

SB 5316 - S AMD 280

By Senator Fortunato

ADOPTED 05/02/2017

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

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

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

6 (2) RCW 43.105.902 (Effective date—1987 c 504);

7 (3) RCW 43.105.903 (Effective date—1999 c 285);

8 (4) RCW 43.320.012 (Department of general administration and
9 department of licensing equipment, records, funds transferred);

10 (5) RCW 43.320.013 (Department of general administration and
11 department of licensing civil service employees transferred);

12 (6) RCW 43.320.014 (Department of general administration or
13 department of licensing rules, business, contracts, and obligations
14 continued);

15 (7) RCW 43.320.015 (Department of general administration and
16 department of licensing—Validity of acts);

17 (8) RCW 43.320.016 (Apportionment of budgeted funds); and

18 (9) RCW 43.320.901 (Implementation—1993 c 472).

19 **Sec. 2.** RCW 43.88.0301 and 2002 c 312 s 1 are each amended to
20 read as follows:

21 RELATING TO ACCOUNTABILITY & REFORM. (1) The office of financial
22 management must include in its capital budget instructions, beginning
23 with its instructions for the 2003-05 capital budget, a request for
24 "yes" or "no" answers for the following additional informational
25 questions from capital budget applicants for all proposed major
26 capital construction projects valued over five million dollars and
27 required to complete a predesign:

28 (a) For proposed capital projects identified in this subsection
29 that are located in or serving city or county planning under RCW
30 36.70A.040:

1 (i) Whether the proposed capital project is identified in the
2 host city or county comprehensive plan, including the capital
3 facility plan, and implementing rules adopted under chapter 36.70A
4 RCW;

5 (ii) Whether the proposed capital project is located within an
6 adopted urban growth area:

7 (A) If at all located within an adopted urban growth area
8 boundary, whether a project facilitates, accommodates, or attracts
9 planned population and employment growth;

10 (B) If at all located outside an urban growth area boundary,
11 whether the proposed capital project may create pressures for
12 additional development;

13 (b) For proposed capital projects identified in this subsection
14 that are requesting state funding:

15 (i) Whether there was regional coordination during project
16 development;

17 (ii) Whether local and additional funds were leveraged;

18 (iii) Whether environmental outcomes and the reduction of adverse
19 environmental impacts were examined.

20 (2) For projects subject to subsection (1) of this section, the
21 office of financial management shall request the required information
22 be provided during the predesign process of major capital
23 construction projects to reduce long-term costs and increase process
24 efficiency.

25 (3) The office of financial management, in fulfilling its duties
26 under RCW 43.88.030(~~(+3)~~) (5) to create a capital budget document,
27 must take into account information gathered under subsections (1) and
28 (2) of this section in an effort to promote state capital facility
29 expenditures that minimize unplanned or uncoordinated infrastructure
30 and development costs, support economic and quality of life benefits
31 for existing communities, and support local government planning
32 efforts.

33 (4) The office of community development must provide staff
34 support to the office of financial management and affected capital
35 budget applicants to help collect data required by subsections (1)
36 and (2) of this section.

37 **Sec. 3.** RCW 43.320.017 and 1993 c 472 s 13 are each amended to
38 read as follows:

1 SECTION 1 CONFORMING AMENDMENT. Nothing contained in RCW
2 43.320.011 (~~through 43.320.015~~) may be construed to alter any
3 existing collective bargaining unit or the provisions of any existing
4 collective bargaining agreement until the expiration date of the
5 current agreement or until the bargaining unit has been modified by
6 action of the Washington personnel resources board as provided by
7 law.

8 NEW SECTION. **Sec. 4.** RELATING TO AGRICULTURE, WATER & RURAL
9 ECONOMIC DEVELOPMENT. The following sections are decodified:

- 10 (1) RCW 15.15.900 (Effective date—1997 c 176);
- 11 (2) RCW 15.49.920 (Effective date—1969 c 63);
- 12 (3) RCW 15.49.950 (Severability—1969 c 63);
- 13 (4) RCW 15.51.900 (Effective date—2007 c 181);
- 14 (5) RCW 15.54.930 (Effective date—1967 ex.s. c 22);
- 15 (6) RCW 15.58.900 (Effective date—1971 ex.s. c 190);
- 16 (7) RCW 15.58.901 (Effective date—2000 c 96); and
- 17 (8) RCW 15.58.943 (Effective date—2003 c 212).

18 NEW SECTION. **Sec. 5.** RELATING TO COMMERCE & LABOR. The
19 following sections are decodified:

- 20 (1) RCW 41.58.900 (Effective dates—1975-'76 2nd ex.s. c 5);
- 21 (2) RCW 41.58.901 (Effective date—1975 1st ex.s. c 296 §§ 4, 6,
22 and 8 through 39);
- 23 (3) RCW 50.06.010 (Purpose);
- 24 (4) RCW 50.13.010 (Legislative intent and recognition);
- 25 (5) RCW 50.13.910 (Legislative designation and placement);
- 26 (6) RCW 50.38.900 (Effective date—1982 c 43);
- 27 (7) RCW 50.38.902 (Effective date—1993 c 62);
- 28 (8) RCW 50.60.902 (Effective date—1983 c 207);
- 29 (9) RCW 50.65.905 (Effective date—1987 c 167);
- 30 (10) RCW 50.70.902 (Effective date—1991 c 315);
- 31 (11) RCW 50.98.080 (Effective date—1945 c 35);
- 32 (12) RCW 69.50.545 (Departments of social and health services,
33 health—Adoption of rules for disbursement of marijuana excise taxes);
- 34 (13) RCW 69.50.606 (Repealers); and
- 35 (14) RCW 69.50.607 (Effective date—1971 ex.s. c 308).

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

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

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

7 (3) RCW 66.12.020 (Sales of liquor to board) and 1933 ex.s. c 62
8 s 48; and

9 (4) RCW 69.50.1011 (Definition—Commission) and 2013 c 19 s 86.

10 NEW SECTION. **Sec. 7.** RELATING TO EARLY LEARNING & K-12
11 EDUCATION. The following sections are decodified:

12 (1) RCW 28A.315.075 (Effect of 1999 c 315—Existing provisions not
13 affected);

14 (2) RCW 43.215.903 (Severability—1988 c 174); and

15 (3) RCW 43.215.905 (Effective date—2006 c 265).

16 NEW SECTION. **Sec. 8.** 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;

22 (3) RCW 28A.400.201 (Enhanced salary allocation model for
23 educator development and certification—Technical working group—
24 Report and recommendation) and 2016 c 162 s 4, 2011 1st sp.s. c 43 s
25 468, 2010 c 236 s 7, & 2009 c 548 s 601;

26 (4) RCW 28A.630.005 (Pilot project to assist school-age children
27 in short-term foster care) and 2002 c 326 s 2;

28 (5) 2009 c 548 s 302 (uncodified); and

29 (6) 2010 c 236 s 6 (uncodified).

30 NEW SECTION. **Sec. 9.** RELATING TO ENERGY, ENVIRONMENT &
31 TELECOMMUNICATIONS. The following acts or parts of acts are each
32 repealed:

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

35 (2) RCW 70.95H.005 (Finding) and 1991 c 319 s 201;

- 1 (3) RCW 70.95H.007 (Center created) and 1995 c 399 s 192 & 1991 c
2 319 s 202;
- 3 (4) RCW 70.95H.010 (Purpose—Market development defined) and 1991
4 c 319 s 203;
- 5 (5) RCW 70.95H.030 (Duties and responsibilities) and 2015 c 225 s
6 108, 1992 c 131 s 2, & 1991 c 319 s 205;
- 7 (6) RCW 70.95H.040 (Authority) and 1991 c 319 s 206;
- 8 (7) RCW 70.95H.050 (Funding) and 1995 c 399 s 194 & 1991 c 319 s
9 207;
- 10 (8) RCW 70.95H.900 (Termination) and 1991 c 319 s 209;
- 11 (9) RCW 70.95N.270 (Reports) and 2006 c 183 s 28;
- 12 (10) RCW 70.104.070 (Pesticide incident reporting and tracking
13 review panel—Intent) and 1989 c 380 s 67;
- 14 (11) RCW 70.104.090 (Pesticide panel—Responsibilities) and 1991 c
15 3 s 364 & 1989 c 380 s 69;
- 16 (12) RCW 70.105A.035 (Revision of fees to provide a waste
17 reduction and recycling incentive) and 1989 c 2 s 16;
- 18 (13) RCW 70.220.060 (Funding report required by April 30, 2007)
19 and 2005 c 305 s 6; and
- 20 (14) RCW 80.36.901 (Legislative review of 1985 c 450—1989 c 101)
21 and 1989 c 101 s 18 & 1985 c 450 s 44.

22 **Sec. 10.** RCW 70.95.532 and 2010 c 247 s 704 are each amended to
23 read as follows:

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

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

37 ~~((3) During the 2009-2011 fiscal biennium, the legislature may~~
38 ~~transfer any cash balance in excess of one million dollars from the~~

1 ~~waste tire removal account to the motor vehicle account for the~~
2 ~~purpose of road wear-related maintenance on state and local public~~
3 ~~highways.)~~)

4 **Sec. 11.** RCW 80.01.080 and 2010 1st sp.s. c 37 s 950 are each
5 amended to read as follows:

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

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

17 NEW SECTION. **Sec. 12.** SECTION 9 CONFORMING REPEALER.
18 RCW 70.104.100 (Industrial insurance statutes not affected) and 1989
19 c 380 s 70 are each repealed.

20 NEW SECTION. **Sec. 13.** RELATING TO FINANCIAL INSTITUTIONS &
21 INSURANCE. The following sections are decodified:

22 (1) RCW 48.20.322 (Effective date of standard provision and
23 certain other sections—Five year period); and

24 (2) RCW 48.23.520 (Operative date of RCW 48.23.410 through
25 48.23.520).

26 NEW SECTION. **Sec. 14.** RELATING TO FINANCIAL INSTITUTIONS &
27 INSURANCE. The following acts or parts of acts are each repealed:

28 (1) RCW 30A.24.080 (Securities in default ineligible) and 1955 c
29 33 s 30.24.080;

30 (2) RCW 31.04.185 (Repealed sections of law—Rules adopted under)
31 and 1994 c 92 s 173 & 1991 c 208 s 19;

32 (3) RCW 31.04.501 (Implementation) and 2009 c 149 s 9;

33 (4) RCW 31.45.095 (Report by director—Contents) and 2009 c 510 s
34 7; and

1 (5) RCW 48.102.190 (Existing viatical settlement licenses—July
2 26, 2009) and 2009 c 104 s 22.

3 **Sec. 15.** RCW 48.17.563 and 1994 c 131 s 6 are each amended to
4 read as follows:

5 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) The
6 commissioner may require insurance education providers to furnish
7 specific information regarding their curricula, faculty, methods of
8 monitoring attendance, and other matters reasonably related to
9 providing insurance education under this chapter. The commissioner
10 may grant approvals to such providers who demonstrate the ability to
11 conduct and certify completion of one or more courses satisfying the
12 insurance education requirements of RCW 48.17.150.

13 (2) Provider and course approvals are valid for the time period
14 established by the commissioner and shall expire if not timely
15 renewed. Each provider shall pay the renewal fee set forth in RCW
16 48.14.010(1)(n).

17 ~~((3) In granting approvals for courses required by RCW
18 48.17.150(1)(d):~~

19 ~~(a) The commissioner may require the availability of a licensed
20 agent with appropriate experience on the premises whenever
21 instruction is being offered; and~~

22 ~~(b) The commissioner shall not deny approval to any provider on
23 the grounds that the proposed method of education employs
24 nontraditional teaching techniques, such as substituting taped
25 lectures for live instruction, offering instruction without fixed
26 schedules, or providing education at individual learning rates.))~~

27 **Sec. 16.** RCW 48.18A.035 and 2008 c 217 s 19 are each amended to
28 read as follows:

29 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. ~~((1))~~ Every
30 individual variable contract issued shall have printed on its face or
31 attached thereto a notice stating in substance that the policy owner
32 shall be permitted to return the policy within ten days after it is
33 received by the policy owner and to have the market value of the
34 assets purchased by its premium, less taxes and investment brokerage
35 commissions, if any, refunded, if, after examination of the policy,
36 the policy owner is not satisfied with it for any reason. An
37 additional ten percent penalty shall be added to any premium refund
38 due which is not paid within thirty days of return of the policy to

1 the insurer or insurance producer. If a policy owner pursuant to such
2 notice returns the policy to the insurer at its home or branch office
3 or to the insurance producer through whom it was purchased, it shall
4 be void from the beginning and the parties shall be in the same
5 position as if no policy had been issued.

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

11 **Sec. 17.** RCW 48.25.140 and 2008 c 217 s 33 are each amended to
12 read as follows:

13 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. ~~((+1))~~ There
14 shall be a provision that no insurance producer shall have the power
15 or authority to waive, change, or alter any of the terms or
16 conditions of any policy; except that, at the option of the insurer,
17 the terms or conditions may be changed by an endorsement signed by a
18 duly authorized officer of the insurer.

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

24 **Sec. 18.** RCW 48.29.015 and 2008 c 110 s 2 are each amended to
25 read as follows:

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

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

34 (a) The names and addresses of those persons, if any, who have
35 had a financial interest in the title insurance agent during the
36 calendar year, who are known or reasonably believed by the title
37 insurance agent to be producers of title business or associates of
38 producers; and

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

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

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

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

15 **Sec. 19.** RCW 48.31.115 and 2005 c 432 s 2 are each amended to
16 read as follows:

17 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) The persons
18 entitled to protection under this section are:

19 (a) The commissioner and any other receiver or administrative
20 supervisor responsible for conducting a delinquency proceeding under
21 this chapter, including present and former commissioners,
22 administrative supervisors, and receivers; and

23 (b) The commissioner's employees, meaning all present and former
24 special deputies and assistant special deputies and special receivers
25 and special administrative supervisors appointed by the commissioner
26 and all persons whom the commissioner, special deputies, or assistant
27 special deputies have employed to assist in a delinquency proceeding
28 under this chapter. Attorneys, accountants, auditors, and other
29 professional persons or firms who are retained as independent
30 contractors, and their employees, are not considered employees of the
31 commissioner for purposes of this section.

32 (2) The commissioner and the commissioner's employees are immune
33 from suit and liability, both personally and in their official
34 capacities, for a claim for damage to or loss of property or personal
35 injury or other civil liability caused by or resulting from an
36 alleged act or omission of the commissioner or an employee arising
37 out of or by reason of his or her duties or employment. However,
38 nothing in this subsection may be construed to hold the commissioner
39 or an employee immune from suit or liability for any damage, loss,

1 injury, or liability caused by the intentional or willful and wanton
2 misconduct of the commissioner or an employee.

3 (3) If a legal action is commenced against the commissioner or an
4 employee, whether against him or her personally or in his or her
5 official capacity, alleging property damage, property loss, personal
6 injury, or other civil liability caused by or resulting from an
7 alleged act or omission of the commissioner or an employee arising
8 out of or by reason of his or her duties or employment, the
9 commissioner and any employee shall be indemnified from the assets of
10 the insurer for all expenses, attorneys' fees, judgments,
11 settlements, decrees, or amounts due and owing or paid in
12 satisfaction of or incurred in the defense of the legal action unless
13 it is determined upon a final adjudication on the merits that the
14 alleged act or omission of the commissioner or employee giving rise
15 to the claim did not arise out of or by reason of his or her duties
16 or employment, or was caused by intentional or willful and wanton
17 misconduct.

18 (a) Attorneys' fees and related expenses incurred in defending a
19 legal action for which immunity or indemnity is available under this
20 section shall be paid from the assets of the insurer, as they are
21 incurred, in advance of the final disposition of such action upon
22 receipt of an undertaking by or on behalf of the commissioner or
23 employee to repay the attorneys' fees and expenses if it is
24 ultimately determined upon a final adjudication on the merits and
25 that the commissioner or employee is not entitled to immunity or
26 indemnity under this section.

27 (b) Any indemnification under this section is an administrative
28 expense of the insurer.

29 (c) In the event of an actual or threatened litigation against
30 the commissioner or an employee for which immunity or indemnity may
31 be available under this section, a reasonable amount of funds that in
32 the judgment of the commissioner may be needed to provide immunity or
33 indemnity shall be segregated and reserved from the assets of the
34 insurer as security for the payment of indemnity until all applicable
35 statutes of limitation have run or all actual or threatened actions
36 against the commissioner or an employee have been completely and
37 finally resolved, and all obligations of the insurer and the
38 commissioner under this section have been satisfied.

39 (d) In lieu of segregation and reserving of funds, the
40 commissioner may obtain a surety bond or make other arrangements that

1 will enable the commissioner to secure fully the payment of all
2 obligations under this section.

3 (4) If a legal action against an employee for which indemnity may
4 be available under this section is settled before final adjudication
5 on the merits, the insurer shall pay the settlement amount on behalf
6 of the employee, or indemnify the employee for the settlement amount,
7 unless the commissioner determines:

8 (a) That the claim did not arise out of or by reason of the
9 employee's duties or employment; or

10 (b) That the claim was caused by the intentional or willful and
11 wanton misconduct of the employee.

12 (5) In a legal action in which the commissioner is a defendant,
13 that portion of a settlement relating to the alleged act or omission
14 of the commissioner is subject to the approval of the court before
15 which the delinquency proceeding is pending. The court may not
16 approve that portion of the settlement if it determines:

17 (a) That the claim did not arise out of or by reason of the
18 commissioner's duties or employment; or

19 (b) That the claim was caused by the intentional or willful and
20 wanton misconduct of the commissioner.

21 (6) Nothing in this section removes or limits an immunity,
22 indemnity, benefit of law, right, or defense otherwise available to
23 the commissioner, an employee, or any other person, not an employee
24 under subsection (1)(b) of this section, who is employed by or in the
25 office of the commissioner or otherwise employed by the state.

26 ~~((7)(a) Subsection (2) of this section applies to any suit based~~
27 ~~in whole or in part on an alleged act or omission that takes place on~~
28 ~~or after July 25, 1993.~~

29 ~~(b) No legal action lies against the commissioner or an employee~~
30 ~~based in whole or in part on an alleged act or omission that took~~
31 ~~place before July 25, 1993, unless suit is filed and valid service of~~
32 ~~process is obtained within twelve months after July 25, 1993.~~

33 ~~(c) Subsections (3), (4), and (5) of this section apply to a suit~~
34 ~~that is pending on or filed after July 25, 1993, without regard to~~
35 ~~when the alleged act or omission took place.))~~

36 **Sec. 20.** RCW 21.20.880 and 2014 c 144 s 3 are each amended to
37 read as follows:

38 (1) Any offer or sale of a security is exempt from RCW 21.20.040
39 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. 21.** 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 35.98.020 (Title, chapter, section headings not part of
8 law);
- 9 (4) RCW 35.98.050 (Emergency—1965 c 7);
- 10 (5) RCW 35A.90.030 (Title, chapter, section headings not part of
11 law);
- 12 (6) RCW 35A.90.040 (Effective date—1967 ex.s. c 119);
- 13 (7) RCW 42.56.901 (Part headings not law—2005 c 274);
- 14 (8) RCW 42.56.902 (Effective date—2005 c 274); and
- 15 (9) RCW 42.56.903 (Effective date—2006 c 209).

16 NEW SECTION. **Sec. 22.** 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. 23.** RELATING TO HEALTH CARE. RCW 71A.10.805
20 (Headings in Title 71A RCW not part of law) is decodified.

21 NEW SECTION. **Sec. 24.** RELATING TO HEALTH CARE. The following
22 acts or parts of acts are each repealed:

- 23 (1) RCW 41.05.019 (Direct patient-provider primary care practices
24 —Plan) and 2011 1st sp.s. c 8 s 2;
- 25 (2) RCW 41.05.230 (Multicultural health care technical assistance
26 program) and 1993 c 492 s 272;
- 27 (3) RCW 41.05.655 (School district health benefits—Reports) and
28 2012 2nd sp.s. c 3 s 6;
- 29 (4) RCW 70.22.005 (Transfer of duties to the department of
30 health) and 1989 1st ex.s. c 9 s 246;
- 31 (5) RCW 70.47A.010 (Finding—Intent) and 2007 c 260 s 1 & 2006 c
32 255 s 1;
- 33 (6) RCW 70.47A.020 (Definitions) and 2011 c 287 s 1, 2008 c 143 s
34 1, 2007 c 260 s 2, & 2006 c 255 s 2;

1 (7) RCW 70.47A.030 (Health insurance partnership established—
2 Administrator duties) and 2011 c 287 s 2, 2009 c 257 s 1, 2008 c 143
3 s 2, 2007 c 259 s 58, & 2006 c 255 s 3;

4 (8) RCW 70.47A.040 (Applications for premium subsidies) and 2009
5 c 257 s 2, 2008 c 143 s 3, 2007 c 260 s 6, & 2006 c 255 s 4;

6 (9) RCW 70.47A.050 (Enrollment to remain within appropriation)
7 and 2011 c 287 s 3, 2007 c 260 s 12, & 2006 c 255 s 5;

8 (10) RCW 70.47A.060 (Rules) and 2007 c 260 s 13 & 2006 c 255 s 6;

9 (11) RCW 70.47A.070 (Reports) and 2009 c 257 s 3, 2008 c 143 s 4,
10 & 2006 c 255 s 7;

11 (12) RCW 70.47A.080 (Health insurance partnership account) and
12 2007 c 260 s 14 & 2006 c 255 s 8;

13 (13) RCW 70.47A.090 (State children's health insurance program—
14 Federal waiver request) and 2006 c 255 s 9;

15 (14) RCW 70.47A.100 (Health insurance partnership board) and 2007
16 c 260 s 4;

17 (15) RCW 70.47A.110 (Health insurance partnership board—Duties)
18 and 2011 c 287 s 4, 2008 c 143 s 5, & 2007 c 260 s 5;

19 (16) RCW 70.47A.901 (Construction—Chapter applicable to state
20 registered domestic partnerships—2009 c 521) and 2009 c 521 s 152;
21 and

22 (17) RCW 71A.20.190 (Developmental disability service system task
23 force) and 2015 c 225 s 111 & 2011 1st sp.s. c 30 s 8.

24 **Sec. 25.** RCW 43.70.900 and 2015 1st sp.s. c 4 s 31 are each
25 amended to read as follows:

26 SECTION 24 CONFORMING AMENDMENT. All references to the secretary
27 or department of social and health services in the Revised Code of
28 Washington shall be construed to mean the secretary or department of
29 health when referring to the functions transferred in RCW 43.70.080,
30 18.104.005, 70.08.005, (~~70.22.005,~~) 70.24.005, 70.40.005,
31 70.41.005, and 70.54.005.

32 NEW SECTION. **Sec. 26.** RELATING TO HIGHER EDUCATION. The
33 following acts or parts of acts are each repealed:

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

36 (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. 27.** 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);
31 (8) RCW 71.34.901 (Effective date—1985 c 354);
32 (9) RCW 74.14B.900 (Captions); and
33 (10) RCW 74.18.903 (Effective dates—1983 c 194).

34 NEW SECTION. **Sec. 28.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
35 & HOUSING. The following acts or parts of acts are each repealed:

- 36 (1) RCW 2.56.031 (Juvenile offender information—Plan) and 2010
37 1st sp.s. c 7 s 61 & 1993 c 415 s 2;

1 (2) RCW 10.77.810 (Joint legislative audit and review committee
2 assessment—Report) and 2012 c 256 s 9;

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

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

8 (5) RCW 74.12.901 (Federal waivers and legislation—1994 c 299)
9 and 1994 c 299 s 39;

10 (6) RCW 74.12A.030 (Federal waiver—Governor to seek) and 1993 c
11 312 s 12; and

12 (7) RCW 74.13.017 (Accreditation—Completion date) and 2003 c 207
13 s 8 & 2001 c 265 s 2.

14 NEW SECTION. **Sec. 29.** RELATING TO LAW & JUSTICE. The following
15 sections are decodified:

16 (1) RCW 5.45.920 (Repeal of inconsistent provisions); and

17 (2) RCW 46.61.990 (Recodification of sections—Organization of
18 chapter—Construction).

19 NEW SECTION. **Sec. 30.** RELATING TO LAW & JUSTICE. The following
20 acts or parts of acts are each repealed:

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

23 (2) RCW 9.04.040 (Advertising cures of lost sexual potency—
24 Evidence) and 1921 c 168 s 2; and

25 (3) RCW 26.50.800 (Recidivism study) and 2012 c 223 s 10.

26 NEW SECTION. **Sec. 31.** RELATING TO LAW & JUSTICE. RCW 42.32.030
27 is recodified as a section in chapter 42.30 RCW.

28 **Sec. 32.** RCW 29A.04.510 and 2003 c 111 s 149 are each amended to
29 read as follows:

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

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

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

1 (c) Four county auditors appointed by the Washington state
2 association of county auditors or their alternates who are county
3 auditors designated by the association to serve as such alternates,
4 each appointee and alternate to serve at the pleasure of the
5 association;

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

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

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

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

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

28 **Sec. 33.** RCW 35A.39.010 and 1995 c 21 s 2 are each amended to
29 read as follows:

30 SECTION 31 CONFORMING AMENDMENT. Every code city shall keep a
31 journal of minutes of its legislative meetings with orders,
32 resolutions and ordinances passed, and records of the proceedings of
33 any city department, division or commission performing quasi-judicial
34 functions as required by ordinances of the city and general laws of
35 the state and shall keep such records open to the public as required
36 by RCW 42.32.030 (as recodified by this act) and shall keep and
37 preserve all public records and publications or reproduce and destroy
38 the same as provided by Title 40 RCW. Each code city may duplicate

1 and sell copies of its ordinances at fees reasonably calculated to
2 defray the cost of such duplication and handling.

3 **Sec. 34.** RCW 44.05.080 and 2011 c 60 s 42 are each amended to
4 read as follows:

5 SECTION 31 CONFORMING AMENDMENT. In addition to other duties
6 prescribed by law, the commission shall:

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

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

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

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

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

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

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

31 NEW SECTION. **Sec. 35.** RELATING TO NATURAL RESOURCES & PARKS.
32 The following sections are decodified:

33 (1) RCW 77.15.902 (Savings—1998 c 190);

34 (2) RCW 77.50.900 (Purpose—2000 c 107);

35 (3) RCW 77.65.900 (Effective date—1989 c 316); and

36 (4) RCW 77.105.900 (Effective date—1993 sp.s. c 2 §§ 7, 60, 80,
37 and 82-100).

1 NEW SECTION. **Sec. 36.** RELATING TO NATURAL RESOURCES & PARKS.

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

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

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

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

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

10 (5) RCW 77.12.605 (Whidbey Island game farm—Sale of property) and
11 1999 c 205 s 1;

12 (6) RCW 77.12.710 (Game fish production—Double by year 2000) and
13 1998 c 245 s 159, 1995 c 399 s 208, 1993 sp.s. c 2 s 70, & 1990 c 110
14 s 2;

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

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

17 (9) RCW 79A.20.030 (Allocation and distribution of moneys) and
18 1994 c 264 s 30 & 1992 c 153 s 5; and

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

20 **Sec. 37.** RCW 77.125.040 and 2001 c 86 s 4 are each amended to
21 read as follows:

22 RELATING TO NATURAL RESOURCES & PARKS. Rules to implement this
23 chapter shall be adopted no sooner than thirty days following the end
24 of the 2002 regular legislative session. (~~The director shall provide~~
25 ~~a written report to the appropriate legislative committees by January~~
26 ~~1, 2003, on the progress of the program.~~)

27 NEW SECTION. **Sec. 38.** RELATING TO TRADE & ECONOMIC DEVELOPMENT.

28 The following sections are decodified:

29 (1) RCW 43.31A.400 (Economic assistance authority abolished—
30 Transfer of duties to department of revenue);

31 (2) RCW 43.63A.902 (Headings—1984 c 125); and

32 (3) RCW 43.63A.903 (Effective date—1984 c 125).

33 NEW SECTION. **Sec. 39.** RELATING TO TRADE & ECONOMIC DEVELOPMENT.

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

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

1 (2) RCW 43.31.522 (Marketplace program—Definitions) and 2009 c
2 565 s 29, 2005 c 136 s 17, 1993 c 280 s 46, 1990 c 57 s 2, & 1989 c
3 417 s 2;

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

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

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

10 (6) RCW 43.31.810 (State international trade fairs—State aid
11 eligibility requirements) and 1987 c 195 s 5, 1975 1st ex.s. c 292 s
12 3, & 1965 c 148 s 3;

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

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

20 (9) RCW 43.31.832 (State trade fairs—Transfer of surplus funds in
21 state trade fair fund to general fund—Expenditure) and 1985 c 466 s
22 34, 1981 2nd ex.s. c 2 s 1, 1975 1st ex.s. c 292 s 8, & 1972 ex.s. c
23 93 s 2;

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

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

30 (12) RCW 43.31.840 (State international trade fairs—Post audit of
31 participating fairs—Reports) and 1993 c 280 s 54, 1975 1st ex.s. c
32 292 s 6, & 1965 c 148 s 6;

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

36 (14) RCW 43.374.005 (Finding—Intent—Purpose) and 2010 1st sp.s.
37 c 13 s 1; and

38 (15) RCW 43.374.020 (Washington global health technologies and
39 product development account) and 2010 1st sp.s. c 13 s 3.

1 NEW SECTION. **Sec. 40.** RELATING TO TRANSPORTATION. The following

2 acts or parts of acts are each repealed:

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

5 (2) RCW 47.01.321 (Skills bank—Report) and 2003 c 363 s 203;

6 (3) RCW 47.01.350 (Ferry grant program) and 2008 c 45 s 1, 2007 c
7 223 s 2, & 2006 c 332 s 4;

8 (4) RCW 47.01.360 (Backup plan for passenger-only ferry service
9 between Vashon and Seattle) and 2006 c 332 s 6;

10 (5) RCW 47.01.400 (Alaskan Way viaduct, Seattle Seawall, and
11 state route No. 520 improvements—Expert review panel—Governor's
12 finding) and 2006 c 311 s 28;

13 (6) RCW 47.01.405 (State route No. 520 improvements—Project
14 impact plan—Mediator, duties) and 2007 c 517 s 2;

15 (7) RCW 47.01.406 (State route No. 520 improvements—Review of
16 project design plans—Goals) and 2007 c 517 s 3;

17 (8) RCW 47.01.410 (State route No. 520 improvements—Multimodal
18 transportation plan) and 2007 c 517 s 6;

19 (9) RCW 47.01.418 (State route No. 520 improvements—Work group,
20 subgroups—Corridor projects) and 2009 c 472 s 3;

21 (10) RCW 47.60.645 (Passenger ferry account) and 2009 c 8 s 504,
22 2008 c 45 s 2, 2006 c 332 s 1, & 1995 2nd sp.s. c 14 s 558;

23 (11) RCW 47.78.010 (High capacity transportation account) and
24 1997 c 457 s 513, 1991 sp.s. c 13 ss 66, 121, 1990 c 43 s 47, & 1987
25 c 428 s 1;

26 (12) RCW 82.44.180 (Transportation fund—Deposits and
27 distributions) and 2013 c 251 s 9;

28 (13) RCW 82.80.040 (Street utility—Establishment) and 1991 c 141
29 s 1;

30 (14) RCW 82.80.050 (Street utility—Charges, credits) and 2006 c
31 301 s 5, 2000 c 103 s 21, & 1991 c 141 s 2; and

32 (15) RCW 82.80.060 (Use of other proceeds by utility) and 1991 c
33 141 s 3.

34 **Sec. 41.** RCW 46.18.060 and 2016 c 36 s 4, 2016 c 16 s 4, and
35 2016 c 15 s 4 are each reenacted and amended to read as follows:

36 RELATING TO TRANSPORTATION. (1) The department must review and
37 either approve or reject special license plate applications submitted
38 by sponsoring organizations.

1 (2) Duties of the department include, but are not limited to, the
2 following:

3 (a) Review and approve the annual financial reports submitted by
4 sponsoring organizations with active special license plate series and
5 present those annual financial reports to the joint transportation
6 committee;

7 (b) Report annually to the joint transportation committee on the
8 special license plate applications that were considered by the
9 department;

10 (c) Issue approval and rejection notification letters to
11 sponsoring organizations, the executive committee of the joint
12 transportation committee, and the legislative sponsors identified in
13 each application. The letters must be issued within seven days of
14 making a determination on the status of an application; and

15 (d) Review annually the number of plates sold for each special
16 license plate series created after January 1, 2003. The department
17 may submit a recommendation to discontinue a special plate series to
18 the executive committee of the joint transportation committee.

19 ~~((3) In order to assess the effects and impact of the~~
20 ~~proliferation of special license plates, the legislature declares a~~
21 ~~temporary moratorium on the issuance of any additional plates until~~
22 ~~July 1, 2015. During this period of time, the department is~~
23 ~~prohibited from accepting, reviewing, processing, or approving any~~
24 ~~applications. Additionally, a special license plate may not be~~
25 ~~enacted by the legislature during the moratorium, unless the proposed~~
26 ~~license plate has been approved by the former special license plate~~
27 ~~review board before February 15, 2005.~~

28 ~~(4) The limitations under subsection (3) of this section do not~~
29 ~~apply to the following special license plates:~~

30 ~~(a) 4-H license plates created under RCW 46.18.200;~~

31 ~~(b) Breast cancer awareness license plates created under RCW~~
32 ~~46.18.200;~~

33 ~~(c) Gold star license plates created under RCW 46.18.245;~~

34 ~~(d) Music Matters license plates created under RCW 46.18.200;~~

35 ~~(e) Seattle Seahawks license plates created under RCW 46.18.200;~~

36 ~~(f) Seattle Sounders FC license plates created under RCW~~
37 ~~46.18.200;~~

38 ~~(g) Seattle University license plates created under RCW~~
39 ~~46.18.200;~~

40 ~~(h) State flower license plates created under RCW 46.18.200;~~

- 1 ~~(i) Volunteer firefighter license plates created under RCW~~
2 ~~46.18.200;~~
3 ~~(j) Washington farmers and ranchers license plates created under~~
4 ~~RCW 46.18.200;~~
5 ~~(k) Washington state wrestling license plates created under RCW~~
6 ~~46.18.200;~~
7 ~~(l) Washington tennis license plates created under RCW~~
8 ~~46.18.200.))~~

9 **Sec. 42.** RCW 47.06.110 and 2005 c 319 s 124 are each amended to
10 read as follows:

11 SECTION 40 CONFORMING AMENDMENT. The state-interest component of
12 the statewide multimodal transportation plan shall include a state
13 public transportation plan that:

14 (1) Articulates the state vision of an interest in public
15 transportation and provides quantifiable objectives, including
16 benefits indicators;

17 (2) Identifies the goals for public transit and the roles of
18 federal, state, regional, and local entities in achieving those
19 goals;

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

22 (4) Recommends mechanisms for coordinating public transportation
23 with other transportation services and modes;

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

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

30 In developing the state public transportation plan, the
31 department shall involve local jurisdictions, public and private
32 providers of transportation services, nonmotorized interests, and
33 state agencies with an interest in public transportation, including
34 but not limited to the departments of (~~community, trade, and~~
35 ~~economic development~~) commerce, social and health services, and
36 ecology, the office of the superintendent of public instruction, the
37 office of the governor, and the office of financial management.

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

4 **Sec. 43.** RCW 82.42.090 and 1995 c 170 s 1 are each amended to
5 read as follows:

6 SECTION 40 CONFORMING AMENDMENT. All moneys collected by the
7 director from the aircraft fuel excise tax as provided in RCW
8 82.42.020 shall be transmitted to the state treasurer and shall be
9 credited to the aeronautics account hereby created in the
10 (~~transportation fund of the~~) state treasury. Moneys collected from
11 the consumer or user of aircraft fuel from either the use tax imposed
12 by RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020
13 shall be transmitted to the state treasurer and credited to the state
14 general fund.

15 **Sec. 44.** RCW 82.80.070 and 2005 c 319 s 139 are each amended to
16 read as follows:

17 SECTION 40 CONFORMING AMENDMENT. (1) The proceeds collected
18 pursuant to the exercise of the local option authority of RCW
19 82.80.010(~~(7)~~) and 82.80.030(~~(7, and 82.80.050)~~) (hereafter called
20 "local option transportation revenues") shall be used for
21 transportation purposes only, including but not limited to the
22 following: The operation and preservation of roads, streets, and
23 other transportation improvements; new construction, reconstruction,
24 and expansion of city streets, county roads, and state highways and
25 other transportation improvements; development and implementation of
26 public transportation and high capacity transit improvements and
27 programs; and planning, design, and acquisition of right-of-way and
28 sites for such transportation purposes. The proceeds collected from
29 excise taxes on the sale, distribution, or use of motor vehicle fuel
30 and special fuel under RCW 82.80.010 shall be used exclusively for
31 "highway purposes" as that term is construed in Article II, section
32 40 of the state Constitution.

33 (2) The local option transportation revenues shall be expended
34 for transportation uses consistent with the adopted transportation
35 and land use plans of the jurisdiction expending the funds and
36 consistent with any applicable and adopted regional transportation
37 plan for metropolitan planning areas.

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

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

8 (b) The program shall be based on an adopted transportation plan
9 for the geographic areas covered and shall identify the proposed
10 operation and construction of transportation improvements and
11 services in the designated plan area intended to be funded in whole
12 or in part by local option transportation revenues and shall identify
13 the annual costs applicable to the program.

14 (c) The program shall indicate how the local transportation plan
15 is coordinated with applicable transportation plans for the region
16 and for adjacent jurisdictions.

17 (d) The program shall include at least a six-year funding plan,
18 updated annually, identifying the specific public and private sources
19 and amounts of revenue necessary to fund the program. The program
20 shall include a proposed schedule for construction of projects and
21 expenditure of revenues. The funding plan shall consider the
22 additional local tax revenue estimated to be generated by new
23 development within the plan area if all or a portion of the
24 additional revenue is proposed to be earmarked as future
25 appropriations for transportation improvements in the program.

26 (4) Local governments with a population greater than eight
27 thousand exercising the authority for local option transportation
28 funds shall periodically review and update their transportation
29 program to ensure that it is consistent with applicable local and
30 regional transportation and land use plans and within the means of
31 estimated public and private revenue available.

32 (5) In the case of expenditure for new or expanded transportation
33 facilities, improvements, and services, priorities in the use of
34 local option transportation revenues shall be identified in the
35 transportation program and expenditures shall be made based upon the
36 following criteria, which are stated in descending order of weight to
37 be attributed:

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

39 (b) Second, it is necessitated by existing or reasonably
40 foreseeable congestion;

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

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

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

8 (6) It is the intent of the legislature that as a condition of
9 levying, receiving, and expending local option transportation
10 revenues, no local government agency use the revenues to replace,
11 divert, or loan any revenues currently being used for transportation
12 purposes to nontransportation purposes.

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

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

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

26 NEW SECTION. **Sec. 45.** SECTION 40 CONFORMING REPEALERS. The
27 following acts or parts of acts are each repealed:

28 (1) RCW 82.14.046 (Sales and use tax equalization payments from
29 local transit taxes) and 1998 c 321 s 37, 1995 c 298 s 1, & 1994 c
30 241 s 2; and

31 (2) RCW 82.50.510 (Remittance of tax to state—Distribution to
32 cities, towns, counties, and schools) and 1998 c 321 s 24, 1991 c 199
33 s 227, 1990 c 42 s 322, 1975-'76 2nd ex.s. c 75 s 1, & 1971 ex.s. c
34 299 s 66.

35 NEW SECTION. **Sec. 46.** RELATING TO WAYS & MEANS. The following
36 sections are decodified:

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

- 1 (2) RCW 43.41.901 (Construction—1977 ex.s. c 270);
2 (3) RCW 43.41.940 (Central budget agency abolished);
3 (4) RCW 43.41.950 (Saving—1969 ex.s. c 239);
4 (5) RCW 43.41.981 (Transfer of certain powers, duties, functions,
5 and assets of the department of personnel); and
6 (6) RCW 43.88.910 (Effective date—1975 1st ex.s. c 293)."

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By Senator Fortunato

ADOPTED 05/02/2017

7 On page 1, line 3 of the title, after "Washington;" strike the
8 remainder of the title and insert "amending RCW 43.88.0301,
9 43.320.017, 70.95.532, 80.01.080, 48.17.563, 48.18A.035, 48.25.140,
10 48.29.015, 48.31.115, 21.20.880, 43.70.900, 29A.04.510, 35A.39.010,
11 44.05.080, 77.125.040, 47.06.110, 82.42.090, and 82.80.070;
12 reenacting and amending RCW 46.18.060; recodifying RCW 42.32.030;
13 decodifying RCW 43.88.910, 43.105.902, 43.105.903, 43.320.012,
14 43.320.013, 43.320.014, 43.320.015, 43.320.016, 43.320.901,
15 15.15.900, 15.49.920, 15.49.950, 15.51.900, 15.54.930, 15.58.900,
16 15.58.901, 15.58.943, 41.58.900, 41.58.901, 50.06.010, 50.13.010,
17 50.13.910, 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902,
18 50.98.080, 69.50.545, 69.50.606, 69.50.607, 28A.315.075, 43.215.903,
19 43.215.905, 48.20.322, 48.23.520, 29A.04.903, 29A.04.905, 35.98.020,
20 35.98.050, 35A.90.030, 35A.90.040, 42.56.901, 42.56.902, 42.56.903,
21 71A.10.805, 10.77.900, 10.77.920, 10.77.930, 71.05.910, 71.05.920,
22 71.05.930, 71.24.900, 71.34.901, 74.14B.900, 74.18.903, 5.45.920,
23 46.61.990, 77.15.902, 77.50.900, 77.65.900, 77.105.900, 43.31A.400,
24 43.63A.902, 43.63A.903, 43.41.035, 43.41.901, 43.41.940, 43.41.950,
25 43.41.981, and 43.88.910; repealing RCW 66.08.230, 66.08.250,
26 66.12.020, 69.50.1011, 28A.305.900, 28A.305.901, 28A.400.201,
27 28A.630.005, 70.94.505, 70.95H.005, 70.95H.007, 70.95H.010,
28 70.95H.030, 70.95H.040, 70.95H.050, 70.95H.900, 70.95N.270,
29 70.104.070, 70.104.090, 70.105A.035, 70.220.060, 80.36.901,
30 70.104.100, 30A.24.080, 31.04.185, 31.04.501, 31.45.095, 48.102.190,
31 35.13A.0301, 41.05.019, 41.05.230, 41.05.655, 70.22.005, 70.47A.010,
32 70.47A.020, 70.47A.030, 70.47A.040, 70.47A.050, 70.47A.060,
33 70.47A.070, 70.47A.080, 70.47A.090, 70.47A.100, 70.47A.110,
34 70.47A.901, 71A.20.190, 28B.65.010, 28B.65.020, 28B.65.030,

1 28B.65.040, 28B.65.050, 28B.65.060, 28B.65.070, 28B.65.080,
2 28B.65.110, 28B.65.900, 28B.65.905, 2.56.031, 10.77.810, 10.77.820,
3 71.24.055, 74.12.901, 74.12A.030, 74.13.017, 2.56.250, 9.04.040,
4 26.50.800, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605,
5 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088,
6 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820,
7 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850,
8 43.374.005, 43.374.020, 47.01.141, 47.01.321, 47.01.350, 47.01.360,
9 47.01.400, 47.01.405, 47.01.406, 47.01.410, 47.01.418, 47.60.645,
10 47.78.010, 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and
11 82.50.510; repealing 2009 c 548 s 302 and 2010 c 236 s 6
12 (uncodified); and adding a new section to chapter 42.30 RCW.

EFFECT: Retains the underlying bill, adding a number of statutes which are decodified, repealed, or amended, such as:

(1) Decodification of intent sections, codification instructions, effective date clauses, severability clauses, rules requirements, repeal of laws, savings clauses, and transfers of functions;

(2) Repeal of duplicate definitions, completed reporting requirements, work groups, and accounts or programs that have been unused for a substantial period or were terminated; and

(3) Amendments to statutes to correct statutory references, eliminate language referencing completed reports or expired moratoriums, account for repeal of other statutes, and remove language that is past the time frame specified for applicability.

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