hereby created an air  
16 pollution control authority, which shall bear the name of the county  
17 within which it is located. The boundaries of each authority shall be  
18 coextensive with the boundaries of the county within which it is  
19 located. An authority shall include all incorporated and  
20 unincorporated areas of the county within which it is located.

21 (2) Except as provided in RCW 70.94.262, all authorities which are  
22 presently activated authorities shall carry out the duties and exercise  
23 the powers provided in this chapter. Those activated authorities which  
24 encompass contiguous counties are declared to be and directed to  
25 function as a multicounty authority.

26 (3) (~~Except as provided in RCW 70.94.232,~~) All other air  
27 pollution control authorities are hereby designated as inactive  
28 authorities.

29 (4) The boards of those authorities designated as activated  
30 authorities by this chapter shall be comprised of such (~~appointees~~  
31 ~~and/or members of county legislative authorities or other officers~~)  
32 individuals as is provided in RCW 70.94.100.

33 **Sec. 6.** RCW 70.94.055 and 1991 c 363 s 144 and 1991 c 199 s 702  
34 are each reenacted and amended to read as follows:

35 The (~~county~~) legislative authority of any county may activate an  
36 air pollution control authority following a public hearing on its own  
37 motion, or upon a filing of a petition signed by one hundred property

1 owners within the county. If the county legislative authority  
2 determines as a result of the public hearing that:

- 3 (1) Air pollution exists or is likely to occur; and  
4 (2) The city or town ordinances, or county resolutions, or their  
5 enforcement, are inadequate to prevent or control air pollution,  
6 it may by resolution activate an air pollution control authority or  
7 combine with a contiguous county or counties to form a multicounty air  
8 pollution control authority.

9 **Sec. 7.** RCW 75.30.120 and 1993 c 340 s 32 and 1993 c 100 s 1 are  
10 each reenacted and amended to read as follows:

11 (1) Except as provided in subsection (2) of this section, after May  
12 6, 1974, the director shall issue no new commercial salmon fishery  
13 licenses or salmon delivery licenses. A person may renew an existing  
14 license only if the person held the license sought to be renewed during  
15 the previous year or acquired the license by transfer from someone who  
16 held it during the previous year, and if the person has not  
17 subsequently transferred the license to another person.

18 (2) Where the person failed to obtain the license during the  
19 previous year because of a license suspension, the person may qualify  
20 for a license by establishing that the person held such a license  
21 during the last year in which the license was not suspended.

22 (3) Subject to the restrictions in (~~section 11 of this act~~) RCW  
23 75.28.011, commercial salmon fishery licenses and salmon delivery  
24 licenses are transferable from one license holder to another.

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

- 27 (1) RCW 43.19.640 and 1979 c 151 s 105 & 1977 ex.s. c 86 s 1;  
28 (2) RCW 43.19.645 and 1977 ex.s. c 86 s 2;  
29 (3) RCW 43.19.650 and 1986 c 158 s 11 & 1977 ex.s. c 86 s 3;  
30 (4) RCW 43.19.655 and 1977 ex.s. c 86 s 4;  
31 (5) RCW 43.19.660 and 1987 c 505 s 27, 1986 c 158 s 12, 1979 c 151  
32 s 106, & 1977 ex.s. c 86 s 5;  
33 (6) RCW 43.19.665 and 1977 ex.s. c 86 s 6; and  
34 (7) RCW 70.94.222 and 1970 ex.s. c 62 s 59, 1970 ex.s. c 41 s 2,  
35 1969 ex.s. c 168 s 26, & 1967 c 238 s 36.

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