
SUBSTITUTE SENATE BILL 6268

State of Washington**64th Legislature****2016 Regular Session****By Senate Accountability & Reform (originally sponsored by Senators Schoesler and Hargrove)**

READ FIRST TIME 02/05/16.

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;
6 reenacting 21.20.400; adding a new section to chapter 42.30 RCW;
7 recodifying RCW 42.32.030; decodifying RCW 43.320.012, 43.320.013,
8 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.13.940, 15.14.920,
9 15.15.900, 15.17.940, 15.19.900, 50.06.010, 50.13.010, 50.13.910,
10 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.165.900,
11 28A.315.075, 28A.315.901, 28A.655.901, 28A.700.901, 28A.900.103,
12 29A.04.903, 29A.04.904, 29A.04.905, 42.30.920, 42.56.901, 42.56.902,
13 42.56.903, 70.22.900, 71A.10.805, 71A.10.900, 10.77.900, 10.77.910,
14 10.77.920, 10.77.930, 71.05.900, 71.05.910, 71.05.920, 71.05.930,
15 71.24.900, 71.24.901, 71.34.900, 71.34.901, 5.45.920, 43.41.035,
16 43.41.940, 43.41.950, 43.41.980, 43.41.981, 43.88.901, 43.88.902,
17 43.88.903, and 43.88.910; and repealing RCW 66.08.230, 66.08.250,
18 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505,
19 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886,
20 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190,
21 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050,
22 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900,
23 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250,

1 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605,
2 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900,
3 79A.20.901, 79A.20.902, 43.31.088, 43.31.522, 43.31.524, 43.31.800,
4 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833,
5 43.31.834, 43.31.840, 43.31.850, 47.01.141, 47.60.645, 47.78.010,
6 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510.

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

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

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

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

14 (3) RCW 43.320.014 (Department of general administration or
15 department of licensing rules, business, contracts, and obligations
16 continued);

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

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

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

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

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

30 NEW SECTION. **Sec. 3.** RELATING TO AGRICULTURE, WATER & RURAL
31 ECONOMIC DEVELOPMENT. The following sections are decodified:

32 (1) RCW 15.13.940 (Severability—1971 ex.s. c 33);

33 (2) RCW 15.14.920 (Severability—1961 c 83);

34 (3) RCW 15.15.900 (Effective date—1997 c 176);

35 (4) RCW 15.17.940 (Severability—1963 c 122); and

1 (5) RCW 15.19.900 (Severability—1998 c 154).

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

- 4 (1) RCW 50.06.010 (Purpose);
- 5 (2) RCW 50.13.010 (Legislative intent and recognition);
- 6 (3) RCW 50.13.910 (Legislative designation and placement);
- 7 (4) RCW 50.38.900 (Effective date—1982 c 43);
- 8 (5) RCW 50.38.902 (Effective date—1993 c 62);
- 9 (6) RCW 50.60.902 (Effective date—1983 c 207);
- 10 (7) RCW 50.65.905 (Effective date—1987 c 167); and
- 11 (8) RCW 50.70.902 (Effective date—1991 c 315).

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

- 14 (1) RCW 66.08.230 (Initial disbursement to wine commission—
15 Repayment) and 1987 c 452 s 12;
- 16 (2) RCW 66.08.250 (Report on streamlining liquor tax collection)
17 and 2013 c 95 s 2; and
- 18 (3) RCW 66.12.020 (Sales of liquor to board) and 1933 ex.s. c 62
19 s 48.

20 NEW SECTION. **Sec. 6.** RELATING TO EARLY LEARNING & K-12
21 EDUCATION. The following sections are decodified:

- 22 (1) RCW 28A.165.900 (Captions not law—2004 c 20);
- 23 (2) RCW 28A.315.075 (Effect of 1999 c 315—Existing provisions not
24 affected);
- 25 (3) RCW 28A.315.901 (Part headings and captions not law—1999 c
26 315);
- 27 (4) RCW 28A.655.901 (Part headings and captions not law—1999 c
28 388);
- 29 (5) RCW 28A.700.901 (Part headings not law—2008 c 170); and
- 30 (6) RCW 28A.900.103 (Subheadings not law—1990 c 33).

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

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

1 (2) RCW 28A.305.901 (Transfer of powers and duties—Academic
2 achievement and accountability commission) and 2005 c 497 s 302; and
3 (3) RCW 28A.630.005 (Pilot project to assist school-age children
4 in short-term foster care) and 2002 c 326 s 2.

5 NEW SECTION. **Sec. 8.** RELATING TO ENERGY, ENVIRONMENT &
6 TELECOMMUNICATIONS. The following acts or parts of acts are each
7 repealed:

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

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

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

13 (4) RCW 70.104.090 (Pesticide panel—Responsibilities) and 1991 c
14 3 s 364 & 1989 c 380 s 69; and

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

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

19 RELATING TO ENERGY, ENVIRONMENT & TELECOMMUNICATIONS. (1) All
20 receipts from tire fees imposed under RCW 70.95.510, except as
21 provided in subsection (2) of this section, must be deposited in the
22 waste tire removal account created under RCW 70.95.521. Moneys in the
23 account may be spent only after appropriation. Expenditures from the
24 account may be used for the cleanup of unauthorized waste tire piles
25 and measures that prevent future accumulation of unauthorized waste
26 tire piles.

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

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

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

3 RELATING TO ENERGY, ENVIRONMENT & TELECOMMUNICATIONS. There is
4 created in the state treasury a public service revolving fund.
5 Regulatory fees payable by all types of public service companies
6 shall be deposited to the credit of the public service revolving
7 fund. Except for expenses payable out of the pipeline safety account,
8 all expense of operation of the Washington utilities and
9 transportation commission shall be payable out of the public service
10 revolving fund.

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

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

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

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

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

22 (3) RCW 48.102.190 (Existing viatical settlement licenses—July
23 26, 2009) and 2009 c 104 s 22.

24 **Sec. 13.** RCW 21.20.400 and 2003 c 288 s 3 and 2003 c 53 s 163
25 are each reenacted to read as follows:

26 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) Any person
27 who willfully violates any provision of this chapter except RCW
28 21.20.350, or who willfully violates any rule or order under this
29 chapter, or who willfully violates RCW 21.20.350 knowing the
30 statement made to be false or misleading in any material respect, is
31 guilty of a class B felony punishable under RCW 9A.20.021(1)(b).
32 However, a person may not be imprisoned for the violation of any rule
33 or order if that person proves that he or she had no knowledge of the
34 rule or order.

35 (2) Any person who knowingly alters, destroys, shreds, mutilates,
36 or conceals a record, document, or other object, or attempts to do
37 so, with the intent to impair the object's integrity or availability

1 for use in an official proceeding under this chapter, is guilty of a
2 class B felony punishable under RCW 9A.20.021(1)(b) or punishable by
3 a fine of not more than five hundred thousand dollars, or both. The
4 fines paid under this subsection shall be deposited into the
5 securities prosecution fund.

6 (3) No indictment or information may be returned under this
7 chapter more than (a) five years after the violation, or (b) three
8 years after the actual discovery of the violation, whichever date of
9 limitation is later.

10 **Sec. 14.** RCW 48.18A.035 and 2008 c 217 s 19 are each amended to
11 read as follows:

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

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

32 **Sec. 15.** RCW 48.25.140 and 2008 c 217 s 33 are each amended to
33 read as follows:

34 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. ((+1)) There
35 shall be a provision that no insurance producer shall have the power
36 or authority to waive, change, or alter any of the terms or
37 conditions of any policy; except that, at the option of the insurer,

1 the terms or conditions may be changed by an endorsement signed by a
2 duly authorized officer of the insurer.

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

8 **Sec. 16.** RCW 48.29.015 and 2008 c 110 s 2 are each amended to
9 read as follows:

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

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

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

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

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

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

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

37 **Sec. 17.** RCW 21.20.880 and 2014 c 144 s 3 are each amended to
38 read as follows:

1 (1) Any offer or sale of a security is exempt from RCW 21.20.040
2 through 21.20.300 and 21.20.327, except as expressly provided, if:
3 (a) The offering is first declared exempt by the director after:
4 (i) The issuer files the offering with the director; or
5 (ii) A portal working in collaboration with the director files
6 the offering with the director on behalf of the issuer under RCW
7 21.20.883;
8 (b) The offering is conducted in accordance with the requirements
9 of section 3(a)(11) of the securities act of 1933 and securities and
10 exchange commission rule 147, 17 C.F.R. Sec. 230.147;
11 (c) The issuer is an entity organized and doing business in the
12 state of Washington;
13 (d) Each investor provides evidence or certification of residency
14 in the state of Washington at the time of purchase;
15 (e) The issuer files with the director an escrow agreement either
16 directly or through a portal providing that all offering proceeds
17 will be released to the issuer only when the aggregate capital raised
18 from all investors equals or exceeds the minimum target offering, as
19 determined by the director;
20 (f) The aggregate purchase price of all securities sold by an
21 issuer pursuant to the exemption provided by this section does not
22 exceed one million dollars during any twelve-month period;
23 (g) The aggregate amount sold to any investor by one or more
24 issuers during the twelve-month period preceding the date of the sale
25 does not exceed:
26 (i) The greater of two thousand dollars or five percent of the
27 annual income or net worth of the investor, as applicable, if either
28 the annual income or the net worth of the investor is less than one
29 hundred thousand dollars; or
30 (ii) Ten percent of the annual income or net worth of the
31 investor, as applicable, up to one hundred thousand dollars, if
32 either the annual income or net worth of the investor is one hundred
33 thousand dollars or more;
34 (h) The investor acknowledges by manual or electronic signature
35 the following statement conspicuously presented at the time of sale
36 on a page separate from other information relating to the offering:
37 "I acknowledge that I am investing in a high-risk, speculative
38 business venture, that I may lose all of my investment, and that I
39 can afford the loss of my investment";

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

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

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

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

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

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

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

27 (a) To the issuer of the securities;

28 (b) To an accredited investor;

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

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

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

1 Notwithstanding the foregoing, this exemption shall become available
2 on June 12, 2014.

3 (6) Subject to RCW 21.20.450, the director may adopt, amend, or
4 repeal rules to implement this section and RCW 21.20.883, including
5 the establishment of filing and transaction fees sufficient to cover
6 the costs of administering RCW 21.20.883 and this section.

7 NEW SECTION. Sec. 18. RELATING TO GOVERNMENT OPERATIONS &
8 SECURITY. The following sections are decodified:

- 9 (1) RCW 29A.04.903 (Effective date—2003 c 111);
10 (2) RCW 29A.04.904 (Severability—2004 c 271);
11 (3) RCW 29A.04.905 (Effective date—2004 c 271);
12 (4) RCW 42.30.920 (Severability—1971 ex.s. c 250);
13 (5) RCW 42.56.901 (Part headings not law—2005 c 274);
14 (6) RCW 42.56.902 (Effective date—2005 c 274); and
15 (7) RCW 42.56.903 (Effective date—2006 c 209).

16 NEW SECTION. Sec. 19. RELATING TO GOVERNMENT OPERATIONS &
17 SECURITY. RCW 35.13A.0301 (Assumption of water-sewer district before
18 July 1, 1999—Limitations) and 1998 c 326 s 3 are each repealed.

19 NEW SECTION. Sec. 20. RELATING TO HEALTH CARE. The following
20 sections are decodified:

- 21 (1) RCW 70.22.900 (Severability—1961 c 283);
22 (2) RCW 71A.10.805 (Headings in Title 71A RCW not part of law);
23 and
24 (3) RCW 71A.10.900 (Severability—1988 c 176).

25 NEW SECTION. Sec. 21. RELATING TO HEALTH CARE. The following
26 acts or parts of acts are each repealed:

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

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

33 SECTION 21 CONFORMING AMENDMENT. All references to the secretary
34 or department of social and health services in the Revised Code of

1 Washington shall be construed to mean the secretary or department of
2 health when referring to the functions transferred in RCW 43.70.080,
3 18.104.005, 70.08.005, (~~70.22.005,~~) 70.24.005, 70.40.005,
4 70.41.005, and 70.54.005.

5 NEW SECTION. **Sec. 23.** RELATING TO HIGHER EDUCATION. The
6 following acts or parts of acts are each repealed:

7 (1) RCW 28B.65.010 (Legislative findings) and 1983 1st ex.s. c 72
8 s 2;

9 (2) RCW 28B.65.020 (Definitions) and 1983 1st ex.s. c 72 s 3;

10 (3) RCW 28B.65.030 (Washington state high-technology education
11 and training program established—Goals) and 1983 1st ex.s. c 72 s 4;

12 (4) RCW 28B.65.040 (Washington high-technology coordinating board
13 created—Members—Travel expenses) and 2012 c 229 s 539 & 1995 c 399 s
14 29;

15 (5) RCW 28B.65.050 (Board—Duties—Rules—Termination of board)
16 and 2012 c 229 s 540, 1998 c 245 s 22, & 1995 c 399 s 30;

17 (6) RCW 28B.65.060 (Board—Staff support) and 1995 c 399 s 31,
18 1985 c 381 s 3, & 1983 1st ex.s. c 72 s 7;

19 (7) RCW 28B.65.070 (Board—Solicitation of private and federal
20 support, gifts, conveyances, etc.) and 1983 1st ex.s. c 72 s 8;

21 (8) RCW 28B.65.080 (Consortium and baccalaureate degree training
22 programs—Board recommendations—Requirements—Coordination) and 1983
23 1st ex.s. c 72 s 9;

24 (9) RCW 28B.65.110 (Statewide off-campus telecommunications
25 system—Establishment by Washington State University for education in
26 high-technology fields);

27 (10) RCW 28B.65.900 (Short title—1983 1st ex.s. c 72) and 1983
28 1st ex.s. c 72 s 1; and

29 (11) RCW 28B.65.905 (Effective date—1983 1st ex.s. c 72) and 1983
30 1st ex.s. c 72 s 18.

31 NEW SECTION. **Sec. 24.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
32 & HOUSING. The following sections are decodified:

33 (1) RCW 10.77.900 (Savings—Construction—1973 1st ex.s. c 117);

34 (2) RCW 10.77.910 (Severability—1973 1st ex.s. c 117);

35 (3) RCW 10.77.920 (Chapter successor to chapter 10.76 RCW);

36 (4) RCW 10.77.930 (Effective date—1973 1st ex.s. c 117);

37 (5) RCW 71.05.900 (Severability—1973 1st ex.s. c 142);

- 1 (6) RCW 71.05.910 (Construction—1973 1st ex.s. c 142);
- 2 (7) RCW 71.05.920 (Section headings not part of the law);
- 3 (8) RCW 71.05.930 (Effective date—1973 1st ex.s. c 142);
- 4 (9) RCW 71.24.900 (Effective date—1967 ex.s. c 111);
- 5 (10) RCW 71.24.901 (Severability—1982 c 204);
- 6 (11) RCW 71.34.900 (Severability—1985 c 354); and
- 7 (12) RCW 71.34.901 (Effective date—1985 c 354).

8 NEW SECTION. **Sec. 25.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
9 & HOUSING. The following acts or parts of acts are each repealed:

- 10 (1) RCW 2.56.031 (Juvenile offender information—Plan) and 2010
11 1st sp.s. c 7 s 61 & 1993 c 415 s 2;
- 12 (2) RCW 10.77.810 (Joint legislative audit and review committee
13 assessment—Report) and 2012 c 256 s 9;
- 14 (3) RCW 10.77.820 (Washington state institute for public policy
15 study—Report) and 2012 c 256 s 10; and
- 16 (4) RCW 71.24.055 (Children's mental health services—Children's
17 access to care standards and benefit package—Recommendations to
18 legislature) and 2014 c 225 s 47 & 2007 c 359 s 4.

19 NEW SECTION. **Sec. 26.** RELATING TO LAW & JUSTICE. RCW 5.45.920
20 (Repeal of inconsistent provisions) is decodified.

21 NEW SECTION. **Sec. 27.** RELATING TO LAW & JUSTICE. The following
22 acts or parts of acts are each repealed:

- 23 (1) RCW 2.56.250 (Revocation of concealed pistol licenses—
24 Information transmittal—Work group) and 2010 c 274 s 601; and
- 25 (2) RCW 9.04.040 (Advertising cures of lost sexual potency—
26 Evidence) and 1921 c 168 s 2.

27 NEW SECTION. **Sec. 28.** RELATING TO LAW & JUSTICE. RCW 42.32.030
28 is recodified as a section in chapter 42.30 RCW.

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

31 SECTION 28 CONFORMING AMENDMENT. (1) The Washington state
32 election administration and certification board is established and
33 has the responsibilities and authorities prescribed by this chapter.
34 The board is composed of the following members:

1 (a) The secretary of state or the secretary's designee;
2 (b) The state director of elections or the director's designee;
3 (c) Four county auditors appointed by the Washington state
4 association of county auditors or their alternates who are county
5 auditors designated by the association to serve as such alternates,
6 each appointee and alternate to serve at the pleasure of the
7 association;

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

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

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

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

24 (3) Members of the board shall serve without compensation. The
25 secretary of state shall reimburse members of the board, other than
26 those who are members of the legislature, for travel expenses in
27 accordance with RCW 43.03.050 and 43.03.060. Members of the board who
28 are members of the legislature shall be reimbursed as provided in
29 chapter 44.04 RCW.

30 **Sec. 30.** RCW 35A.39.010 and 1995 c 21 s 2 are each amended to
31 read as follows:

32 SECTION 28 CONFORMING AMENDMENT. Every code city shall keep a
33 journal of minutes of its legislative meetings with orders,
34 resolutions and ordinances passed, and records of the proceedings of
35 any city department, division or commission performing quasi-judicial
36 functions as required by ordinances of the city and general laws of
37 the state and shall keep such records open to the public as required
38 by RCW 42.32.030 (as recodified by this act) and shall keep and
39 preserve all public records and publications or reproduce and destroy

1 the same as provided by Title 40 RCW. Each code city may duplicate
2 and sell copies of its ordinances at fees reasonably calculated to
3 defray the cost of such duplication and handling.

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

6 SECTION 28 CONFORMING AMENDMENT. In addition to other duties
7 prescribed by law, the commission shall:

8 (1) Adopt rules pursuant to the Administrative Procedure Act,
9 chapter 34.05 RCW, to carry out the provisions of Article II, section
10 43 of the state Constitution and of this chapter, which rules shall
11 provide that three voting members of the commission constitute a
12 quorum to do business, and that the votes of three of the voting
13 members are required for any official action of the commission;

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

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

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

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

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

23 (7) Prepare and publish a report with the plan; the report will
24 be made available to the public at the time the plan is published.
25 The report will include but will not be limited to: (a) The
26 population and percentage deviation from the average district
27 population for every district; (b) an explanation of the criteria
28 used in developing the plan with a justification of any deviation in
29 a district from the average district population; (c) a map of all the
30 districts; and (d) the estimated cost incurred by the counties for
31 adjusting precinct boundaries.

32 NEW SECTION. **Sec. 32.** RELATING TO NATURAL RESOURCES & PARKS.
33 The following acts or parts of acts are each repealed:

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

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

- 1 (3) RCW 76.01.090 (Proposal for exchange or sale—Lacey compound
2 site) and 2001 c 189 s 2;
- 3 (4) RCW 76.09.380 (Report to the legislature—Emergency rules—
4 Permanent rules) and 1999 sp.s. c 4 s 205;
- 5 (5) RCW 77.12.605 (Whidbey Island game farm—Sale of property) and
6 1999 c 205 s 1;
- 7 (6) RCW 77.12.710 (Game fish production—Double by year 2000) and
8 1998 c 245 s 159, 1995 c 399 s 208, 1993 sp.s. c 2 s 70, & 1990 c 110
9 s 2;
- 10 (7) RCW 79A.20.005 (Findings) and 1992 c 153 s 2;
- 11 (8) RCW 79A.20.010 (Definitions) and 1992 c 153 s 3;
- 12 (9) RCW 79A.20.030 (Allocation and distribution of moneys) and
13 1994 c 264 s 30 & 1992 c 153 s 5;
- 14 (10) RCW 79A.20.900 (Short title) and 1992 c 153 s 1;
- 15 (11) RCW 79A.20.901 (Severability—1992 c 153) and 1992 c 153 s 7;
- 16 and
- 17 (12) RCW 79A.20.902 (Captions not law—1992 c 153) and 1992 c 153
18 s 8.

19 NEW SECTION. **Sec. 33.** RELATING TO TRADE & ECONOMIC DEVELOPMENT.
20 The following acts or parts of acts are each repealed:

- 21 (1) RCW 43.31.088 (Business assistance center—ISO-9000 quality
22 standards) and 1994 c 140 s 2;
- 23 (2) RCW 43.31.522 (Marketplace program—Definitions) and 2009 c
24 565 s 29, 2005 c 136 s 17, 1993 c 280 s 46, 1990 c 57 s 2, & 1989 c
25 417 s 2;
- 26 (3) RCW 43.31.524 (Marketplace program—Generally) and 1993 c 280
27 s 47, 1990 c 57 s 3, & 1989 c 417 s 3;
- 28 (4) RCW 43.31.800 (State international trade fairs—"Director"
29 defined) and 2009 c 565 s 30, 1993 c 280 s 52, 1987 c 195 s 4, & 1965
30 c 148 s 2;
- 31 (5) RCW 43.31.805 (State trade fair fund) and 1998 c 345 s 3;
- 32 (6) RCW 43.31.810 (State international trade fairs—State aid
33 eligibility requirements) and 1987 c 195 s 5, 1975 1st ex.s. c 292 s
34 3, & 1965 c 148 s 3;
- 35 (7) RCW 43.31.820 (State international trade fairs—Application
36 for funds) and 1987 c 195 s 6, 1975 1st ex.s. c 292 s 4, & 1965 c 148
37 s 4;

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

5 (9) RCW 43.31.832 (State trade fairs—Transfer of surplus funds in
6 state trade fair fund to general fund—Expenditure) and 1985 c 466 s
7 34, 1981 2nd ex.s. c 2 s 1, 1975 1st ex.s. c 292 s 8, & 1972 ex.s. c
8 93 s 2;

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

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

15 (12) RCW 43.31.840 (State international trade fairs—Post audit of
16 participating fairs—Reports) and 1993 c 280 s 54, 1975 1st ex.s. c
17 292 s 6, & 1965 c 148 s 6; and

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

21 NEW SECTION. **Sec. 34.** RELATING TO TRANSPORTATION. The following
22 acts or parts of acts are each repealed:

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

25 (2) RCW 47.60.645 (Passenger ferry account) and 2009 c 8 s 504,
26 2008 c 45 s 2, 2006 c 332 s 1, & 1995 2nd sp.s. c 14 s 558;

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

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

32 (5) RCW 82.80.040 (Street utility—Establishment) and 1991 c 141 s
33 1;

34 (6) RCW 82.80.050 (Street utility—Charges, credits) and 2006 c
35 301 s 5, 2000 c 103 s 21, & 1991 c 141 s 2; and

36 (7) RCW 82.80.060 (Use of other proceeds by utility) and 1991 c
37 141 s 3.

1 **Sec. 35.** RCW 47.06.110 and 2005 c 319 s 124 are each amended to
2 read as follows:

3 SECTION 34 CONFORMING AMENDMENT. The state-interest component of
4 the statewide multimodal transportation plan shall include a state
5 public transportation plan that:

6 (1) Articulates the state vision of an interest in public
7 transportation and provides quantifiable objectives, including
8 benefits indicators;

9 (2) Identifies the goals for public transit and the roles of
10 federal, state, regional, and local entities in achieving those
11 goals;

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

14 (4) Recommends mechanisms for coordinating public transportation
15 with other transportation services and modes;

16 (5) Recommends criteria, consistent with the goals identified in
17 subsection (2) of this section (~~and with RCW 82.44.180 (2) and~~
18 ~~(3)~~), for existing federal authorizations administered by the
19 department to transit agencies; and

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

22 In developing the state public transportation plan, the
23 department shall involve local jurisdictions, public and private
24 providers of transportation services, nonmotorized interests, and
25 state agencies with an interest in public transportation, including
26 but not limited to the departments of (~~community, trade, and~~
27 ~~economic development~~) commerce, social and health services, and
28 ecology, the office of the superintendent of public instruction, the
29 office of the governor, and the office of financial management.

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

33 **Sec. 36.** RCW 82.42.090 and 1995 c 170 s 1 are each amended to
34 read as follows:

35 SECTION 34 CONFORMING AMENDMENT. All moneys collected by the
36 director from the aircraft fuel excise tax as provided in RCW
37 82.42.020 shall be transmitted to the state treasurer and shall be
38 credited to the aeronautics account hereby created in the
39 (~~transportation fund of the~~) state treasury. Moneys collected from

1 the consumer or user of aircraft fuel from either the use tax imposed
2 by RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020
3 shall be transmitted to the state treasurer and credited to the state
4 general fund.

5 **Sec. 37.** RCW 82.80.070 and 2005 c 319 s 139 are each amended to
6 read as follows:

7 SECTION 34 CONFORMING AMENDMENT. (1) The proceeds collected
8 pursuant to the exercise of the local option authority of RCW
9 82.80.010(~~(7)~~) and 82.80.030(~~(7, and 82.80.050)~~) (hereafter called
10 "local option transportation revenues") shall be used for
11 transportation purposes only, including but not limited to the
12 following: The operation and preservation of roads, streets, and
13 other transportation improvements; new construction, reconstruction,
14 and expansion of city streets, county roads, and state highways and
15 other transportation improvements; development and implementation of
16 public transportation and high capacity transit improvements and
17 programs; and planning, design, and acquisition of right-of-way and
18 sites for such transportation purposes. The proceeds collected from
19 excise taxes on the sale, distribution, or use of motor vehicle fuel
20 and special fuel under RCW 82.80.010 shall be used exclusively for
21 "highway purposes" as that term is construed in Article II, section
22 40 of the state Constitution.

23 (2) The local option transportation revenues shall be expended
24 for transportation uses consistent with the adopted transportation
25 and land use plans of the jurisdiction expending the funds and
26 consistent with any applicable and adopted regional transportation
27 plan for metropolitan planning areas.

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

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

35 (b) The program shall be based on an adopted transportation plan
36 for the geographic areas covered and shall identify the proposed
37 operation and construction of transportation improvements and
38 services in the designated plan area intended to be funded in whole

1 or in part by local option transportation revenues and shall identify
2 the annual costs applicable to the program.

3 (c) The program shall indicate how the local transportation plan
4 is coordinated with applicable transportation plans for the region
5 and for adjacent jurisdictions.

6 (d) The program shall include at least a six-year funding plan,
7 updated annually, identifying the specific public and private sources
8 and amounts of revenue necessary to fund the program. The program
9 shall include a proposed schedule for construction of projects and
10 expenditure of revenues. The funding plan shall consider the
11 additional local tax revenue estimated to be generated by new
12 development within the plan area if all or a portion of the
13 additional revenue is proposed to be earmarked as future
14 appropriations for transportation improvements in the program.

15 (4) Local governments with a population greater than eight
16 thousand exercising the authority for local option transportation
17 funds shall periodically review and update their transportation
18 program to ensure that it is consistent with applicable local and
19 regional transportation and land use plans and within the means of
20 estimated public and private revenue available.

21 (5) In the case of expenditure for new or expanded transportation
22 facilities, improvements, and services, priorities in the use of
23 local option transportation revenues shall be identified in the
24 transportation program and expenditures shall be made based upon the
25 following criteria, which are stated in descending order of weight to
26 be attributed:

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

28 (b) Second, it is necessitated by existing or reasonably
29 foreseeable congestion;

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

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

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

37 (6) It is the intent of the legislature that as a condition of
38 levying, receiving, and expending local option transportation
39 revenues, no local government agency use the revenues to replace,

1 divert, or loan any revenues currently being used for transportation
2 purposes to nontransportation purposes.

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

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

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

16 NEW SECTION. **Sec. 38.** SECTION 33 CONFORMING REPEALERS. The
17 following acts or parts of acts are each repealed:

18 (1) RCW 82.14.046 (Sales and use tax equalization payments from
19 local transit taxes) and 1998 c 321 s 37, 1995 c 298 s 1, & 1994 c
20 241 s 2; and

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

25 NEW SECTION. **Sec. 39.** RELATING TO WAYS & MEANS. The following
26 sections are decodified:

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

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

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

31 (4) RCW 43.41.980 (Severability—1969 ex.s. c 239);

32 (5) RCW 43.41.981 (Transfer of certain powers, duties, functions,
33 and assets of the department of personnel);

34 (6) RCW 43.88.901 (Severability—1973 1st ex.s. c 100);

35 (7) RCW 43.88.902 (Severability—1975 1st ex.s. c 293);

36 (8) RCW 43.88.903 (Severability—1977 c 23); and

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

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