
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-5373.2/96 2nd draft

ATTY/TYPIST: ML:mos

BRIEF TITLE:

2 **E2SSB 5375** - H AMD TO APP COMM AMD (H-5342.2/96)
3 By Representative Patterson

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5 Beginning on page 1, after line 6 of the amendment, strike the
6 remainder of the amendment and insert the following:

7 "NEW SECTION. **Sec. 1.** The legislature recognizes that the current
8 statutory procedures for the collection of child support do not apply
9 to all persons owing child support. In order to further insure that
10 child support obligations are met, this act establishes a program by
11 which certain licenses may be suspended if a person is one hundred
12 eighty days or more in arrears on child support payments. With this
13 program, it is the intent of the legislature to provide a strong
14 incentive for persons owing support to make timely payments, and to
15 cooperate with the department of social and health services to
16 establish an appropriate schedule for the payment of any arrears.

17 In the implementation and management of this program, it is the
18 legislature's intent that the objective of the department of social and
19 health services be to obtain payment in full of arrears, or where that
20 is not possible, to enter into agreements with delinquent obligors to
21 make timely support payments and make reasonable payments towards the
22 arrears. The legislature intends that if the obligor refuses to
23 cooperate in establishing a fair and reasonable payment schedule for
24 arrears, or refuses to make timely support payments, the department
25 shall proceed with certification to a licensing entity or the
26 department of licensing that the person is not in compliance with a
27 child support order.

28 **Sec. 2.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each
29 amended to read as follows:

30 Unless a different meaning is plainly required by the context, the
31 following words and phrases as hereinafter used in this chapter and
32 chapter 74.20 RCW shall have the following meanings:

33 (1) "Department" means the state department of social and health
34 services.

1 (2) "Secretary" means the secretary of the department of social and
2 health services, his designee or authorized representative.

3 (3) "Dependent child" means any person:

4 (a) Under the age of eighteen who is not self-supporting, married,
5 or a member of the armed forces of the United States; or

6 (b) Over the age of eighteen for whom a court order for support
7 exists.

8 (4) "Support obligation" means the obligation to provide for the
9 necessary care, support, and maintenance, including medical expenses,
10 of a dependent child or other person as required by statutes and the
11 common law of this or another state.

12 (5) "Superior court order" means any judgment, decree, or order of
13 the superior court of the state of Washington, or a court of comparable
14 jurisdiction of another state, establishing the existence of a support
15 obligation and ordering payment of a set or determinable amount of
16 support moneys to satisfy the support obligation. For purposes of RCW
17 74.20A.055, orders for support which were entered under the uniform
18 reciprocal enforcement of support act by a state where the responsible
19 parent no longer resides shall not preclude the department from
20 establishing an amount to be paid as current and future support.

21 (6) "Administrative order" means any determination, finding,
22 decree, or order for support pursuant to RCW 74.20A.055, or by an
23 agency of another state pursuant to a substantially similar
24 administrative process, establishing the existence of a support
25 obligation and ordering the payment of a set or determinable amount of
26 support moneys to satisfy the support obligation.

27 (7) "Responsible parent" means a natural parent, adoptive parent,
28 or stepparent of a dependent child or a person who has signed an
29 affidavit acknowledging paternity which has been filed with the state
30 office of vital statistics.

31 (8) "Stepparent" means the present spouse of the person who is
32 either the mother, father, or adoptive parent of a dependent child, and
33 such status shall exist until terminated as provided for in RCW
34 26.16.205.

35 (9) "Support moneys" means any moneys or in-kind providings paid to
36 satisfy a support obligation whether denominated as child support,
37 spouse support, alimony, maintenance, or any other such moneys intended
38 to satisfy an obligation for support of any person or satisfaction in
39 whole or in part of arrears or delinquency on such an obligation.

1 (10) "Support debt" means any delinquent amount of support moneys
2 which is due, owing, and unpaid under a superior court order or an
3 administrative order, a debt for the payment of expenses for the
4 reasonable or necessary care, support, and maintenance, including
5 medical expenses, of a dependent child or other person for whom a
6 support obligation is owed; or a debt under RCW 74.20A.100 or
7 74.20A.270. Support debt also includes any accrued interest, fees, or
8 penalties charged on a support debt, and attorneys fees and other costs
9 of litigation awarded in an action to establish and enforce a support
10 obligation or debt.

11 (11) "State" means any state or political subdivision, territory,
12 or possession of the United States, the District of Columbia, and the
13 Commonwealth of Puerto Rico.

14 (12) "Licensing entity" means any department, board, bureau,
15 commission, committee, regulatory entity or agency, or other licensor
16 authorized to issue, renew, suspend, or revoke a license authorizing an
17 individual to engage in a business, occupation, profession, industry,
18 or licensed recreational activity, or to drive a motor vehicle. It
19 also means the Washington state bar association's board of governors
20 and the Washington supreme court.

21 (13) "Noncompliance with a support order" means a responsible
22 parent has:

23 (a) Accumulated a support debt totaling more than six months of
24 monthly support payments; or

25 (b) Failed to make payments pursuant to a written agreement with
26 the department towards a support debt in an amount that exceeds six
27 months of payments; or

28 (c) Failed to make payments required by a superior court order if
29 required by a support order or administrative order towards a support
30 debt in an amount that exceeds six months of payments; or

31 (d) Failed to obtain or maintain health insurance as defined in RCW
32 26.18.020.

33 (14) "License" means a license, certificate, registration, permit,
34 approval, or other similar document issued by a licensing entity
35 evidencing admission to or granting authority to engage in a
36 profession, occupation, business, industry, or recreational activity,
37 or a valid driver's license to operate a motor vehicle within the state
38 of Washington under chapter 46.20 RCW, and a vehicle license issued
39 under chapter 46.16 RCW.

1 (15) "Licensee" means any individual holding a license,
2 certificate, registration, permit, approval, or other similar document
3 issued by a licensing entity evidencing admission to or granting
4 authority to engage in a profession, occupation, business, industry,
5 recreational activity, or to drive a motor vehicle.

6 (16) "Support order" means a superior court order or administrative
7 order.

8 NEW SECTION. Sec. 3. A new section is added to chapter 74.20A RCW
9 to read as follows:

10 (1) Except as provided in subsection (2) of this section, the
11 department may serve upon a responsible parent a notice informing the
12 responsible parent of the department's intent to submit the parent's
13 name to any appropriate licensing entity as a licensee who is not in
14 compliance with a support order. The department must attach a copy of
15 the responsible parent's support order to the notice. Service of the
16 notice must be made by certified mail, return receipt requested, or by
17 personal service.

18 (2) The department shall not issue a notice of noncompliance with
19 a support order under this section when the department can withhold the
20 responsible parent's earnings under RCW 26.23.060 in an amount
21 sufficient to ensure the payment of current support and a reasonable
22 amount towards the support debt.

23 (3) The notice of noncompliance must include the address and
24 telephone number of the department's division of child support office
25 that issues the notice and must inform the responsible parent that:

26 (a) The parent may request an adjudicative proceeding to contest
27 the issue of noncompliance. The only issues that may be considered at
28 the adjudicative proceeding are whether the parent is required to pay
29 a support obligation under a support order and whether the parent is in
30 compliance with that order;

31 (b) A request for an adjudicative proceeding must be in writing and
32 must be received by the department within twenty days of the date of
33 service of the notice;

34 (c) If the parent requests an adjudicative proceeding within twenty
35 days of service, the department must stay the action to certify the
36 parent to all appropriate licensing entities for noncompliance with a
37 support order pending entry of a written decision after the
38 adjudicative proceeding;

1 (d) If the parent does not request an adjudicative proceeding
2 within twenty days of service and remains in noncompliance with a
3 support order, the department will certify the parent's name to any
4 appropriate licensing entity for noncompliance with a support order;

5 (e) The department must stay action to certify the parent to any
6 appropriate licensing entity for noncompliance if the parent agrees to
7 make timely payments of current support and agrees to a reasonable
8 payment schedule for payment of the support debt. It is the parent's
9 responsibility to contact in person or by mail the department's
10 division of child support office indicated on the notice within twenty
11 days of service of the notice to arrange for a payment schedule. The
12 department may stay certification for up to thirty days after contact
13 from a parent to arrange for a payment schedule;

14 (f) If the department certifies the responsible parent to a
15 licensing entity for noncompliance with a support order, the licensing
16 entity must suspend the parent's license until the parent provides the
17 licensing entity with a written release from the department stating
18 that the responsible parent is in compliance with the support order;

19 (g) Suspension of a license will affect insurability if the
20 responsible parent's insurance policy excludes coverage for acts
21 occurring after the suspension of a license;

22 (h) If after receiving the notice of noncompliance with a support
23 order, the responsible parent files a motion to modify support with the
24 court or requests the department to amend a support obligation or debt
25 established by an administrative decision, the department or the court
26 may, for up to one hundred eighty days, stay action to certify the
27 parent to any licensing entity for noncompliance with a support order.
28 If a motion for modification of a court or administrative order for a
29 support obligation is pending before service of the notice, any action
30 to certify the parent to a licensing entity for noncompliance with a
31 support order must be automatically stayed until entry of a final order
32 or decision in the modification proceedings. The responsible parent
33 has the obligation to notify the department that a modification
34 proceeding is pending and provide a copy of the motion or request for
35 modification; and

36 (i) If the responsible parent subsequently becomes in compliance
37 with the support order, the department must promptly provide the parent
38 with a written release stating that the parent is in compliance with

1 the order, and the parent may request that the licensing entity
2 reinstate the suspended license.

3 (4) A responsible parent may request an adjudicative proceeding
4 upon service of the notice described in subsection (3) of this section.
5 The request for an adjudicative proceeding must be received by the
6 department within twenty days of service. The request must be in
7 writing and indicate the current mailing address and daytime phone
8 number, if available, of the responsible parent. The proceedings under
9 this subsection shall be conducted in accordance with the requirements
10 of chapter 34.05 RCW. The issues that may be considered at the
11 adjudicative proceeding are limited to whether the responsible parent
12 is required to pay a support obligation or debt under a support order
13 and whether the responsible parent is in compliance with the order.

14 (5) The decision resulting from the adjudicative proceeding must be
15 in writing and inform the responsible parent of all rights to review.
16 The parent's copy of the decision may be sent by regular mail to the
17 parent's most recent address of record.

18 (6) If a responsible parent contacts the department's division of
19 child support office indicated on the notice of noncompliance within
20 twenty days of service of the notice and requests arrangement of a
21 payment schedule, the department must stay the certification of
22 noncompliance during negotiation of the schedule for payment of
23 arrears. In no event may the stay continue for more than thirty days
24 from the date of contact by the parent. The department must make good
25 faith efforts to establish a schedule for payment of the support debt
26 that is fair and reasonable, and that considers the financial situation
27 of the responsible parent and the needs of all children who rely on the
28 responsible parent for support. At the end of the thirty days, if no
29 payment schedule has been agreed to in writing, the department must
30 proceed with certification of noncompliance.

31 (7) If a responsible parent timely requests an adjudicative
32 proceeding to contest the issue of noncompliance, the department may
33 not certify the name of the parent to a licensing entity for
34 noncompliance with a support order unless the adjudicative proceeding
35 results in a finding that the responsible parent is not in compliance
36 with the order.

37 (8) The department may certify in writing to any appropriate
38 licensing entity the name of a responsible parent who is not in
39 compliance with a support order if:

1 (a) The responsible parent does not timely request an adjudicative
2 proceeding upon service of a notice issued under subsection (3) of this
3 section and is not in compliance with a support order twenty-one days
4 after service of the notice;

5 (b) An adjudicative proceeding results in a decision that the
6 responsible parent is not in compliance with a support order;

7 (c) The department and the responsible parent have been unable to
8 agree on a fair and reasonable schedule for payment of the support
9 debt; or

10 (d) The court enters a judgment on a petition for judicial review
11 that finds the responsible parent is not in compliance with a support
12 order.

13 The department must send by regular mail a copy of any
14 certification of noncompliance filed with a licensing entity to the
15 responsible parent at the responsible parent's most recent address of
16 record.

17 (9) A licensing entity shall notify a responsible parent certified
18 by the department under subsection (8) of this section, without undue
19 delay, that the parent's driver's license or other license has been
20 suspended because the parent's name has been certified by the
21 department as a responsible parent who is not in compliance with a
22 support order.

23 (10) When a responsible parent who is served notice under
24 subsection (3) of this section subsequently complies with the support
25 order, the department shall promptly provide the parent with a written
26 release stating that the responsible parent is in compliance with the
27 order.

28 (11) The department may adopt rules to implement and enforce the
29 requirements of this section.

30 (12) Nothing in this section prohibits a responsible parent from
31 filing a motion to modify support with the court or from requesting the
32 department to amend a support obligation or debt established by an
33 administrative decision. If there is a reasonable likelihood that the
34 motion or request will significantly change the amount of the support
35 debt, the department or the court may, for up to one hundred eighty
36 days, stay action to certify the responsible parent to any licensing
37 entity for noncompliance with a support order. If a motion for
38 modification of a court or administrative order for a support
39 obligation is pending before service of the notice, any action to

1 certify the parent to a licensing entity for noncompliance with a
2 support order must be automatically stayed until entry of a final order
3 or decision in the modification proceedings. The responsible parent
4 has the obligation to notify the department that a modification
5 proceeding is pending and provide a copy of the motion or request for
6 modification.

7 (13) A licensing entity may issue, renew, reinstate, or otherwise
8 extend a license in accordance with the licensing entity's rules after
9 the licensing entity receives a copy of the written release specified
10 in subsection (10) of this section. The licensing entity may waive any
11 applicable requirement for reissuance, renewal, or other extension if
12 it determines that the imposition of that requirement places an undue
13 burden on the person and that waiver of the requirement is consistent
14 with the public interest.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.20A RCW
16 to read as follows:

17 (1) The department of social and health services and all of the
18 various licensing entities subject to section 3 of this act or by a
19 court under section 110 of this act shall enter into such agreements as
20 are necessary to carry out the requirements of the license suspension
21 program established in section 3 of this act or by a court under
22 section 110 of this act, but only to the extent the departments and the
23 licensing entities determine it is cost-effective or required by
24 federal law.

25 (2) On or before January 1, 1997, and quarterly thereafter, the
26 department of social and health services and all licensing entities
27 subject to section 3 of this act or by a court under section 110 of
28 this act shall perform a comparison of responsible parents who are not
29 in compliance with a support order, as defined in section 3 of this act
30 or by a court under section 110 of this act, with all licensees subject
31 to chapter . . . , Laws of 1996 (this act). The comparison may be
32 conducted electronically, or by any other means that is jointly
33 agreeable between the department and the particular licensing entity.
34 The data shared shall be limited to those items necessary to
35 implementation of chapter . . . , Laws of 1996 (this act). The purpose
36 of the comparison shall be to identify current licensees who are not in
37 compliance with a support order, and to provide to the department of

1 social and health services the following information regarding those
2 licensees:

3 (a) Name;

4 (b) Date of birth;

5 (c) Address of record;

6 (d) Federal employer identification number or social security
7 number;

8 (e) Type of license;

9 (f) Effective date of license or renewal;

10 (g) Expiration date of license; and

11 (h) Active or inactive status.

12 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.20A RCW
13 to read as follows:

14 In furtherance of the public policy of increasing collection of
15 child support and to assist in evaluation of the program established in
16 section 3 of this act or by a court under section 110 of this act, the
17 department shall report the following to the legislature and the
18 governor on December 1, 1997, and annually thereafter:

19 (1) The number of responsible parents identified as licensees
20 subject to section 3 of this act or by a court under section 110 of
21 this act;

22 (2) The number of responsible parents identified by the department
23 as not in compliance with a support order;

24 (3) The number of notices of noncompliance served upon responsible
25 parents by the department;

26 (4) The number of responsible parents served a notice of
27 noncompliance who request an adjudicative proceeding;

28 (5) The number of adjudicative proceedings held, and the results of
29 the adjudicative proceedings;

30 (6) The number of responsible parents certified to the department
31 of licensing or licensing entities for noncompliance with a support
32 order, and the type of license the parents held;

33 (7) The costs incurred in the implementation and enforcement of
34 section 3 of this act or by a court under section 110 of this act and
35 an estimate of the amount of support collected due to the departments
36 under section 3 of this act or by a court under section 110 of this
37 act;

1 (8) Any other information regarding this program that the
2 department feels will assist in evaluation of the program;

3 (9) Recommendations for the addition of specific licenses in the
4 program or exclusion of specific licenses from the program, and reasons
5 for such recommendations; and

6 (10) Any recommendations for statutory changes necessary for the
7 cost-effective management of the program.

8 **Sec. 6.** RCW 46.20.021 and 1991 c 293 s 3 and 1991 c 73 s 1 are
9 each reenacted and amended to read as follows:

10 (1) No person, except as expressly exempted by this chapter, may
11 drive any motor vehicle upon a highway in this state unless the person
12 has a valid driver's license issued to Washington residents under the
13 provisions of this chapter. A violation of this subsection is a
14 misdemeanor and is a lesser included offense within the offenses
15 described in RCW 46.20.342(1) or 46.20.420.

16 (2) For the purposes of obtaining a valid driver's license, a
17 resident is a person who manifests an intent to live or be located in
18 this state on more than a temporary or transient basis. Evidence of
19 residency includes but is not limited to:

20 (a) Becoming a registered voter in this state; or

21 (b) Receiving benefits under one of the Washington public
22 assistance programs; or

23 (c) Declaring that he or she is a resident for the purpose of
24 obtaining a state license or tuition fees at resident rates.

25 (3) The term "Washington public assistance programs" referred to in
26 subsection (2)(b) of this section includes only public assistance
27 programs for which more than fifty percent of the combined costs of
28 benefits and administration are paid from state funds. Programs which
29 are not included within the term "Washington public assistance
30 programs" pursuant to the above criteria include, but are not limited
31 to the food stamp program under the federal food stamp act of 1964;
32 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771
33 through 1788; and aid to families with dependent children, 42 U.S.C.
34 Secs. 601 through 606.

35 (4) No person shall receive a driver's license unless and until he
36 or she surrenders to the department all valid driver's licenses in his
37 or her possession issued to him or her by any other jurisdiction. The
38 department shall establish a procedure to invalidate the surrendered

1 photograph license and return it to the person. The invalidated
2 license, along with the valid temporary Washington driver's license
3 provided for in RCW 46.20.055(3), shall be accepted as proper
4 identification. The department shall notify the issuing department
5 that the licensee is now licensed in a new jurisdiction. No person
6 shall be permitted to have more than one valid driver's license at any
7 time.

8 (5) A person may not receive a driver's license if the person has
9 been certified by the department of social and health services as a
10 person who is not in compliance with a support order as provided in
11 section 3 of this act or by a court under section 110 of this act.

12 (6) New Washington residents are allowed thirty days from the date
13 they become residents as defined in this section to procure a valid
14 Washington driver's license.

15 ~~((+6+))~~ (7) Any person licensed as a driver under this chapter may
16 exercise the privilege thereby granted upon all streets and highways in
17 this state and shall not be required to obtain any other license to
18 exercise such privilege by any county, municipal or local board, or
19 body having authority to adopt local police regulations.

20 **Sec. 7.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to read
21 as follows:

22 The department is authorized to suspend the license of a driver
23 upon a showing by its records or other sufficient evidence that the
24 licensee:

25 (1) Has committed an offense for which mandatory revocation or
26 suspension of license is provided by law;

27 (2) Has, by reckless or unlawful operation of a motor vehicle,
28 caused or contributed to an accident resulting in death or injury to
29 any person or serious property damage;

30 (3) Has been convicted of offenses against traffic regulations
31 governing the movement of vehicles, or found to have committed traffic
32 infractions, with such frequency as to indicate a disrespect for
33 traffic laws or a disregard for the safety of other persons on the
34 highways;

35 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
36 ~~((or))~~

37 (5) Has failed to respond to a notice of traffic infraction, failed
38 to appear at a requested hearing, violated a written promise to appear

1 in court, or has failed to comply with the terms of a notice of traffic
2 infraction or citation, as provided in RCW 46.20.289; (~~or~~)

3 (6) Has committed one of the prohibited practices relating to
4 drivers' licenses defined in RCW 46.20.336; or

5 (7) Has been certified by the department of social and health
6 services as a person who is not in compliance with a child support
7 order as provided in section 3 of this act or by a court under section
8 110 of this act.

9 **Sec. 8.** RCW 46.20.311 and 1995 c 332 s 11 are each amended to read
10 as follows:

11 (1) The department shall not suspend a driver's license or
12 privilege to drive a motor vehicle on the public highways for a fixed
13 period of more than one year, except as specifically permitted under
14 RCW 46.20.342 or other provision of law. Except for a suspension under
15 RCW 46.20.289 and 46.20.291(5), whenever the license or driving
16 privilege of any person is suspended by reason of a conviction, a
17 finding that a traffic infraction has been committed, pursuant to
18 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
19 suspension shall remain in effect until the person gives and thereafter
20 maintains proof of financial responsibility for the future as provided
21 in chapter 46.29 RCW. If the suspension is the result of a violation
22 of RCW 46.61.502 or 46.61.504, the department shall determine the
23 person's eligibility for licensing based upon the reports provided by
24 the alcoholism agency or probation department designated under RCW
25 46.61.5056 and shall deny reinstatement until enrollment and
26 participation in an approved program has been established and the
27 person is otherwise qualified. Whenever the license or driving
28 privilege of any person is suspended as a result of certification of
29 noncompliance with a child support order under chapter 74.20A RCW, the
30 suspension shall remain in effect until the person provides a written
31 release issued by the department of social and health services or a
32 court stating that the person is in compliance with the order. If a
33 driver's license is suspended under chapter 74.20A RCW, the motor
34 vehicle record for the suspended driver shall include a notation that
35 explains the reason for the suspension. The department shall not issue
36 to the person a new, duplicate, or renewal license until the person
37 pays a reissue fee of twenty dollars. If the suspension is the result
38 of a violation of RCW 46.61.502 or 46.61.504, or is the result of

1 administrative action under RCW 46.20.308, the reissue fee shall be
2 fifty dollars.

3 (2) Any person whose license or privilege to drive a motor vehicle
4 on the public highways has been revoked, unless the revocation was for
5 a cause which has been removed, is not entitled to have the license or
6 privilege renewed or restored until: (a) After the expiration of one
7 year from the date the license or privilege to drive was revoked; (b)
8 after the expiration of the applicable revocation period provided by
9 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for
10 persons convicted of vehicular homicide; or (d) after the expiration of
11 the applicable revocation period provided by RCW 46.20.265. After the
12 expiration of the appropriate period, the person may make application
13 for a new license as provided by law together with a reissue fee in the
14 amount of twenty dollars, but if the revocation is the result of a
15 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee
16 shall be fifty dollars. If the revocation is the result of a violation
17 of RCW 46.61.502 or 46.61.504, the department shall determine the
18 person's eligibility for licensing based upon the reports provided by
19 the alcoholism agency or probation department designated under RCW
20 46.61.5056 and shall deny reissuance of a license, permit, or privilege
21 to drive until enrollment and participation in an approved program has
22 been established and the person is otherwise qualified. Except for a
23 revocation under RCW 46.20.265, the department shall not then issue a
24 new license unless it is satisfied after investigation of the driving
25 ability of the person that it will be safe to grant the privilege of
26 driving a motor vehicle on the public highways, and until the person
27 gives and thereafter maintains proof of financial responsibility for
28 the future as provided in chapter 46.29 RCW. For a revocation under
29 RCW 46.20.265, the department shall not issue a new license unless it
30 is satisfied after investigation of the driving ability of the person
31 that it will be safe to grant that person the privilege of driving a
32 motor vehicle on the public highways.

33 (3) Whenever the driver's license of any person is suspended
34 pursuant to Article IV of the nonresident violators compact or RCW
35 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
36 to the person any new or renewal license until the person pays a
37 reissue fee of twenty dollars. If the suspension is the result of a
38 violation of the laws of this or any other state, province, or other
39 jurisdiction involving (a) the operation or physical control of a motor

1 vehicle upon the public highways while under the influence of
2 intoxicating liquor or drugs, or (b) the refusal to submit to a
3 chemical test of the driver's blood alcohol content, the reissue fee
4 shall be fifty dollars.

5 NEW SECTION. **Sec. 9.** A new section is added to chapter 48.22 RCW
6 to read as follows:

7 A motor vehicle liability insurance policy that contains any
8 provision excluding insurance coverage for an unlicensed driver shall
9 not apply for ninety days from the date of suspension in the event that
10 the department of licensing suspends a driver's license solely for the
11 nonpayment of child support as provided in chapter 74.20A or 26.18 RCW.

12 NEW SECTION. **Sec. 10.** The legislature intends that the license
13 suspension program established in chapters 74.20A and 26.18 RCW be
14 implemented fairly to ensure that child support obligations are met.
15 However, being mindful of the separations of powers and
16 responsibilities among the branches of government, the legislature
17 strongly encourages the state supreme court to adopt rules providing
18 for suspension and denial of licenses related to the practice of law to
19 those individuals who are in noncompliance with a support order.

20 NEW SECTION. **Sec. 11.** A new section is added to chapter 2.48 RCW
21 to read as follows:

22 The Washington state supreme court may provide by rule that no
23 person who has been certified by the department of social and health
24 services as a person who is in noncompliance with a support order as
25 provided in section 3 of this act or by a court under section 110 of
26 this act may be admitted to the practice of law in this state, and that
27 any member of the Washington state bar association who has been
28 certified by the department of social and health services as a person
29 who is in noncompliance with a support order as provided in section 3
30 of this act or by a court under section 110 of this act shall be
31 immediately suspended from membership. The court's rules may provide
32 for review of an application for admission or reinstatement of
33 membership after the department of social and health services or a
34 court has issued a written release stating that the person is in
35 compliance with the order.

1 **Sec. 12.** RCW 18.04.105 and 1992 c 103 s 7 are each amended to read
2 as follows:

3 (1) Except as provided in section 13 of this act, the certificate
4 of "certified public accountant" shall be granted by the board to any
5 person:

6 (a) Who is of good character. Good character, for purposes of this
7 section, means lack of a history of dishonest or felonious acts. The
8 board may refuse to grant a certificate on the ground of failure to
9 satisfy this requirement only if there is a substantial connection
10 between the lack of good character of the applicant and the
11 professional responsibilities of a certified public accountant and if
12 the finding by the board of lack of good character is supported by a
13 preponderance of evidence. When an applicant is found to be
14 unqualified for a certificate because of a lack of good character, the
15 board shall furnish the applicant a statement containing the findings
16 of the board and a notice of the applicant's right of appeal;

17 (b) Who has met the educational standards established by rule as
18 the board determines to be appropriate;

19 The board may, in its discretion, waive the educational
20 requirements for any person if it is satisfied through review of
21 documentation of successful completion of an equivalency examination
22 that the person's educational qualifications are an acceptable
23 substitute for the requirements of (b) of this subsection; and

24 (c) Who has passed a written examination.

25 (2) The examination described in subsection (1)(c) of this section
26 shall be in writing, shall be held twice a year, and shall test the
27 applicant's knowledge of the subjects of accounting and auditing, and
28 other related fields the board may specify by rule. The time for
29 holding the examination is fixed by the board and may be changed from
30 time to time. The board shall prescribe by rule the methods of
31 applying for and taking the examination, including methods for grading
32 papers and determining a passing grade required of an applicant for a
33 certificate. The board shall to the extent possible see to it that the
34 grading of the examination, and the passing grades, are uniform with
35 those applicable to all other states. The board may make use of all or
36 a part of the uniform certified public accountant examination and
37 advisory grading service of the American Institute of Certified Public
38 Accountants and may contract with third parties to perform
39 administrative services with respect to the examination as the board

1 deems appropriate to assist it in performing its duties under this
2 chapter.

3 (3) An applicant is required to pass all sections of the
4 examination provided for in subsection (2) of this section in order to
5 qualify for a certificate. If at a given sitting of the examination an
6 applicant passes two or more but not all sections, then the applicant
7 shall be given credit for those sections that he or she passed, and
8 need not take those sections again: PROVIDED, That:

9 (a) The applicant took all sections of the examination at that
10 sitting;

11 (b) The applicant attained a minimum grade of fifty on each section
12 not passed at that sitting;

13 (c) The applicant passes the remaining sections of the examination
14 within six consecutive examinations given after the one at which the
15 first sections were passed;

16 (d) At each subsequent sitting at which the applicant seeks to pass
17 additional sections, the applicant takes all sections not yet passed;
18 and

19 (e) In order to receive credit for passing additional sections in
20 a subsequent sitting, the applicant attains a minimum grade of fifty on
21 sections written but not passed on the sitting.

22 (4) The board may waive or defer any of the requirements of
23 subsection (3) of this section for candidates transferring conditional
24 CPA exam credits from other states or for qualifying reciprocity
25 certification applicants who met the conditioning requirements of the
26 state or foreign jurisdiction issuing their original certificate.

27 (5) The board shall charge each applicant an examination fee for
28 the initial examination under subsection (1) of this section, or for
29 reexamination under subsection (3) of this section for each subject in
30 which the applicant is reexamined. The applicable fee shall be paid by
31 the person at the time he or she applies for examination,
32 reexamination, or evaluation of educational qualifications. Fees for
33 examination, reexamination, or evaluation of educational qualifications
34 shall be determined by the board under chapter 18.04 RCW. There is
35 established in the state treasury an account to be known as the
36 certified public accountants' account. All fees received from
37 candidates to take any or all sections of the certified public
38 accountant examination shall be used only for costs related to the
39 examination.

1 (6) Persons who on June 30, 1986, held certified public accountant
2 certificates previously issued under the laws of this state shall not
3 be required to obtain additional certificates under this chapter, but
4 shall otherwise be subject to this chapter. Certificates previously
5 issued shall, for all purposes, be considered certificates issued under
6 this chapter and subject to its provisions.

7 (7) A certificate of a "certified public accountant" under this
8 chapter is issued on a biennial basis with renewal subject to
9 requirements of continuing professional education and payment of fees,
10 prescribed by the board.

11 (8) The board shall adopt rules providing for continuing
12 professional education for certified public accountants. The rules
13 shall:

14 (a) Provide that a certified public accountant shall verify to the
15 board that he or she has completed at least an accumulation of eighty
16 hours of continuing professional education during the last two-year
17 period to maintain the certificate;

18 (b) Establish continuing professional education requirements;

19 (c) Establish when newly certificated public accountants shall
20 verify that they have completed the required continuing professional
21 education; and

22 (d) Provide that failure to furnish verification of the completion
23 of the continuing professional education requirement shall make the
24 certificate invalid and subject to reinstatement, unless the board
25 determines that the failure was due to retirement, reasonable cause, or
26 excusable neglect.

27 NEW SECTION. **Sec. 13.** A new section is added to chapter 18.04 RCW
28 to read as follows:

29 (1) No person who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a certificate of "certified public
33 accountant." The application of a person so certified by the
34 department of social and health services or by a court may be reviewed
35 for issuance of a certificate under this chapter after the person
36 provides the board a written release issued by the department of social
37 and health services or a court stating that the person is in compliance
38 with the order.

1 (2) The board shall immediately suspend the certificate or license
2 of a person who has been certified pursuant to section 3 of this act by
3 the department of social and health services or by a court under
4 section 110 of this act as a person who is not in compliance with a
5 support order. If the person has continued to meet all other
6 requirements for reinstatement during the suspension, reissuance of the
7 license or certificate shall be automatic upon the board's receipt of
8 a written release issued by the department of social and health
9 services or a court stating that the licensee is in compliance with the
10 order.

11 **Sec. 14.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
12 read as follows:

13 (1) Upon application in writing and after hearing pursuant to
14 notice, the board may:

15 (~~(1)~~) (a) Modify the suspension of, or reissue a certificate or
16 license to, an individual whose certificate has been revoked or
17 suspended; or

18 (~~(2)~~) (b) Modify the suspension of, or reissue a license to a
19 firm whose license has been revoked, suspended, or which the board has
20 refused to renew.

21 (2) In the case of suspension for failure to comply with a support
22 order under chapter 74.20A or 26.18 RCW, if the person has continued to
23 meet all other requirements for reinstatement during the suspension,
24 reissuance of a certificate or license shall be automatic upon the
25 board's receipt of a written release issued by the department of social
26 and health services or a court stating that the individual is in
27 compliance with the order.

28 **Sec. 15.** RCW 18.08.350 and 1993 c 475 s 1 are each amended to read
29 as follows:

30 (1) Except as provided in section 17 of this act, a certificate of
31 registration shall be granted by the director to all qualified
32 applicants who are certified by the board as having passed the required
33 examination and as having given satisfactory proof of completion of the
34 required experience.

35 (2) Applications for examination shall be filed as the board
36 prescribes by rule. The application and examination fees shall be
37 determined by the director under RCW 43.24.086.

1 (3) An applicant for registration as an architect shall be of a
2 good moral character, at least eighteen years of age, and shall possess
3 any of the following qualifications:

4 (a) Have an accredited architectural degree and three years'
5 practical architectural work experience approved by the board, which
6 may include designing buildings as a principal activity. At least two
7 years' work experience must be supervised by an architect with detailed
8 professional knowledge of the work of the applicant;

9 (b) Have eight years' practical architectural work experience
10 approved by the board. Each year spent in an accredited architectural
11 program approved by the board shall be considered one year of practical
12 experience. At least four years' practical work experience shall be
13 under the direct supervision of an architect; or

14 (c) Be a person who has been designing buildings as a principal
15 activity for eight years, or has an equivalent combination of education
16 and experience, but who was not registered under chapter 323, Laws of
17 1959, as amended, as it existed before July 28, 1992, provided that
18 application is made within four years after July 28, 1992. Nothing in
19 this chapter prevents such a person from designing buildings for four
20 years after July 28, 1992, or the five-year period allowed for
21 completion of the examination process, after that person has applied
22 for registration. A person who has been designing buildings and is
23 qualified under this subsection shall, upon application to the board of
24 registration for architects, be allowed to take the examination for
25 architect registration on an equal basis with other applicants.

26 **Sec. 16.** RCW 18.08.350 and 1993 c 475 s 2 are each amended to read
27 as follows:

28 (1) Except as provided in section 17 of this act, a certificate of
29 registration shall be granted by the director to all qualified
30 applicants who are certified by the board as having passed the required
31 examination and as having given satisfactory proof of completion of the
32 required experience.

33 (2) Applications for examination shall be filed as the board
34 prescribes by rule. The application and examination fees shall be
35 determined by the director under RCW 43.24.086.

36 (3) An applicant for registration as an architect shall be of a
37 good moral character, at least eighteen years of age, and shall possess
38 any of the following qualifications:

1 (a) Have an accredited architectural degree and three years'
2 practical architectural work experience approved by the board, which
3 may include designing buildings as a principal activity. At least two
4 years' work experience must be supervised by an architect with detailed
5 professional knowledge of the work of the applicant; or

6 (b) Have eight years' practical architectural work experience
7 approved by the board. Each year spent in an accredited architectural
8 program approved by the board shall be considered one year of practical
9 experience. At least four years' practical work experience shall be
10 under the direct supervision of an architect.

11 NEW SECTION. **Sec. 17.** A new section is added to chapter 18.08 RCW
12 to read as follows:

13 (1) No person who has been certified by the department of social
14 and health services as a person who is not in compliance with a support
15 order as provided in section 3 of this act or by a court under section
16 110 of this act may be issued a certificate of registration under this
17 chapter. The application of a person so certified by the department of
18 social and health services or by a court may be reviewed for issuance
19 of a certificate of registration under this chapter after the person
20 provides the board a written release issued by the department of social
21 and health services or a court stating that the person is in compliance
22 with the order.

23 (2) The board shall immediately suspend the certificate of
24 registration or certificate of authorization to practice architecture
25 of a person who has been certified pursuant to section 3 of this act by
26 the department of social and health services or by a court under
27 section 110 of this act as a person who is not in compliance with a
28 support order. If the person has continued to meet other requirements
29 for reinstatement during the suspension, reissuance of the certificate
30 shall be automatic upon the board's receipt of a written release issued
31 by the department of social and health services or a court stating that
32 the individual is in compliance with the order.

33 **Sec. 18.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
34 read as follows:

35 (1) No license shall be issued by the department to any person who
36 has been convicted of forgery, embezzlement, obtaining money under
37 false pretenses, extortion, criminal conspiracy, fraud, theft,

1 receiving stolen goods, unlawful issuance of checks or drafts, or other
2 similar offense, or to any partnership of which the person is a member,
3 or to any association or corporation of which the person is an officer
4 or in which as a stockholder the person has or exercises a controlling
5 interest either directly or indirectly.

6 (2) No license may be issued by the department to any person who
7 has been certified by the department of social and health services as
8 a person who is not in compliance with a support order as provided in
9 section 3 of this act or by a court under section 110 of this act. The
10 application of a person so certified by the department of social and
11 health services or by a court may be reviewed for issuance of a license
12 under this chapter after the person provides the board a written
13 release issued by the department of social and health services or a
14 court stating that the person is in compliance with the order.

15 (3) The following shall be grounds for denial, suspension, or
16 revocation of a license, or imposition of an administrative fine by the
17 department:

18 (a) Misrepresentation or concealment of material facts in obtaining
19 a license;

20 (b) Underreporting to the department of sales figures so that the
21 auctioneer or auction company surety bond is in a lower amount than
22 required by law;

23 (c) Revocation of a license by another state;

24 (d) Misleading or false advertising;

25 (e) A pattern of substantial misrepresentations related to
26 auctioneering or auction company business;

27 (f) Failure to cooperate with the department in any investigation
28 or disciplinary action;

29 (g) Nonpayment of an administrative fine prior to renewal of a
30 license;

31 (h) Aiding an unlicensed person to practice as an auctioneer or as
32 an auction company; and

33 (i) Any other violations of this chapter.

34 (4) The department shall immediately suspend the license of a
35 person who has been certified pursuant to section 3 of this act by the
36 department of social and health services or by a court under section
37 110 of this act as a person who is not in compliance with a support
38 order. If the person has continued to meet all other requirements for
39 reinstatement during the suspension, reissuance of the license shall be

1 automatic upon the department's receipt of a written release issued by
2 the department of social and health services or a court stating that
3 the licensee is in compliance with the order.

4 **Sec. 19.** RCW 18.16.100 and 1991 c 324 s 6 are each amended to read
5 as follows:

6 (1) Upon payment of the proper fee, except as provided in section
7 20 of this act the director shall issue the appropriate license to any
8 person who:

9 (a) Is at least seventeen years of age or older;

10 (b) Has completed and graduated from a course approved by the
11 director of sixteen hundred hours of training in cosmetology, one
12 thousand hours of training in barbering, five hundred hours of training
13 in manicuring, five hundred hours of training in esthetics, and/or five
14 hundred hours of training as an instructor-trainee; and

15 (c) Has received a passing grade on the appropriate licensing
16 examination approved or administered by the director.

17 (2) A person currently licensed under this chapter may qualify for
18 examination and licensure, after the required examination is passed, in
19 another category if he or she has completed the crossover training
20 course approved by the director.

21 (3) Upon payment of the proper fee, the director shall issue a
22 salon/shop license to the operator of a salon/shop if the salon/shop
23 meets the other requirements of this chapter as demonstrated by
24 information submitted by the operator.

25 (4) The director may consult with the state board of health and the
26 department of labor and industries in establishing training and
27 examination requirements.

28 NEW SECTION. **Sec. 20.** A new section is added to chapter 18.16 RCW
29 to read as follows:

30 (1) No person who has been certified by the department of social
31 and health services as a person who is not in compliance with a support
32 order as provided in section 3 of this act or by a court under section
33 110 of this act may be issued a license under this chapter. The
34 application of a person so certified by the department of social and
35 health services or by a court may be reviewed for issuance of a license
36 under this chapter after the person provides the department a written

1 release issued by the department of social and health services or a
2 court stating that the person is in compliance with the order.

3 (2) The department shall immediately suspend the license of a
4 person who has been certified pursuant to section 3 of this act by the
5 department of social and health services or by a court under section
6 110 of this act as a person who is not in compliance with a support
7 order. If the person has continued to meet all other requirements for
8 reinstatement during the suspension, reissuance of the license shall be
9 automatic upon the department's receipt of a written release issued by
10 the department of social and health services or a court stating that
11 the licensee is in compliance with the order.

12 NEW SECTION. **Sec. 21.** A new section is added to chapter 18.20 RCW
13 to read as follows:

14 (1) No person who has been certified by the department of social
15 and health services as a person who is not in compliance with a support
16 order as provided in section 3 of this act or by a court under section
17 110 of this act may be issued a license under this chapter. The
18 application of a person so certified by the department of social and
19 health services or by a court may be reviewed for issuance of a license
20 under this chapter after the person provides the department a written
21 release issued by the department of social and health services or a
22 court stating that the person is in compliance with the order.

23 (2) The department shall immediately suspend the license of a
24 person who has been certified pursuant to section 3 of this act by the
25 department of social and health services or by a court under section
26 110 of this act as a person who is not in compliance with a support
27 order. If the person has continued to meet all other requirements for
28 reinstatement during the suspension, reissuance of the license shall be
29 automatic upon the department's receipt of a written release issued by
30 the department of social and health services or a court stating that
31 the licensee is in compliance with the order.

32 **Sec. 22.** RCW 18.27.030 and 1992 c 217 s 1 are each amended to read
33 as follows:

34 (1) An applicant for registration as a contractor shall submit an
35 application under oath upon a form to be prescribed by the director and
36 which shall include the following information pertaining to the
37 applicant:

1 (a) Employer social security number.

2 (b) As applicable: (i) The industrial insurance account number
3 covering employees domiciled in Washington; and (ii) evidence of
4 workers' compensation coverage in the applicant's state of domicile for
5 the applicant's employees working in Washington who are not domiciled
6 in Washington.

7 (c) Employment security department number.

8 (d) State excise tax registration number.

9 (e) Unified business identifier (UBI) account number may be
10 substituted for the information required by (b), (c), and (d) of this
11 subsection.

12 (f) Type of contracting activity, whether a general or a specialty
13 contractor and if the latter, the type of specialty.

14 (g) The name and address of each partner if the applicant be a firm
15 or partnership, or the name and address of the owner if the applicant
16 be an individual proprietorship, or the name and address of the
17 corporate officers and statutory agent, if any, if the applicant be a
18 corporation. The information contained in such application shall be a
19 matter of public record and open to public inspection.

20 (2) The department may verify the workers' compensation coverage
21 information provided by the applicant under subsection (1)(b) of this
22 section, including but not limited to information regarding the
23 coverage of an individual employee of the applicant. If coverage is
24 provided under the laws of another state, the department may notify the
25 other state that the applicant is employing employees in Washington.

26 (3) Registration shall be denied if the applicant has been
27 previously registered as a sole proprietor, partnership or corporation,
28 and was a principal or officer of the corporation, and if the applicant
29 has an unsatisfied final judgment in an action based on RCW 18.27.040
30 that incurred during a previous registration under this chapter.

31 (4) Registration shall be denied if the applicant has been
32 certified by the department of social and health services as a person
33 who is not in compliance with a support order as provided in section
34 3 of this act or by a court under section 110 of this act. The
35 application of a person so certified by the department of social and
36 health services or by a court may be reviewed and the person may be
37 registered under this chapter if the person provides the department a
38 written release issued by the department of social and health services
39 or a court stating that the person is in compliance with the order.

1 **Sec. 23.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
2 amended to read as follows:

3 (1) A certificate of registration shall be valid for one year and
4 shall be renewed on or before the expiration date. The department
5 shall issue to the applicant a certificate of registration upon
6 compliance with the registration requirements of this chapter.

7 (2) If the department approves an application, it shall issue a
8 certificate of registration to the applicant. The certificate shall be
9 valid for:

10 (a) One year;

11 (b) Until the bond expires; or

12 (c) Until the insurance expires, whichever comes first. The
13 department shall place the expiration date on the certificate.

14 (3) A contractor may supply a short-term bond or insurance policy
15 to bring its registration period to the full one year.

16 (4) If a contractor's surety bond or other security has an
17 unsatisfied judgment against it or is canceled, or if the contractor's
18 insurance policy is canceled, the contractor's registration shall be
19 automatically suspended on the effective date of the impairment or
20 cancellation. The department shall give notice of the suspension to
21 the contractor.

22 (5) The department shall immediately suspend the certificate of
23 registration of a contractor who has been certified by the department
24 of social and health services as a person who is not in compliance with
25 a support order as provided in section 3 of this act or by a court
26 under section 110 of this act. The certificate of registration shall
27 not be reissued or renewed unless the person provides to the department
28 a written release from the department of social and health services or
29 a court stating that he or she is in compliance with the order and the
30 person has continued to meet all other requirements for certification
31 during the suspension.

32 **Sec. 24.** RCW 18.28.060 and 1979 c 156 s 3 are each amended to read
33 as follows:

34 Except as provided in section 25 of this act, the director shall
35 issue a license to an applicant if the following requirements are met:

36 (1) The application is complete and the applicant has complied with
37 RCW 18.28.030.

1 (2) Neither an individual applicant, nor any of the applicant's
2 members if the applicant is a partnership or association, nor any of
3 the applicant's officers or directors if the applicant is a
4 corporation: (a) Has ever been convicted of forgery, embezzlement,
5 obtaining money under false pretenses, larceny, extortion, conspiracy
6 to defraud or any other like offense, or has been disbarred from the
7 practice of law; (b) has participated in a violation of this chapter or
8 of any valid rules, orders or decisions of the director promulgated
9 under this chapter; (c) has had a license to engage in the business of
10 debt adjusting revoked or removed for any reason other than for failure
11 to pay licensing fees in this or any other state; or (d) is an employee
12 or owner of a collection agency, or process serving business.

13 (3) An individual applicant is at least eighteen years of age.

14 (4) An applicant which is a partnership, corporation, or
15 association is authorized to do business in this state.

16 (5) An individual applicant for an original license as a debt
17 adjuster has passed an examination administered by the director, which
18 examination may be oral or written, or partly oral and partly written,
19 and shall be practical in nature and sufficiently thorough to ascertain
20 the applicant's fitness. Questions on bookkeeping, credit adjusting,
21 business ethics, agency, contracts, debtor and creditor relationships,
22 trust funds and the provisions of this chapter shall be included in the
23 examination. No applicant may use any books or other similar aids
24 while taking the examination, and no applicant may take the examination
25 more than three times in any twelve month period.

26 NEW SECTION. **Sec. 25.** A new section is added to chapter 18.28 RCW
27 to read as follows:

28 (1) No person who has been certified by the department of social
29 and health services as a person who is not in compliance with a support
30 order as provided in section 3 of this act or by a court under section
31 110 of this act may be issued a license under this chapter. The
32 application of a person so certified by the department of social and
33 health services or by a court may be reviewed for issuance of a license
34 under this chapter after the person provides the director a written
35 release issued by the department of social and health services or a
36 court stating that the person is in compliance with the order.

37 (2) The department shall immediately suspend the license of a
38 person who has been certified pursuant to section 3 of this act by the

1 department of social and health services or by a court under section
2 110 of this act as a person who is not in compliance with a support
3 order. If the person has continued to meet all other requirements for
4 reinstatement during the suspension, reissuance of the license shall be
5 automatic upon the department's receipt of a written release issued by
6 the department of social and health services or a court stating that
7 the licensee is in compliance with the order.

8 **Sec. 26.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
9 read as follows:

10 The director shall have the following powers and duties:

11 (1) To issue all licenses provided for under this chapter;

12 (2) To annually renew licenses under this chapter;

13 (3) To collect all fees prescribed and required under this chapter;

14 (~~and~~)

15 (4) To deny issuing or immediately suspend the license of a person
16 who has been certified pursuant to section 3 of this act by the
17 department of social and health services or by a court under section
18 110 of this act as a person who is not in compliance with a support
19 order; and

20 (5) To keep general books of record of all official acts,
21 proceedings, and transactions of the department of licensing while
22 acting under this chapter.

23 NEW SECTION. **Sec. 27.** A new section is added to chapter 18.39 RCW
24 to read as follows:

25 (1) In the case of a person who has been denied the issuance of a
26 license under this chapter because the person was certified by the
27 department of social and health services as a person who is not in
28 compliance with section 3 of this act or by a court under section 110
29 of this act, the application of that person may be reviewed by the
30 director for issuance of a license after the person provides the
31 director a written release issued by the department of social and
32 health services or a court stating that the person is in compliance
33 with the order.

34 (2) In the case of suspension for failure to comply with a support
35 order under chapter 74.20A or 26.18 RCW, if the person has continued to
36 meet all other requirements for reinstatement during the suspension,
37 reissuance of a license shall be automatic upon the director's receipt

1 of a written release issued by the department of social and health
2 services or a court stating that the individual is in compliance with
3 the order.

4 NEW SECTION. **Sec. 28.** A new section is added to chapter 18.43 RCW
5 to read as follows:

6 (1) No person who has been certified by the department of social
7 and health services as a person who is not in compliance with a support
8 order as provided in section 3 of this act or by a court under section
9 110 of this act may be issued a certificate of registration under this
10 chapter. The application of a person so certified by the department of
11 social and health services or by a court may be reviewed for issuance
12 of a certificate of registration under this chapter after the person
13 provides the board a written release issued by the department of social
14 and health services or a court stating that the person is in compliance
15 with the order.

16 (2) The board shall immediately suspend the registration of a
17 person who has been certified pursuant to section 3 of this act by the
18 department of social and health services or by a court under section
19 110 of this act as a person who is not in compliance with a support
20 order. If the person has continued to meet all other requirements for
21 membership during the suspension, reissuance of the certificate of
22 registration shall be automatic upon the board's receipt of a written
23 release issued by the department of social and health services or a
24 court stating that the person is in compliance with the order.

25 NEW SECTION. **Sec. 29.** A new section is added to chapter 18.44 RCW
26 to read as follows:

27 (1) No person who has been certified by the department of social
28 and health services as a person who is not in compliance with a support
29 order as provided in section 3 of this act or by a court under section
30 110 of this act may be issued a certificate of registration under this
31 chapter. The application of a person so certified by the department of
32 social and health services or by a court may be reviewed for issuance
33 of a certificate of registration under this chapter after the person
34 provides the department a written release issued by the department of
35 social and health services or a court stating that the person is in
36 compliance with the order.

1 (2) The department shall immediately suspend the certificate of
2 registration of a person who has been certified pursuant to section 3
3 of this act by the department of social and health services or by a
4 court under section 110 of this act as a person who is not in
5 compliance with a support order. If the person has continued to meet
6 all other requirements for certification during the suspension,
7 reissuance of the certificate shall be automatic upon the department's
8 receipt of a written release issued by the department of social and
9 health services or a court stating that the person is in compliance
10 with the order.

11 **Sec. 30.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to read
12 as follows:

13 (1) The department may deny, suspend, or revoke a license in any
14 case in which it finds that there has been failure or refusal to comply
15 with the requirements established under this chapter or the rules
16 adopted under it.

17 (2) The department shall deny a license in any case where the
18 applicant has been certified under section 3 of this act by the
19 department of social and health services or by a court under section
20 110 of this act as a person who is not in compliance with a support
21 order. The application of a person so certified by the department of
22 social and health services or by a court may be reviewed for issuance
23 of a license under this chapter after the person provides the
24 department a written release issued by the department of social and
25 health services or a court stating that the person is in compliance
26 with the order.

27 (3) The department shall immediately suspend the license of a
28 person who has been certified pursuant to section 3 of this act by the
29 department of social and health services or by a court under section
30 110 of this act as a person who is not in compliance with a support
31 order. If the person has continued to meet all other requirements for
32 reinstatement during the suspension, reissuance of the license shall be
33 automatic upon the department's receipt of a written release issued by
34 the department of social and health services or a court stating that
35 the person is in compliance with the order.

36 RCW 43.70.115 governs notice of a license denial, revocation,
37 suspension, or modification and provides the right to an adjudicative
38 proceeding.

1 **Sec. 31.** RCW 18.51.054 and 1989 c 372 s 7 are each amended to read
2 as follows:

3 The department may deny a license to any applicant if the
4 department finds that the applicant or any partner, officer, director,
5 managerial employee, or owner of five percent or more of the applicant:

6 (1) Operated a nursing home without a license or under a revoked or
7 suspended license; or

8 (2) Knowingly or with reason to know made a false statement of a
9 material fact (a) in an application for license or any data attached
10 thereto, or (b) in any matter under investigation by the department; or

11 (3) Refused to allow representatives or agents of the department to
12 inspect (a) all books, records, and files required to be maintained or
13 (b) any portion of the premises of the nursing home; or

14 (4) Willfully prevented, interfered with, or attempted to impede in
15 any way (a) the work of any authorized representative of the department
16 or (b) the lawful enforcement of any provision of this chapter or
17 chapter 74.42 RCW; or

18 (5) Has a history of significant noncompliance with federal or
19 state regulations in providing nursing home care. In deciding whether
20 to deny a license under this section, the factors the department
21 considers shall include the gravity and frequency of the noncompliance;
22 or

23 (6) Has been certified pursuant to section 3 of this act by the
24 department of social and health services, division of child support, or
25 by a court under section 110 of this act as a person who is not in
26 compliance with a support order. The application of a person so
27 certified by the department of social and health services or by a court
28 may be reviewed for issuance of a license under this chapter after the
29 person provides the department a written release issued by the
30 department of social and health services, division of child support, or
31 a court stating that the person is in compliance with the order.

32 **NEW SECTION. Sec. 32.** A new section is added to chapter 18.51 RCW
33 to read as follows:

34 The department shall immediately suspend the license of a person
35 who has been certified pursuant to section 3 of this act by the
36 department of social and health services, division of support, or by a
37 court under section 110 of this act as a person who is not in
38 compliance with a child support order. If the person has continued to

1 meet all other requirements for reinstatement during the suspension,
2 reissuance of the license shall be automatic upon the department's
3 receipt of a written release issued by the division of child support or
4 a court stating that the person is in compliance with the order.

5 NEW SECTION. **Sec. 33.** A new section is added to chapter 18.76 RCW
6 to read as follows:

7 (1) No person who has been certified by the department of social
8 and health services as a person who is not in compliance with a support
9 order as provided in section 3 of this act or by a court under section
10 110 of this act may be issued a certificate under this chapter. The
11 application of a person so certified by the department of social and
12 health services or by a court may be reviewed for issuance of a
13 certificate under this chapter after the person provides the department
14 a written release issued by the department of social and health
15 services or a court stating that the person is in compliance with the
16 order.

17 (2) The department shall immediately suspend the certification of
18 a poison center medical director or a poison information specialist who
19 has been certified pursuant to section 3 of this act by the department
20 of social and health services or by a court under section 110 of this
21 act as a person who is not in compliance with a support order. If the
22 person has continued to meet all other requirements for certification
23 during the suspension, reissuance of the certification shall be
24 automatic upon the department's receipt of a written release issued by
25 the department of social and health services or a court stating that
26 the person is in compliance with the order.

27 NEW SECTION. **Sec. 34.** A new section is added to chapter 18.85 RCW
28 to read as follows:

29 (1) No person who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a broker's or salesperson's license under
33 this chapter. The application of a person so certified by the
34 department of social and health services or by a court may be reviewed
35 for issuance of a license under this chapter after the person provides
36 the director a written release issued by the department of social and

1 health services or a court stating that the person is in compliance
2 with the order.

3 (2) The director shall immediately suspend the license of a broker
4 or salesperson who has been certified pursuant to section 3 of this act
5 by the department of social and health services or by a court under
6 section 110 of this act as a person who is not in compliance with a
7 support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license shall be automatic upon the director's receipt of a written
10 release issued by the department of social and health services or a
11 court stating that the person is in compliance with the order.

12 NEW SECTION. **Sec. 35.** A new section is added to chapter 18.96 RCW
13 to read as follows:

14 No person who has been certified by the department of social and
15 health services as a person who is not in compliance with a support
16 order as provided in section 3 of this act or by a court under section
17 110 of this act may be issued a certificate of registration under this
18 chapter. The application of a person so certified by the department of
19 social and health services or by a court may be reviewed for issuance
20 of a certificate under this chapter after the person provides the
21 director a written release issued by the department of social and
22 health services or a court stating that the person is in compliance
23 with the order.

24 **Sec. 36.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
25 to read as follows:

26 (1) The director may refuse to renew, or may suspend or revoke, a
27 certificate of registration to use the titles landscape architect,
28 landscape architecture, or landscape architectural in this state upon
29 the following grounds:

30 ((+1)) (a) The holder of the certificate of registration is
31 impersonating a practitioner or former practitioner.

32 ((+2)) (b) The holder of the certificate of registration is guilty
33 of fraud, deceit, gross negligence, gross incompetency or gross
34 misconduct in the practice of landscape architecture.

35 ((+3)) (c) The holder of the certificate of registration permits
36 his seal to be affixed to any plans, specifications or drawings that

1 were not prepared by him or under his personal supervision by employees
2 subject to his direction and control.

3 ~~((4))~~ (d) The holder of the certificate has committed fraud in
4 applying for or obtaining a certificate.

5 (2) The director shall immediately suspend the certificate of
6 registration of a landscape architect who has been certified pursuant
7 to section 3 of this act by the department of social and health
8 services or by a court under section 110 of this act as a person who is
9 not in compliance with a support order. If the person has continued to
10 meet all other requirements for certification during the suspension,
11 reissuance of the certificate of registration shall be automatic upon
12 the director's receipt of a written release issued by the department of
13 social and health services or a court stating that the person is in
14 compliance with the order.

15 **Sec. 37.** RCW 18.96.150 and 1993 c 35 s 6 are each amended to read
16 as follows:

17 Except as provided in section 35 of this act, the director shall
18 issue a certificate of registration upon payment of the registration
19 fee as provided in this chapter to any applicant who has satisfactorily
20 met all requirements for registration. All certificates of
21 registration shall show the full name of the registrant, shall have a
22 serial number and shall be signed by the chairman and the executive
23 secretary of the board, and by the director.

24 Each registrant shall obtain a seal of a design authorized by the
25 board, bearing the registrant's name and the legend, "registered
26 landscape architect". All sheets of drawings and title pages of
27 specifications prepared by the registrant shall be stamped with said
28 seal.

29 NEW SECTION. **Sec. 38.** A new section is added to chapter 18.104
30 RCW to read as follows:

31 No person who has been certified by the department of social and
32 health services as a person who is not in compliance with a support
33 order as provided in section 3 of this act or by a court under section
34 110 of this act may be issued a license under this chapter. The
35 application of a person so certified by the department of social and
36 health services or by a court may be reviewed for issuance of a license
37 under this chapter after the person provides the department a written

1 release issued by the department of social and health services or a
2 court stating that the person is in compliance with the order.

3 **Sec. 39.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
4 read as follows:

5 (1) In cases other than those relating to the failure of a licensee
6 to renew a license, the director may suspend or revoke a license issued
7 pursuant to this chapter for any of the following reasons:

8 ~~((1))~~ (a) For fraud or deception in obtaining the license;

9 ~~((2))~~ (b) For fraud or deception in reporting under RCW
10 18.104.050;

11 ~~((3))~~ (c) For violating the provisions of this chapter, or of any
12 lawful rule or regulation of the department or the department of
13 health.

14 (2) The director shall immediately suspend any license issued under
15 this chapter if the holder of the license has been certified pursuant
16 to section 3 of this act by the department of social and health
17 services or by a court under section 110 of this act as a person who is
18 not in compliance with a support order. If the person has continued to
19 meet all other requirements for reinstatement during the suspension,
20 reissuance of the license shall be automatic upon the director's
21 receipt of a written release issued by the department of social and
22 health services or a court stating that the person is in compliance
23 with the order.

24 (3) No license shall be suspended for more than six months, except
25 that a suspension under section 3 of this act or by a court under
26 section 110 of this act shall continue until the department receives a
27 written release issued by the department of social and health services
28 or a court stating that the person is in compliance with the order.

29 (4) No person whose license is revoked shall be eligible to apply
30 for a license for one year from the effective date of the final order
31 of revocation.

32 **Sec. 40.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to
33 read as follows:

34 (1) Except as provided in section 41 of this act, the department
35 shall issue a certificate of competency to all applicants who have
36 passed the examination and have paid the fee for the certificate. The
37 certificate shall bear the date of issuance, and shall expire on the

1 birthdate of the holder immediately following the date of issuance.
2 The certificate shall be renewable every other year, upon application,
3 on or before the birthdate of the holder. A renewal fee shall be
4 assessed for each certificate. If a person fails to renew the
5 certificate by the renewal date, he or she must pay a doubled fee. If
6 the person does not renew the certificate within ninety days of the
7 renewal date, he or she must retake the examination and pay the
8 examination fee.

9 The certificate of competency and the temporary permit provided for
10 in this chapter grant the holder the right to engage in the work of
11 plumbing as a journeyman plumber or specialty plumber in accordance
12 with their provisions throughout the state and within any of its
13 political subdivisions on any job or any employment without additional
14 proof of competency or any other license or permit or fee to engage in
15 the work. This section does not preclude employees from adhering to a
16 union security clause in any employment where such a requirement
17 exists.

18 (2) A person who is indentured in an apprenticeship program
19 approved under chapter 49.04 RCW for the plumbing construction trade or
20 who is learning the plumbing construction trade may work in the
21 plumbing construction trade if supervised by a certified journeyman
22 plumber or a certified specialty plumber in that plumber's specialty.
23 All apprentices and individuals learning the plumbing construction
24 trade shall obtain a plumbing training certificate from the department.
25 The certificate shall authorize the holder to learn the plumbing
26 construction trade while under the direct supervision of a journeyman
27 plumber or a specialty plumber working in his or her specialty. The
28 holder of the plumbing training certificate shall renew the certificate
29 annually. At the time of renewal, the holder shall provide the
30 department with an accurate list of the holder's employers in the
31 plumbing construction industry for the previous year and the number of
32 hours worked for each employer. An annual fee shall be charged for the
33 issuance or renewal of the certificate. The department shall set the
34 fee by rule. The fee shall cover but not exceed the cost of
35 administering and enforcing the trainee certification and supervision
36 requirements of this chapter. Apprentices and individuals learning the
37 plumbing construction trade shall have their plumbing training
38 certificates in their possession at all times that they are performing

1 plumbing work. They shall show their certificates to an authorized
2 representative of the department at the representative's request.

3 (3) Any person who has been issued a plumbing training certificate
4 under this chapter may work if that person is under supervision.
5 Supervision shall consist of a person being on the same job site and
6 under the control of either a journeyman plumber or an appropriate
7 specialty plumber who has an applicable certificate of competency
8 issued under this chapter. Either a journeyman plumber or an
9 appropriate specialty plumber shall be on the same job site as the
10 noncertified individual for a minimum of seventy-five percent of each
11 working day unless otherwise provided in this chapter. The ratio of
12 noncertified individuals to certified journeymen or specialty plumbers
13 working on a job site shall be: (a) From July 28, 1985, through June
14 30, 1988, not more than three noncertified plumbers working on any one
15 job site for every certified journeyman or specialty plumber; (b)
16 effective July 1, 1988, not more than two noncertified plumbers working
17 on any one job site for every certified specialty plumber or journeyman
18 plumber working as a specialty plumber; and (c) effective July 1, 1988,
19 not more than one noncertified plumber working on any one job site for
20 every certified journeyman plumber working as a journeyman plumber.

21 An individual who has a current training certificate and who has
22 successfully completed or is currently enrolled in an approved
23 apprenticeship program or in a technical school program in the plumbing
24 construction trade in a school approved by the (~~commission for~~
25 ~~vocational education~~) work force training and education coordinating
26 board, may work without direct on-site supervision during the last six
27 months of meeting the practical experience requirements of this
28 chapter.

29 NEW SECTION. Sec. 41. A new section is added to chapter 18.106
30 RCW to read as follows:

31 (1) No person who has been certified by the department of social
32 and health services as a person who is not in compliance with a support
33 order as provided in section 3 of this act or by a court under section
34 110 of this act may be issued a certificate of competency under this
35 chapter. The application of a person so certified by the department of
36 social and health services or by a court may be reviewed for issuance
37 of a certificate of competency under this chapter after the person
38 provides the department a written release issued by the department of

1 social and health services or a court stating that the person is in
2 compliance with the order.

3 (2) The department shall immediately suspend any certificate of
4 competency issued under this chapter if the holder of the certificate
5 has been certified pursuant to section 3 of this act by the department
6 of social and health services or by a court under section 110 of this
7 act as a person who is not in compliance with a support order. If the
8 person has continued to meet all other requirements for certification
9 during the suspension, reissuance of the certificate of competency
10 shall be automatic upon the department's receipt of a written release
11 issued by the department of social and health services or a court
12 stating that the person is in compliance with the order.

13 NEW SECTION. **Sec. 42.** A new section is added to chapter 18.130
14 RCW to read as follows:

15 The disciplining authority shall immediately suspend the license of
16 any person subject to this chapter who has been certified by the
17 department of social and health services as a person who is not in
18 compliance with a support order as provided in section 3 of this act or
19 by a court under section 110 of this act.

20 **Sec. 43.** RCW 18.130.050 and 1995 c 336 s 4 are each amended to
21 read as follows:

22 The disciplining authority has the following authority:

23 (1) To adopt, amend, and rescind such rules as are deemed necessary
24 to carry out this chapter;

25 (2) To investigate all complaints or reports of unprofessional
26 conduct as defined in this chapter and to hold hearings as provided in
27 this chapter;

28 (3) To issue subpoenas and administer oaths in connection with any
29 investigation, hearing, or proceeding held under this chapter;

30 (4) To take or cause depositions to be taken and use other
31 discovery procedures as needed in any investigation, hearing, or
32 proceeding held under this chapter;

33 (5) To compel attendance of witnesses at hearings;

34 (6) In the course of investigating a complaint or report of
35 unprofessional conduct, to conduct practice reviews;

1 (7) To take emergency action ordering summary suspension of a
2 license, or restriction or limitation of the licensee's practice
3 pending proceedings by the disciplining authority;

4 (8) To use a presiding officer as authorized in RCW 18.130.095(3)
5 or the office of administrative hearings as authorized in chapter 34.12
6 RCW to conduct hearings. The disciplining authority shall make the
7 final decision regarding disposition of the license unless the
8 disciplining authority elects to delegate in writing the final decision
9 to the presiding officer;

10 (9) To use individual members of the boards to direct
11 investigations. However, the member of the board shall not
12 subsequently participate in the hearing of the case;

13 (10) To enter into contracts for professional services determined
14 to be necessary for adequate enforcement of this chapter;

15 (11) To contract with licensees or other persons or organizations
16 to provide services necessary for the monitoring and supervision of
17 licensees who are placed on probation, whose professional activities
18 are restricted, or who are for any authorized purpose subject to
19 monitoring by the disciplining authority;

20 (12) To adopt standards of professional conduct or practice;

21 (13) To grant or deny license applications, and in the event of a
22 finding of unprofessional conduct by an applicant or license holder, to
23 impose any sanction against a license applicant or license holder
24 provided by this chapter;

25 (14) To designate individuals authorized to sign subpoenas and
26 statements of charges;

27 (15) To establish panels consisting of three or more members of the
28 board to perform any duty or authority within the board's jurisdiction
29 under this chapter;

30 (16) To review and audit the records of licensed health facilities'
31 or services' quality assurance committee decisions in which a
32 licensee's practice privilege or employment is terminated or
33 restricted. Each health facility or service shall produce and make
34 accessible to the disciplining authority the appropriate records and
35 otherwise facilitate the review and audit. Information so gained shall
36 not be subject to discovery or introduction into evidence in any civil
37 action pursuant to RCW 70.41.200(3);

38 (17) To immediately suspend the license of a person who has been
39 certified by the department of social and health services as not in

1 compliance with a support order as provided in section 3 of this act or
2 by a court under section 110 of this act.

3 **Sec. 44.** RCW 18.130.120 and 1984 c 279 s 12 are each amended to
4 read as follows:

5 The department shall not issue any license to any person whose
6 license has been denied, revoked, or suspended by the disciplining
7 authority except in conformity with the terms and conditions of the
8 certificate or order of denial, revocation, or suspension, or in
9 conformity with any order of reinstatement issued by the disciplining
10 authority, or in accordance with the final judgment in any proceeding
11 for review instituted under this chapter.

12 The department shall not issue a license to a person who has been
13 certified by the department of social and health services as a person
14 who is not in compliance with a support order as provided in section 3
15 of this act or by a court under section 110 of this act. The license
16 may be issued after the person provides the department a written
17 release from the department of social and health services or a court
18 stating that the person is in compliance with the order.

19 **Sec. 45.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
20 read as follows:

21 A person whose license has been suspended or revoked under this
22 chapter may petition the disciplining authority for reinstatement after
23 an interval as determined by the disciplining authority in the order.
24 The disciplining authority shall hold hearings on the petition and may
25 deny the petition or may order reinstatement and impose terms and
26 conditions as provided in RCW 18.130.160 and issue an order of
27 reinstatement. The disciplining authority may require successful
28 completion of an examination as a condition of reinstatement.

29 A person whose license has been suspended for noncompliance with a
30 support order under section 3 of this act or by a court under section
31 110 of this act may petition for reinstatement at any time by providing
32 the disciplining authority a written release issued by the department
33 of social and health services or a court stating that the person is in
34 compliance with the order. If the person has continued to meet all
35 other requirements for reinstatement during the suspension, the
36 disciplining authority shall automatically reissue the person's license

1 upon receipt of the release, and payment of a reinstatement fee, if
2 any.

3 NEW SECTION. **Sec. 46.** A new section is added to chapter 18.140
4 RCW to read as follows:

5 (1) No person who has been certified by the department of social
6 and health services as a person who is not in compliance with a support
7 order as provided in section 3 of this act or by a court under section
8 110 of this act may be issued a license or certificate under this
9 chapter. The application of a person so certified by the department of
10 social and health services or by a court may be reviewed for issuance
11 of a license or certificate after the person provides the director a
12 written release issued by the department of social and health services
13 or a court stating that the person is in compliance with the order.

14 (2) The director shall immediately suspend any license or
15 certificate issued under this chapter if the holder has been certified
16 pursuant to section 3 of this act by the department of social and
17 health services or by a court under section 110 of this act as a person
18 who is not in compliance with a support order. If the person has
19 continued to meet all other requirements for reinstatement during the
20 suspension, reissuance of the license or certificate shall be automatic
21 upon the director's receipt of a written release issued by the
22 department of social and health services or a court stating that the
23 person is in compliance with the order.

24 **Sec. 47.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8 are
25 each reenacted and amended to read as follows:

26 Except as provided in section 48 of this act, the department shall
27 issue a certificate to any applicant who meets the standards
28 established under this chapter and who:

29 (1) Is holding one of the following:

30 (a) Certificate of proficiency, registered professional reporter,
31 registered merit reporter, or registered diplomate reporter from [the]
32 national court reporters association;

33 (b) Certificate of proficiency or certificate of merit from [the]
34 national stenomask verbatim reporters association; or

35 (c) A current Washington state court reporter certification; or

1 (2) Has passed an examination approved by the director or an
2 examination that meets or exceeds the standards established by the
3 director.

4 NEW SECTION. **Sec. 48.** A new section is added to chapter 18.145
5 RCW to read as follows:

6 (1) No person who has been certified by the department of social
7 and health services as a person who is not in compliance with a support
8 order as provided in section 3 of this act or by a court under section
9 110 of this act may be issued a certificate under this chapter. The
10 application of a person so certified by the department of social and
11 health services or by a court may be reviewed for issuance of a
12 certificate after the person provides the director a written release
13 issued by the department of social and health services or a court
14 stating that the person is in compliance with the order.

15 (2) The director shall immediately suspend any certificate issued
16 under this chapter if the holder has been certified pursuant to section
17 3 of this act by the department of social and health services or by a
18 court under section 110 of this act as a person who is not in
19 compliance with a support order. If the person has continued to meet
20 all other requirements for certification during the suspension,
21 reissuance of the certificate shall be automatic upon the director's
22 receipt of a written release issued by the department of social and
23 health services or a court stating that the person is in compliance
24 with the order.

25 **Sec. 49.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
26 read as follows:

27 (1) The state director of fire protection may refuse to issue or
28 renew or may suspend or revoke the privilege of a licensed fire
29 protection sprinkler system contractor or the certificate of a
30 certificate of competency holder to engage in the fire protection
31 sprinkler system business or in lieu thereof, establish penalties as
32 prescribed by Washington state law, for any of the following reasons:

33 (a) Gross incompetency or gross negligence in the preparation of
34 technical drawings, installation, repair, alteration, maintenance,
35 inspection, service, or addition to fire protection sprinkler systems;

36 (b) Conviction of a felony;

1 (c) Fraudulent or dishonest practices while engaging in the fire
2 protection sprinkler systems business;

3 (d) Use of false evidence or misrepresentation in an application
4 for a license or certificate of competency;

5 (e) Permitting his or her license to be used in connection with the
6 preparation of any technical drawings which have not been prepared by
7 him or her personally or under his or her immediate supervision, or in
8 violation of this chapter; or

9 (f) Knowingly violating any provisions of this chapter or the
10 regulations issued thereunder.

11 (2) The state director of fire protection shall revoke the license
12 of a licensed fire protection sprinkler system contractor or the
13 certificate of a certificate of competency holder who engages in the
14 fire protection sprinkler system business while the license or
15 certificate of competency is suspended.

16 (3) The state director of fire protection shall refuse to issue or
17 immediately suspend any license or certificate issued under this
18 chapter if the holder has been certified pursuant to section 3 of this
19 act by the department of social and health services or by a court under
20 section 110 of this act as a person who is not in compliance with a
21 support order. If the person has continued to meet all other
22 requirements for issuance or reinstatement during the suspension,
23 issuance or reissuance of the license or certificate shall be automatic
24 upon the director's receipt of a written release issued by the
25 department of social and health services or a court stating that the
26 person is in compliance with the order.

27 (4) Any licensee or certificate of competency holder who is
28 aggrieved by an order of the state director of fire protection
29 suspending or revoking a license may, within thirty days after notice
30 of such suspension or revocation, appeal under chapter 34.05 RCW.

31 **Sec. 50.** RCW 18.165.160 and 1995 c 277 s 34 are each amended to
32 read as follows:

33 The following acts are prohibited and constitute grounds for
34 disciplinary action, assessing administrative penalties, or denial,
35 suspension, or revocation of any license under this chapter, as deemed
36 appropriate by the director:

37 (1) Knowingly violating any of the provisions of this chapter or
38 the rules adopted under this chapter;

- 1 (2) Knowingly making a material misstatement or omission in the
2 application for or renewal of a license or firearms certificate,
3 including falsifying requested identification information;
- 4 (3) Not meeting the qualifications set forth in RCW 18.165.030,
5 18.165.040, or 18.165.050;
- 6 (4) Failing to return immediately on demand a firearm issued by an
7 employer;
- 8 (5) Carrying a firearm in the performance of his or her duties if
9 not the holder of a valid armed private investigator license, or
10 carrying a firearm not meeting the provisions of this chapter while in
11 the performance of his or her duties;
- 12 (6) Failing to return immediately on demand company identification,
13 badges, or other items issued to the private investigator by an
14 employer;
- 15 (7) Making any statement that would reasonably cause another person
16 to believe that the private investigator is a sworn peace officer;
- 17 (8) Divulging confidential information obtained in the course of
18 any investigation to which he or she was assigned;
- 19 (9) Acceptance of employment that is adverse to a client or former
20 client and relates to a matter about which a licensee has obtained
21 confidential information by reason of or in the course of the
22 licensee's employment by the client;
- 23 (10) Conviction of a gross misdemeanor or felony or the commission
24 of any act involving moral turpitude, dishonesty, or corruption whether
25 the act constitutes a crime or not. If the act constitutes a crime,
26 conviction in a criminal proceeding is not a condition precedent to
27 disciplinary action. Upon such a conviction, however, the judgment and
28 sentence is conclusive evidence at the ensuing disciplinary hearing of
29 the guilt of the license holder or applicant of the crime described in
30 the indictment or information, and of the person's violation of the
31 statute on which it is based. For the purposes of this section,
32 conviction includes all instances in which a plea of guilty or nolo
33 contendere is the basis for the conviction and all proceedings in which
34 the sentence has been deferred or suspended;
- 35 (11) Advertising that is false, fraudulent, or misleading;
- 36 (12) Incompetence or negligence that results in injury to a person
37 or that creates an unreasonable risk that a person may be harmed;
- 38 (13) Suspension, revocation, or restriction of the individual's
39 license to practice the profession by competent authority in any state,

1 federal, or foreign jurisdiction, a certified copy of the order,
2 stipulation, or agreement being conclusive evidence of the revocation,
3 suspension, or restriction;

4 (14) Failure to cooperate with the director by:

5 (a) Not furnishing any necessary papers or documents requested by
6 the director for purposes of conducting an investigation for
7 disciplinary action, denial, suspension, or revocation of a license
8 under this chapter;

9 (b) Not furnishing in writing a full and complete explanation
10 covering the matter contained in a complaint filed with the department;
11 or

12 (c) Not responding to subpoenas issued by the director, whether or
13 not the recipient of the subpoena is the accused in the proceeding;

14 (15) Failure to comply with an order issued by the director or an
15 assurance of discontinuance entered into with the director;

16 (16) Aiding or abetting an unlicensed person to practice if a
17 license is required;

18 (17) Misrepresentation or fraud in any aspect of the conduct of the
19 business or profession;

20 (18) Failure to adequately supervise employees to the extent that
21 the public health or safety is at risk;

22 (19) Interference with an investigation or disciplinary proceeding
23 by willful misrepresentation of facts before the director or the
24 director's authorized representative, or by the use of threats or
25 harassment against any client or witness to prevent them from providing
26 evidence in a disciplinary proceeding or any other legal action;

27 (20) Assigning or transferring any license issued pursuant to the
28 provisions of this chapter, except as provided in RCW 18.165.050;

29 (21) Assisting a client to locate, trace, or contact a person when
30 the investigator knows that the client is prohibited by any court order
31 from harassing or contacting the person whom the investigator is being
32 asked to locate, trace, or contact, as it pertains to domestic
33 violence, stalking, or minor children;

34 (22) Failure to maintain bond or insurance; ((or))

35 (23) Failure to have a qualifying principal in place; or

36 (24) Being certified as not in compliance with a support order as
37 provided in section 3 of this act or by a court under section 110 of
38 this act.

1 NEW SECTION. **Sec. 51.** A new section is added to chapter 18.165
2 RCW to read as follows:

3 (1) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 3 of this act or by a court under section
6 110 of this act may be issued a license under this chapter. The
7 application of a person so certified by the department of social and
8 health services or by a court may be reviewed for issuance of a license
9 after the person provides the director a written release issued by the
10 department of social and health services or a court stating that the
11 person is in compliance with the order.

12 (2) The director shall immediately suspend a license issued under
13 this chapter if the holder has been certified pursuant to section 3 of
14 this act by the department of social and health services or by a court
15 under section 110 of this act as a person who is not in compliance with
16 a support order. If the person has continued to meet all other
17 requirements for reinstatement during the suspension, reissuance of the
18 license shall be automatic upon the director's receipt of a written
19 release issued by the department of social and health services or a
20 court stating that the person is in compliance with the order.

21 **Sec. 52.** RCW 18.170.170 and 1995 c 277 s 12 are each amended to
22 read as follows:

23 In addition to the provisions of section 53 of this act, the
24 following acts are prohibited and constitute grounds for disciplinary
25 action, assessing administrative penalties, or denial, suspension, or
26 revocation of any license under this chapter, as deemed appropriate by
27 the director:

28 (1) Knowingly violating any of the provisions of this chapter or
29 the rules adopted under this chapter;

30 (2) Practicing fraud, deceit, or misrepresentation in any of the
31 private security activities covered by this chapter;

32 (3) Knowingly making a material misstatement or omission in the
33 application for a license or firearms certificate;

34 (4) Not meeting the qualifications set forth in RCW 18.170.030,
35 18.170.040, or 18.170.060;

36 (5) Failing to return immediately on demand a firearm issued by an
37 employer;

1 (6) Carrying a firearm in the performance of his or her duties if
2 not the holder of a valid armed private security guard license, or
3 carrying a firearm not meeting the provisions of this chapter while in
4 the performance of his or her duties;

5 (7) Failing to return immediately on demand any uniform, badge, or
6 other item of equipment issued to the private security guard by an
7 employer;

8 (8) Making any statement that would reasonably cause another person
9 to believe that the private security guard is a sworn peace officer;

10 (9) Divulging confidential information that may compromise the
11 security of any premises, or valuables shipment, or any activity of a
12 client to which he or she was assigned;

13 (10) Conviction of a gross misdemeanor or felony or the commission
14 of any act involving moral turpitude, dishonesty, or corruption whether
15 the act constitutes a crime or not. If the act constitutes a crime,
16 conviction in a criminal proceeding is not a condition precedent to
17 disciplinary action. Upon such a conviction, however, the judgment and
18 sentence is conclusive evidence at the ensuing disciplinary hearing of
19 the guilt of the license holder or applicant of the crime described in
20 the indictment or information, and of the person's violation of the
21 statute on which it is based. For the purposes of this section,
22 conviction includes all instances in which a plea of guilty or nolo
23 contendere is the basis for the conviction and all proceedings in which
24 the sentence has been deferred or suspended;

25 (11) Misrepresentation or concealment of a material fact in
26 obtaining a license or in reinstatement thereof;

27 (12) Advertising that is false, fraudulent, or misleading;

28 (13) Incompetence or negligence that results in injury to a person
29 or that creates an unreasonable risk that a person may be harmed;

30 (14) Suspension, revocation, or restriction of the individual's
31 license to practice the profession by competent authority in any state,
32 federal, or foreign jurisdiction, a certified copy of the order,
33 stipulation, or agreement being conclusive evidence of the revocation,
34 suspension, or restriction;

35 (15) Failure to cooperate with the director by:

36 (a) Not furnishing any necessary papers or documents requested by
37 the director for purposes of conducting an investigation for
38 disciplinary action, denial, suspension, or revocation of a license
39 under this chapter;

1 (b) Not furnishing in writing a full and complete explanation
2 covering the matter contained in a complaint filed with the department;
3 or

4 (c) Not responding to subpoenas issued by the director, whether or
5 not the recipient of the subpoena is the accused in the proceeding;

6 (16) Failure to comply with an order issued by the director or an
7 assurance of discontinuance entered into with the disciplining
8 authority;

9 (17) Aiding or abetting an unlicensed person to practice if a
10 license is required;

11 (18) Misrepresentation or fraud in any aspect of the conduct of the
12 business or profession;

13 (19) Failure to adequately supervise employees to the extent that
14 the public health or safety is at risk;

15 (20) Interference with an investigation or disciplinary proceeding
16 by willful misrepresentation of facts before the director or the
17 director's authorized representative, or by the use of threats or
18 harassment against a client or witness to prevent them from providing
19 evidence in a disciplinary proceeding or any other legal action;

20 (21) Assigning or transferring any license issued pursuant to the
21 provisions of this chapter, except as provided in RCW 18.170.060;

22 (22) Failure to maintain insurance; and

23 (23) Failure to have a qualifying principal in place.

24 NEW SECTION. **Sec. 53.** A new section is added to chapter 18.170
25 RCW to read as follows:

26 (1) No person who has been certified by the department of social
27 and health services as a person who is not in compliance with a support
28 order as provided in section 3 of this act or by a court under section
29 110 of this act may be issued a license under this chapter. The
30 application of a person so certified by the department of social and
31 health services or by a court may be reviewed for issuance of a license
32 after the person provides the director a written release issued by the
33 department of social and health services or a court stating that the
34 person is in compliance with the order.

35 (2) The director shall immediately suspend any license issued under
36 this chapter if the holder has been certified pursuant to section 3 of
37 this act by the department of social and health services or by a court
38 under section 110 of this act as a person who is not in compliance with

1 a support order. If the person has continued to meet all other
2 requirements for reinstatement during the suspension, reissuance of the
3 license shall be automatic upon the director's receipt of a written
4 release issued by the department of social and health services or a
5 court stating that the person is in compliance with the order.

6 NEW SECTION. **Sec. 54.** A new section is added to chapter 18.175
7 RCW to read as follows:

8 (1) No person who has been certified by the department of social
9 and health services as a person who is not in compliance with a support
10 order as provided in section 3 of this act or by a court under section
11 110 of this act may be issued a certificate of registration under this
12 chapter. The application of a person so certified by the department of
13 social and health services or by a court may be reviewed for issuance
14 of a certificate of registration after the person provides the director
15 a written release issued by the department of social and health
16 services or a court stating that the person is in compliance with the
17 order.

18 (2) The director shall immediately suspend a certificate of
19 registration issued under this chapter if the holder has been certified
20 pursuant to section 3 of this act by the department of social and
21 health services or by a court under section 110 of this act as a person
22 who is not in compliance with a support order. If the person has
23 continued to meet all other requirements for certification during the
24 suspension, reissuance of the certificate shall be automatic upon the
25 director's receipt of a written release issued by the department of
26 social and health services or a court stating that the person is in
27 compliance with the order.

28 NEW SECTION. **Sec. 55.** A new section is added to chapter 18.185
29 RCW to read as follows:

30 (1) No person who has been certified by the department of social
31 and health services as a person who is not in compliance with a support
32 order as provided in section 3 of this act or by a court under section
33 110 of this act may be issued a license under this chapter. The
34 application of a person so certified by the department of social and
35 health services or by a court may be reviewed for issuance of a license
36 after the person provides the director a written release issued by the

1 department of social and health services or a court stating that the
2 person is in compliance with the order.

3 (2) The director shall immediately suspend any license issued under
4 this chapter if the holder has been certified pursuant to section 3 of
5 this act by the department of social and health services or by a court
6 under section 110 of this act as a person who is not in compliance with
7 a support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license shall be automatic upon the director's receipt of a written
10 release issued by the department of social and health services or a
11 court stating that the person is in compliance with the order.

12 **Sec. 56.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
13 read as follows:

14 This section governs the denial of an application for a license or
15 the suspension, revocation, or modification of a license by the
16 department.

17 (1) The department shall give written notice of the denial of an
18 application for a license to the applicant or his or her agent. The
19 department shall give written notice of revocation, suspension, or
20 modification of a license to the licensee or his or her agent. The
21 notice shall state the reasons for the action. The notice shall be
22 personally served in the manner of service of a summons in a civil
23 action or shall be given in (~~(an other)~~) another manner that shows
24 proof of receipt.

25 (2) Except as otherwise provided in this subsection and in
26 subsection (4) of this section, revocation, suspension, or modification
27 is effective twenty-eight days after the licensee or the agent receives
28 the notice.

29 (a) The department may make the date the action is effective later
30 than twenty-eight days after receipt. If the department does so, it
31 shall state the effective date in the written notice given the licensee
32 or agent.

33 (b) The department may make the date the action is effective sooner
34 than twenty-eight days after receipt when necessary to protect the
35 public health, safety, or welfare. When the department does so, it
36 shall state the effective date and the reasons supporting the effective
37 date in the written notice given to the licensee or agent.

1 (c) When the department has received certification pursuant to
2 chapter 74.20A RCW from the division of child support or from a court
3 pursuant to chapter 26.18 RCW that the licensee is a person who is not
4 in compliance with a support order, the department shall provide that
5 the suspension is effective immediately upon receipt of the suspension
6 notice by the licensee.

7 (3) Except for licensees suspended for noncompliance with a support
8 order under chapter 74.20A or 26.18 RCW, a license applicant or
9 licensee who is aggrieved by a department denial, revocation,
10 suspension, or modification has the right to an adjudicative
11 proceeding. The proceeding is governed by the Administrative Procedure
12 Act, chapter 34.05 RCW. The application must be in writing, state the
13 basis for contesting the adverse action, include a copy of the adverse
14 notice, be served on and received by the department within twenty-eight
15 days of the license applicant's or licensee's receiving the adverse
16 notice, and be served in a manner that shows proof of receipt.

17 (4)(a) If the department gives a licensee twenty-eight or more days
18 notice of revocation, suspension, or modification and the licensee
19 files an appeal before its effective date, the department shall not
20 implement the adverse action until the final order has been entered.
21 The presiding or reviewing officer may permit the department to
22 implement part or all of the adverse action while the proceedings are
23 pending if the appellant causes an unreasonable delay in the
24 proceeding, if the circumstances change so that implementation is in
25 the public interest, or for other good cause.

26 (b) If the department gives a licensee less than twenty-eight days
27 notice of revocation, suspension, or modification and the licensee
28 timely files a sufficient appeal, the department may implement the
29 adverse action on the effective date stated in the notice. The
30 presiding or reviewing officer may order the department to stay
31 implementation of part or all of the adverse action while the
32 proceedings are pending if staying implementation is in the public
33 interest or for other good cause.

34 NEW SECTION. Sec. 57. A new section is added to chapter 28A.410
35 RCW to read as follows:

36 (1) No person who has been certified by the department of social
37 and health services as a person who is not in compliance with a support
38 order as provided in section 3 of this act or by a court under section

1 110 of this act may be issued a certificate or permit under this
2 chapter. The application of a person so certified by the department of
3 social and health services or by a court may be reviewed for issuance
4 of a certificate or permit after the person provides the authority
5 authorized to grant the certificate or permit a written release issued
6 by the department of social and health services or a court stating that
7 the person is in compliance with the order.

8 (2) Any certificate or permit authorized under this chapter or
9 chapter 28A.405 RCW shall be suspended by the authority authorized to
10 grant the certificate or permit if the department of social and health
11 services certifies that the person is not in compliance with a support
12 order as provided in section 3 of this act or by a court under section
13 110 of this act. If the person continues to meet other requirements
14 for reinstatement during the suspension, reissuance of the certificate
15 or permit shall be automatic after the person provides the authority a
16 written release issued by the department of social and health services
17 or a court stating that the person is in compliance with the order.

18 **Sec. 58.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to read
19 as follows:

20 This section governs the denial of an application for a license or
21 the suspension, revocation, or modification of a license by the
22 department. This section does not govern actions taken under chapter
23 18.130 RCW.

24 (1) The department shall give written notice of the denial of an
25 application for a license to the applicant or his or her agent. The
26 department shall give written notice of revocation, suspension, or
27 modification of a license to the licensee or his or her agent. The
28 notice shall state the reasons for the action. The notice shall be
29 personally served in the manner of service of a summons in a civil
30 action or shall be given in (~~(an other [another])~~) another manner that
31 shows proof of receipt.

32 (2) Except as otherwise provided in this subsection and in
33 subsection (4) of this section, revocation, suspension, or modification
34 is effective twenty-eight days after the licensee or the agent receives
35 the notice.

36 (a) The department may make the date the action is effective later
37 than twenty-eight days after receipt. If the department does so, it

1 shall state the effective date in the written notice given the licensee
2 or agent.

3 (b) The department may make the date the action is effective sooner
4 than twenty-eight days after receipt when necessary to protect the
5 public health, safety, or welfare. When the department does so, it
6 shall state the effective date and the reasons supporting the effective
7 date in the written notice given to the licensee or agent.

8 (c) When the department has received certification pursuant to
9 chapter 74.20A RCW from the department of social and health services or
10 pursuant to chapter 26.18 RCW from a court that the licensee is a
11 person who is not in compliance with a child support order, the
12 department shall provide that the suspension is effective immediately
13 upon receipt of the suspension notice by the licensee.

14 (3) Except for licensees suspended for noncompliance with a child
15 support order under chapter 74.20A or 26.18 RCW, a license applicant or
16 licensee who is aggrieved by a department denial, revocation,
17 suspension, or modification has the right to an adjudicative
18 proceeding. The proceeding is governed by the Administrative Procedure
19 Act, chapter 34.05 RCW. The application must be in writing, state the
20 basis for contesting the adverse action, include a copy of the adverse
21 notice, be served on and received by the department within twenty-eight
22 days of the license applicant's or licensee's receiving the adverse
23 notice, and be served in a manner that shows proof of receipt.

24 (4)(a) If the department gives a licensee twenty-eight or more days
25 notice of revocation, suspension, or modification and the licensee
26 files an appeal before its effective date, the department shall not
27 implement the adverse action until the final order has been entered.
28 The presiding or reviewing officer may permit the department to
29 implement part or all of the adverse action while the proceedings are
30 pending if the appellant causes an unreasonable delay in the
31 proceeding, if the circumstances change so that implementation is in
32 the public interest, or for other good cause.

33 (b) If the department gives a licensee less than twenty-eight days
34 notice of revocation, suspension, or modification and the licensee
35 timely files a sufficient appeal, the department may implement the
36 adverse action on the effective date stated in the notice. The
37 presiding or reviewing officer may order the department to stay
38 implementation of part or all of the adverse action while the

1 proceedings are pending if staying implementation is in the public
2 interest or for other good cause.

3 **Sec. 59.** RCW 19.28.120 and 1992 c 217 s 2 are each amended to read
4 as follows:

5 (1) It is unlawful for any person, firm, partnership, corporation,
6 or other entity to engage in, conduct, or carry on the business of
7 installing or maintaining wires or equipment to convey electric
8 current, or installing or maintaining equipment to be operated by
9 electric current as it pertains to the electrical industry, without
10 having an unrevoked, unsuspended, and unexpired electrical contractor
11 license, issued by the department in accordance with this chapter. All
12 electrical contractor licenses expire twenty-four calendar months
13 following the day of their issue. The department may issue an
14 electrical contractors license for a period of less than twenty-four
15 months only for the purpose of equalizing the number of electrical
16 contractor licenses which expire each month. Application for an
17 electrical contractor license shall be made in writing to the
18 department, accompanied by the required fee. The application shall
19 state:

20 (a) The name and address of the applicant; in case of firms or
21 partnerships, the names of the individuals composing the firm or
22 partnership; in case of corporations, the names of the managing
23 officials thereof;

24 (b) The location of the place of business of the applicant and the
25 name under which the business is conducted;

26 (c) Employer social security number;

27 (d) As applicable: (i) The industrial insurance account number
28 covering employees domiciled in Washington; and (ii) evidence of
29 workers' compensation coverage in the applicant's state of domicile for
30 the applicant's employees working in Washington who are not domiciled
31 in Washington;

32 (e) Employment security department number;

33 (f) State excise tax registration number;

34 (g) Unified business identifier (UBI) account number may be
35 substituted for the information required by (d), (e), and (f) of this
36 subsection; and

37 (h) Whether a general or specialty electrical contractor license is
38 sought and, if the latter, the type of specialty. Electrical

1 contractor specialties include, but are not limited to: Residential,
2 domestic appliances, pump and irrigation, limited energy system, signs,
3 nonresidential maintenance, and a combination specialty. A general
4 electrical contractor license shall grant to the holder the right to
5 engage in, conduct, or carry on the business of installing or
6 maintaining wires or equipment to carry electric current, and
7 installing or maintaining equipment, or installing or maintaining
8 material to fasten or insulate such wires or equipment to be operated
9 by electric current, in the state of Washington. A specialty
10 electrical contractor license shall grant to the holder a limited right
11 to engage in, conduct, or carry on the business of installing or
12 maintaining wires or equipment to carry electrical current, and
13 installing or maintaining equipment; or installing or maintaining
14 material to fasten or insulate such wires or equipment to be operated
15 by electric current in the state of Washington as expressly allowed by
16 the license.

17 (2) The department may verify the workers' compensation coverage
18 information provided by the applicant under subsection (1)(d) of this
19 section, including but not limited to information regarding the
20 coverage of an individual employee of the applicant. If coverage is
21 provided under the laws of another state, the department may notify the
22 other state that the applicant is employing employees in Washington.

23 (3) The application for a contractor license shall be accompanied
24 by a bond in the sum of four thousand dollars with the state of
25 Washington named as obligee in the bond, with good and sufficient
26 surety, to be approved by the department. The bond shall at all times
27 be kept in full force and effect, and any cancellation or revocation
28 thereof, or withdrawal of the surety therefrom, suspends the license
29 issued to the principal until a new bond has been filed and approved as
30 provided in this section. Upon approval of a bond, the department
31 shall on the next business day deposit the fee accompanying the
32 application in the electrical license fund and shall file the bond in
33 the office. The department shall upon request furnish to any person,
34 firm, partnership, corporation, or other entity a certified copy of the
35 bond upon the payment of a fee that the department shall set by rule.
36 The fee shall cover but not exceed the cost of furnishing the certified
37 copy. The bond shall be conditioned that in any installation or
38 maintenance of wires or equipment to convey electrical current, and
39 equipment to be operated by electrical current, the principal will

1 comply with the provisions of this chapter and with any electrical
2 ordinance, building code, or regulation of a city or town adopted
3 pursuant to RCW 19.28.010(~~((+2))~~) (3) that is in effect at the time of
4 entering into a contract. The bond shall be conditioned further that
5 the principal will pay for all labor, including employee benefits, and
6 material furnished or used upon the work, taxes and contributions to
7 the state of Washington, and all damages that may be sustained by any
8 person, firm, partnership, corporation, or other entity due to a
9 failure of the principal to make the installation or maintenance in
10 accordance with this chapter or any applicable ordinance, building
11 code, or regulation of a city or town adopted pursuant to RCW
12 19.28.010(~~((+2))~~) (3). In lieu of the surety bond required by this
13 section the license applicant may file with the department a cash
14 deposit or other negotiable security acceptable to the department. If
15 the license applicant has filed a cash deposit, the department shall
16 deposit the funds in a special trust savings account in a commercial
17 bank, mutual savings bank, or savings and loan association and shall
18 pay annually to the depositor the interest derived from the account.

19 (4) Except as provided in subsection (6) of this section, the
20 department shall issue general or specialty electrical contractor
21 licenses to applicants meeting all of the requirements of this chapter.
22 The provisions of this chapter relating to the licensing of any person,
23 firm, partnership, corporation, or other entity including the
24 requirement of a bond with the state of Washington named as obligee
25 therein and the collection of a fee therefor, are exclusive, and no
26 political subdivision of the state of Washington may require or issue
27 any licenses or bonds or charge any fee for the same or a similar
28 purpose. No person, firm, partnership, corporation, or other entity
29 holding more than one specialty contractor license under this chapter
30 may be required to pay an annual fee for more than one such license or
31 to post more than one four thousand dollar bond, equivalent cash
32 deposit, or other negotiable security.

33 (5) To obtain a general or specialty electrical contractor license
34 the applicant must designate an individual who currently possesses an
35 administrator's certificate as a general electrical contractor
36 administrator or as a specialty electrical contractor administrator in
37 the specialty for which application has been made. Administrator
38 certificate specialties include but are not limited to: Residential,
39 domestic, appliance, pump and irrigation, limited energy system, signs,

1 nonresidential maintenance, and combination specialty. To obtain an
2 administrator's certificate an individual must pass an examination as
3 set forth in RCW 19.28.123 unless the applicant was a licensed
4 electrical contractor at any time during 1974. Applicants who were
5 electrical contractors licensed by the state of Washington at any time
6 during 1974 are entitled to receive a general electrical contractor
7 administrator's certificate without examination if the applicants apply
8 prior to January 1, 1984. The board of electrical examiners shall
9 certify to the department the names of all persons who are entitled to
10 either a general or specialty electrical contractor administrator's
11 certificate.

12 (6) No person who has been certified by the department of social
13 and health services as a person who is not in compliance with a support
14 order as provided in section 3 of this act or by a court under section
15 110 of this act may be issued a license or certificate under this
16 chapter. The application of a person so certified by the department of
17 social and health services or by a court may be reviewed for issuance
18 of a license or certificate under this chapter after the person
19 provides the department with a written release issued by the department
20 of social and health services or a court stating that the person is in
21 compliance with the order.

22 **Sec. 60.** RCW 19.28.125 and 1988 c 81 s 6 are each amended to read
23 as follows:

24 (1) Each applicant for an electrical contractor's license, other
25 than an individual, shall designate a supervisory employee or member of
26 the firm to take the required administrator's examination. Effective
27 July 1, 1987, a supervisory employee designated as the administrator
28 shall be a full-time supervisory employee. This person shall be
29 designated as administrator under the license. No person may qualify
30 as administrator for more than one contractor. If the relationship of
31 the administrator with the electrical contractor is terminated, the
32 contractor's license is void within ninety days unless another
33 administrator is qualified by the board. However, if the administrator
34 dies, the contractor's license is void within one hundred eighty days
35 unless another administrator is qualified by the board. A certificate
36 issued under this section is valid for two years from the nearest
37 birthdate of the administrator, unless revoked or suspended, and
38 further is nontransferable. The certificate may be renewed for a two-

1 year period without examination by appropriate application unless the
2 certificate has been revoked, suspended, or not renewed within ninety
3 days after the expiration date. If the certificate is not renewed
4 before the expiration date, the individual shall pay twice the usual
5 fee. An individual holding more than one administrator's certificate
6 under this chapter shall not be required to pay annual fees for more
7 than one certificate. A person may take the administrator's test as
8 many times as necessary without limit.

9 (2) The administrator shall:

10 (a) Be a member of the firm or a supervisory employee and shall be
11 available during working hours to carry out the duties of an
12 administrator under this section;

13 (b) Ensure that all electrical work complies with the electrical
14 installation laws and rules of the state;

15 (c) Ensure that the proper electrical safety procedures are used;

16 (d) Ensure that all electrical labels, permits, and licenses
17 required to perform electrical work are used;

18 (e) See that corrective notices issued by an inspecting authority
19 are complied with; and

20 (f) Notify the department in writing within ten days if the
21 administrator terminates the relationship with the electrical
22 contractor.

23 (3) The department shall not by rule change the administrator's
24 duties under subsection (2) of this section.

25 (4) No person who has been certified by the department of social
26 and health services as a person who is not in compliance with a support
27 order as provided in section 3 of this act or by a court under section
28 110 of this act may be issued a license or certificate under this
29 chapter. The application of a person so certified by the department of
30 social and health services or by a court may be reviewed for issuance
31 of a license or certificate under this chapter after the person
32 provides the department with a written release issued by the department
33 of social and health services or a court stating that the person is in
34 compliance with the order.

35 **Sec. 61.** RCW 19.28.310 and 1988 c 81 s 10 are each amended to read
36 as follows:

37 (1) The department has the power, in case of continued
38 noncompliance with the provisions of this chapter, to revoke or suspend

1 for such a period as it determines, any electrical contractor license
2 or electrical contractor administrator certificate issued under this
3 chapter. The department shall notify the holder of the license or
4 certificate of the revocation or suspension by certified mail. A
5 revocation or suspension is effective fifteen days after the holder
6 receives the notice. Any revocation or suspension is subject to review
7 by an appeal to the board. The filing of an appeal stays the effect of
8 a revocation or suspension until the board makes its decision. The
9 appeal shall be filed within fifteen days after notice of the
10 revocation or suspension is given by certified mail sent to the address
11 of the holder of the license or certificate as shown on the application
12 for the license or certificate, and shall be effected by filing a
13 written notice of appeal with the department, accompanied by a
14 certified check for two hundred dollars, which shall be returned to the
15 holder of the license or certificate if the decision of the department
16 is not sustained by the board. The hearing shall be conducted in
17 accordance with chapter 34.05 RCW. If the board sustains the decision
18 of the department, the two hundred dollars shall be applied by the
19 department to the payment of the per diem and expenses of the members
20 of the board incurred in the matter, and any balance remaining after
21 payment of per diem and expenses shall be paid into the electrical
22 license fund.

23 (2) The department shall immediately suspend the license or
24 certificate of a person who has been certified pursuant to section 3 of
25 this act by the department of social and health services or by a court
26 under section 110 of this act as a person who is not in compliance with
27 a support order. If the person has continued to meet all other
28 requirements for reinstatement during the suspension, reissuance of the
29 license or certificate shall be automatic upon the department's receipt
30 of a written release issued by the department of social and health
31 services or a court stating that the licensee is in compliance with the
32 order.

33 **Sec. 62.** RCW 19.28.550 and 1993 c 192 s 1 are each amended to read
34 as follows:

35 (1) Except as provided in subsection (5) of this section, the
36 department shall issue a certificate of competency to all applicants
37 who have passed the examination provided in RCW 19.28.540, and who have
38 complied with RCW 19.28.510 through 19.28.620 and the rules adopted

1 under this chapter. The certificate shall bear the date of issuance,
2 and shall expire on October 31st or April 30th, not less than six
3 months nor more than three years immediately following the date of
4 issuance. The certificate shall be renewed every three years, upon
5 application, on or before the holder's birthdate. A fee shall be
6 assessed for each certificate and for each annual renewal.

7 (2) If the certificate holder demonstrates to the department that
8 he or she has satisfactorily completed an annual eight-hour continuing
9 education course, the certificate may be renewed without examination by
10 appropriate application unless the certificate has been revoked,
11 suspended, or not renewed within ninety days after the expiration date.

12 (a) The contents and requirements for satisfactory completion of
13 the continuing education course shall be determined by the director and
14 approved by the board.

15 (b) The department shall accept proof of a certificate holder's
16 satisfactory completion of a continuing education course offered in
17 another state as meeting the requirements for maintaining a current
18 Washington state certificate of competency if the department is
19 satisfied the course is comparable in nature to that required in
20 Washington state for maintaining a current certificate of competency.

21 (3) If the certificate is not renewed before the expiration date,
22 the individual shall pay twice the usual fee. The department shall set
23 the fees by rule for issuance and renewal of a certificate of
24 competency. The fees shall cover but not exceed the costs of issuing
25 the certificates and of administering and enforcing the electrician
26 certification requirements of this chapter.

27 (4) The certificates of competency and temporary permits provided
28 for in this chapter grant the holder the right to work in the
29 electrical construction trade as a journeyman electrician or specialty
30 electrician in accordance with their provisions throughout the state
31 and within any of its political subdivisions without additional proof
32 of competency or any other license, permit, or fee to engage in such
33 work.

34 (5) No person who has been certified by the department of social
35 and health services as a person who is not in compliance with a support
36 order as provided in section 3 of this act or by a court under section
37 110 of this act may be issued a license or certificate under this
38 chapter. The application of a person so certified by the department of
39 social and health services or by a court may be reviewed for issuance

1 of a license or certificate under this chapter after the person
2 provides the department with a written release issued by the department
3 of social and health services or a court stating that the person is in
4 compliance with the order.

5 **Sec. 63.** RCW 19.28.580 and 1988 c 81 s 15 are each amended to read
6 as follows:

7 (1) The department may revoke any certificate of competency upon
8 the following grounds:

9 (a) The certificate was obtained through error or fraud;

10 (b) The holder thereof is judged to be incompetent to work in the
11 electrical construction trade as a journeyman electrician or specialty
12 electrician;

13 (c) The holder thereof has violated any of the provisions of RCW
14 19.28.510 through 19.28.620 or any rule adopted under this chapter.

15 (2) Before any certificate of competency shall be revoked, the
16 holder shall be given written notice of the department's intention to
17 do so, mailed by registered mail, return receipt requested, to the
18 holder's last known address. The notice shall enumerate the
19 allegations against the holder, and shall give the holder the
20 opportunity to request a hearing before the board. At the hearing, the
21 department and the holder may produce witnesses and give testimony.
22 The hearing shall be conducted in accordance with chapter 34.05 RCW.
23 The board shall render its decision based upon the testimony and
24 evidence presented, and shall notify the parties immediately upon
25 reaching its decision. A majority of the board shall be necessary to
26 render a decision.

27 (3) The department shall immediately suspend the license or
28 certificate of a person who has been certified pursuant to section 3 of
29 this act by the department of social and health services or by a court
30 under section 110 of this act as a person who is not in compliance with
31 a support order. If the person has continued to meet all other
32 requirements for reinstatement during the suspension, reissuance of the
33 license or certificate shall be automatic upon the department's receipt
34 of a written release issued by the department of social and health
35 services or a court stating that the licensee is in compliance with the
36 order.

1 **Sec. 64.** RCW 19.30.030 and 1985 c 280 s 3 are each amended to read
2 as follows:

3 The director shall not issue to any person a license to act as a
4 farm labor contractor until:

5 (1) Such person has executed a written application on a form
6 prescribed by the director, subscribed and sworn to by the applicant,
7 and containing (a) a statement by the applicant of all facts required
8 by the director concerning the applicant's character, competency,
9 responsibility, and the manner and method by which he or she proposes
10 to conduct operations as a farm labor contractor if such license is
11 issued, and (b) the names and addresses of all persons financially
12 interested, either as partners, stockholders, associates, profit
13 sharers, or providers of board or lodging to agricultural employees in
14 the proposed operation as a labor contractor, together with the amount
15 of their respective interests;

16 (2) The director, after investigation, is satisfied as to the
17 character, competency, and responsibility of the applicant;

18 (3) The applicant has paid to the director a license fee of: (1)
19 Thirty-five dollars in the case of a farm labor contractor not engaged
20 in forestation or reforestation, or (2) one hundred dollars in the case
21 of a farm labor contractor engaged in forestation or reforestation or
22 such other sum as the director finds necessary, and adopts by rule, for
23 the administrative costs of evaluating applications;

24 (4) The applicant has filed proof satisfactory to the director of
25 the existence of a policy of insurance with any insurance carrier
26 authorized to do business in the state of Washington in an amount
27 satisfactory to the director, which insures the contractor against
28 liability for damage to persons or property arising out of the
29 contractor's operation of, or ownership of, any vehicle or vehicles for
30 the transportation of individuals in connection with the contractor's
31 business, activities, or operations as a farm labor contractor;

32 (5) The applicant has filed a surety bond or other security which
33 meets the requirements set forth in RCW 19.30.040;

34 (6) The applicant executes a written statement which shall be
35 subscribed and sworn to and shall contain the following declaration:

36 "With regards to any action filed against me concerning my
37 activities as a farm labor contractor, I appoint the director of the
38 Washington department of labor and industries as my lawful agent to
39 accept service of summons when I am not present in the jurisdiction in

1 which the action is commenced or have in any other way become
2 unavailable to accept service"; and

3 (7) The applicant has stated on his or her application whether or
4 not his or her contractor's license or the license of any of his or her
5 agents, partners, associates, stockholders, or profit sharers has ever
6 been suspended, revoked, or denied by any state or federal agency, and
7 whether or not there are any outstanding judgments against him or her
8 or any of his or her agents, partners, associates, stockholders, or
9 profit sharers in any state or federal court arising out of activities
10 as a farm labor contractor.

11 (8) No person who has been certified by the department of social
12 and health services as a person who is not in compliance with a support
13 order as provided in section 3 of this act or by a court under section
14 110 of this act may be issued a license or certificate under this
15 chapter. The application of a person so certified by the department of
16 social and health services or by a court may be reviewed for issuance
17 of a license or certificate under this chapter after the person
18 provides the department with a written release issued by the department
19 of social and health services or a court stating that the person is in
20 compliance with the order.

21 **Sec. 65.** RCW 19.30.060 and 1985 c 280 s 6 are each amended to read
22 as follows:

23 Any person may protest the grant or renewal of a license under this
24 section. The director may revoke, suspend, or refuse to issue or renew
25 any license when it is shown that:

26 (1) The farm labor contractor or any agent of the contractor has
27 violated or failed to comply with any of the provisions of this
28 chapter;

29 (2) The farm labor contractor has made any misrepresentations or
30 false statements in his or her application for a license;

31 (3) The conditions under which the license was issued have changed
32 or no longer exist;

33 (4) The farm labor contractor, or any agent of the contractor, has
34 violated or wilfully aided or abetted any person in the violation of,
35 or failed to comply with, any law of the state of Washington regulating
36 employment in agriculture, the payment of wages to farm employees, or
37 the conditions, terms, or places of employment affecting the health and
38 safety of farm employees, which is applicable to the business

1 activities, or operations of the contractor in his or her capacity as
2 a farm labor contractor;

3 (5) The farm labor contractor or any agent of the contractor has in
4 recruiting farm labor solicited or induced the violation of any then
5 existing contract of employment of such laborers; or

6 (6) The farm labor contractor or any agent of the contractor has an
7 unsatisfied judgment against him or her in any state or federal court,
8 arising out of his or her farm labor contracting activities.

9 The director shall immediately suspend the license or certificate
10 of a person who either has been certified pursuant to section 3 of this
11 act by the department of social and health services or by a court under
12 section 110 of this act as a person who is not in compliance with a
13 support order. If the person has continued to meet all other
14 requirements for reinstatement during the suspension, reissuance of the
15 license or certificate shall be automatic upon the director's receipt
16 of a written release issued by the department of social and health
17 services or a court stating that the licensee is in compliance with the
18 order.

19 **Sec. 66.** RCW 19.16.110 and 1994 c 195 s 2 are each amended to read
20 as follows:

21 No person shall act, assume to act, or advertise as a collection
22 agency or out-of-state collection agency as defined in this chapter,
23 except as authorized by this chapter, without first having applied for
24 and obtained a license from the director.

25 Nothing contained in this section shall be construed to require a
26 regular employee of a collection agency or out-of-state collection
27 agency duly licensed under this chapter to procure a collection agency
28 license.

29 No person who has been certified by the department of social and
30 health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a license or certificate under this
33 chapter. The application of a person so certified by the department of
34 social and health services or by a court may be reviewed for issuance
35 of a license or certificate under this chapter after the person
36 provides the department with a written release issued by the department
37 of social and health services or a court stating that the person is in
38 compliance with the order.

1 **Sec. 67.** RCW 19.16.120 and 1994 c 195 s 3 are each amended to read
2 as follows:

3 In addition to other provisions of this chapter, any license issued
4 pursuant to this chapter or any application therefor may be denied, not
5 renewed, revoked, or suspended, or in lieu of or in addition to
6 suspension a licensee may be assessed a civil, monetary penalty in an
7 amount not to exceed one thousand dollars:

8 (1) If an individual applicant or licensee is less than eighteen
9 years of age or is not a resident of this state.

10 (2) If an applicant or licensee is not authorized to do business in
11 this state.

12 (3) If the application or renewal forms required by this chapter
13 are incomplete, fees required under RCW 19.16.140 and 19.16.150, if
14 applicable, have not been paid, and the surety bond or cash deposit or
15 other negotiable security acceptable to the director required by RCW
16 19.16.190, if applicable, has not been filed or renewed or is canceled.

17 (4) If any individual applicant, owner, officer, director, or
18 managing employee of a nonindividual applicant or licensee:

19 (a) Shall have knowingly made a false statement of a material fact
20 in any application for a collection agency license or an out-of-state
21 collection agency license or renewal thereof, or in any data attached
22 thereto and two years have not elapsed since the date of such
23 statement;

24 (b) Shall have had a license to engage in the business of a
25 collection agency or out-of-state collection agency denied, not
26 renewed, suspended, or revoked by this state, any other state, or
27 foreign country, for any reason other than the nonpayment of licensing
28 fees or failure to meet bonding requirements: PROVIDED, That the terms
29 of this subsection shall not apply if:

30 (i) Two years have elapsed since the time of any such denial,
31 nonrenewal, or revocation; or

32 (ii) The terms of any such suspension have been fulfilled;

33 (c) Has been convicted in any court of any felony involving
34 forgery, embezzlement, obtaining money under false pretenses, larceny,
35 extortion, or conspiracy to defraud and is incarcerated for that
36 offense or five years have not elapsed since the date of such
37 conviction;

38 (d) Has had any judgment entered against him in any civil action
39 involving forgery, embezzlement, obtaining money under false pretenses,

1 larceny, extortion, or conspiracy to defraud and five years have not
2 elapsed since the date of the entry of the final judgment in said
3 action: PROVIDED, That in no event shall a license be issued unless
4 the judgment debt has been discharged;

5 (e) Has had his license to practice law suspended or revoked and
6 two years have not elapsed since the date of such suspension or
7 revocation, unless he has been relicensed to practice law in this
8 state;

9 (f) Has had any judgment entered against him or it under the
10 provisions of RCW 19.86.080 or 19.86.090 involving a violation or
11 violations of RCW 19.86.020 and two years have not elapsed since the
12 entry of the final judgment: PROVIDED, That in no event shall a
13 license be issued unless the terms of such judgment, if any, have been
14 fully complied with: PROVIDED FURTHER, That said judgment shall not be
15 grounds for denial, suspension, nonrenewal, or revocation of a license
16 unless the judgment arises out of and is based on acts of the
17 applicant, owner, officer, director, managing employee, or licensee
18 while acting for or as a collection agency or an out-of-state
19 collection agency;

20 (g) Has petitioned for bankruptcy, and two years have not elapsed
21 since the filing of said petition;

22 (h) Shall be insolvent in the sense that his or its liabilities
23 exceed his or its assets or in the sense that he or it cannot meet his
24 or its obligations as they mature;

25 (i) Has failed to pay any civil, monetary penalty assessed in
26 accordance with RCW 19.16.351 or 19.16.360 within ten days after the
27 assessment becomes final;

28 (j) Has knowingly failed to comply with, or violated any provisions
29 of this chapter or any rule or regulation issued pursuant to this
30 chapter, and two years have not elapsed since the occurrence of said
31 noncompliance or violation; or

32 (k) Has been found by a court of competent jurisdiction to have
33 violated the federal fair debt collection practices act, 15 U.S.C. Sec.
34 1692 et seq., or the Washington state consumer protection act, chapter
35 19.86 RCW, and two years have not elapsed since that finding.

36 Except as otherwise provided in this section, any person who is
37 engaged in the collection agency business as of January 1, 1972 shall,
38 upon filing the application, paying the fees, and filing the surety
39 bond or cash deposit or other negotiable security in lieu of bond

1 required by this chapter, be issued a license (~~(hereunder)~~) under this
2 chapter.

3 The director shall immediately suspend the license or certificate
4 of a person who either has been certified pursuant to section 3 of this
5 act by the department of social and health services or by a court under
6 section 110 of this act as a person who is not in compliance with a
7 support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license or certificate shall be automatic upon the director's receipt
10 of a written release issued by the department of social and health
11 services or a court stating that the licensee is in compliance with the
12 order.

13 **Sec. 68.** RCW 19.31.100 and 1993 c 499 s 4 are each amended to read
14 as follows:

15 (1) Every applicant for an employment agency's license or a renewal
16 thereof shall file with the director a written application stating the
17 name and address of the applicant; the street and number of the
18 building in which the business of the employment agency is to be
19 conducted; the name of the person who is to have the general management
20 of the office; the name under which the business of the office is to be
21 carried on; whether or not the applicant is pecuniarily interested in
22 the business to be carried on under the license; shall be signed by the
23 applicant and sworn to before a notary public; and shall identify
24 anyone holding over twenty percent interest in the agency. If the
25 applicant is a corporation, the application shall state the names and
26 addresses of the officers and directors of the corporation, and shall
27 be signed and sworn to by the president and secretary thereof. If the
28 applicant is a partnership, the application shall also state the names
29 and addresses of all partners therein, and shall be signed and sworn to
30 by all of them. The application shall also state whether or not the
31 applicant is, at the time of making the application, or has at any
32 previous time been engaged in or interested in or employed by anyone
33 engaged in the business of an employment agency.

34 (2) The application shall require a certification that no officer
35 or holder of more than twenty percent interest in the business has been
36 convicted of a felony within ten years of the application which
37 directly relates to the business for which the license is sought, or

1 had any judgment entered against such person in any civil action
2 involving fraud, misrepresentation, or conversion.

3 (3) All applications for employment agency licenses shall be
4 accompanied by a copy of the form of contract and fee schedule to be
5 used between the employment agency and the applicant.

6 (4) No license to operate an employment agency in this state shall
7 be issued, transferred, renewed, or remain in effect, unless the person
8 who has or is to have the general management of the office has
9 qualified pursuant to this section. The director may, for good cause
10 shown, waive the requirement imposed by this section for a period not
11 to exceed one hundred and twenty days. Persons who have been
12 previously licensed or who have operated to the satisfaction of the
13 director for at least one year prior to September 21, 1977 as a general
14 manager shall be entitled to operate for up to one year from such date
15 before being required to qualify under this section. In order to
16 qualify, such person shall, through testing procedures developed by the
17 director, show that such person has a knowledge of this law, pertinent
18 labor laws, and laws against discrimination in employment in this state
19 and of the United States. Said examination shall be given at least
20 once each quarter and a fee for such examination shall be established
21 by the director. Nothing in this chapter shall be construed to
22 preclude any one natural person from being designated as the person who
23 is to have the general management of up to three offices operated by
24 any one licensee.

25 While employment directories may at the director's discretion be
26 required to show that the person has a knowledge of this chapter,
27 employment directories are exempt from testing on pertinent labor laws,
28 and laws against discrimination in employment in this state and of the
29 United States.

30 (5) Employment directories shall register with the department and
31 meet all applicable requirements of this chapter but shall not be
32 required to be licensed by the department or pay a licensing fee.

33 (6) No person who has been certified by the department of social
34 and health services as a person who is not in compliance with a support
35 order as provided in section 3 of this act or by a court under section
36 110 of this act may be issued a license or certificate under this
37 chapter. The application of a person so certified by the department of
38 social and health services or by a court may be reviewed for issuance
39 of a license or certificate under this chapter after the person

1 provides the department with a written release issued by the department
2 of social and health services or a court stating that the person is in
3 compliance with the order.

4 **Sec. 69.** RCW 19.31.130 and 1969 ex.s. c 228 s 13 are each amended
5 to read as follows:

6 (1) In accordance with the provisions of chapter 34.05 RCW as now
7 or as hereafter amended, the director may by order deny, suspend or
8 revoke the license of any employment agency if he finds that the
9 applicant or licensee:

10 ~~((1))~~ (a) Was previously the holder of a license issued under
11 this chapter, which was revoked for cause and never reissued by the
12 director, or which license was suspended for cause and the terms of the
13 suspension have not been fulfilled;

14 ~~((2))~~ (b) Has been found guilty of any felony within the past
15 five years involving moral turpitude, or for any misdemeanor concerning
16 fraud or conversion, or suffering any judgment in any civil action
17 involving wilful fraud, misrepresentation or conversion;

18 ~~((3))~~ (c) Has made a false statement of a material fact in his
19 application or in any data attached thereto;

20 ~~((4))~~ (d) Has violated any provisions of this chapter, or failed
21 to comply with any rule or regulation issued by the director pursuant
22 to this chapter.

23 (2) The director shall immediately suspend the license or
24 certificate of a person who has been certified pursuant to section 3 of
25 this act by the department of social and health services or by a court
26 under section 110 of this act as a person who is not in compliance with
27 a support order. If the person has continued to meet all other
28 requirements for reinstatement during the suspension, reissuance of the
29 license or certificate shall be automatic upon the director's receipt
30 of a written release issued by the department of social and health
31 services or a court stating that the licensee is in compliance with the
32 order.

33 **Sec. 70.** RCW 19.32.040 and 1982 c 182 s 32 are each amended to
34 read as follows:

35 (1) No person hereafter shall engage within this state in the
36 business of owning, operating or offering the services of any
37 refrigerated locker or lockers without having obtained a license for

1 each such place of business. Application for such license shall be
2 made through the master license system. Except as provided in
3 subsection (2) of this section, such licenses shall be granted as a
4 matter of right unless conditions exist which are grounds for a
5 cancellation or revocation of a license as hereinafter set forth.

6 (2) No person who has been certified by the department of social
7 and health services as a person who is not in compliance with a support
8 order as provided in section 3 of this act or by a court under section
9 110 of this act may be issued a license or certificate under this
10 chapter. The application of a person so certified by the department of
11 social and health services or by a court may be reviewed for issuance
12 of a license or certificate under this chapter after the person
13 provides the department with a written release issued by the department
14 of social and health services or a court stating that the person is in
15 compliance with the order.

16 **Sec. 71.** RCW 19.32.060 and 1943 c 117 s 5 are each amended to read
17 as follows:

18 (1) The director of agriculture may cancel or suspend any such
19 license if he finds after proper investigation that (a) the licensee
20 has violated any provision of this chapter or of any other law of this
21 state relating to the operation of refrigerated lockers or of the sale
22 of any human food in connection therewith, or any regulation effective
23 under any act the administration of which is in the charge of the
24 department of agriculture, or (b) the licensed refrigerated locker
25 premises or any equipment used therein or in connection therewith is in
26 an unsanitary condition and the licensee has failed or refused to
27 remedy the same within ten days after receipt from the director of
28 agriculture of written notice to do so.

29 (2) No license shall be revoked or suspended by the director
30 without delivery to the licensee of a written statement of the charge
31 involved and an opportunity to answer such charge within ten days from
32 the date of such notice.

33 (3) Any order made by the director suspending or revoking any
34 license may be reviewed by certiorari in the superior court of the
35 county in which the licensed premises are located, within ten days from
36 the date notice in writing of the director's order revoking or
37 suspending such license has been served upon him.

1 (4) The director shall immediately suspend the license or
2 certificate of a person who has been certified pursuant to section 3 of
3 this act by the department of social and health services or by a court
4 under section 110 of this act as a person who is not in compliance with
5 a support order. If the person has continued to meet all other
6 requirements for reinstatement during the suspension, reissuance of the
7 license or certificate shall be automatic upon the director's receipt
8 of a written release issued by the department of social and health
9 services or a court stating that the licensee is in compliance with the
10 order.

11 **Sec. 72.** RCW 19.105.330 and 1988 c 159 s 5 are each amended to
12 read as follows:

13 (~~{(1)}~~) (1) Unless an order denying effectiveness under RCW
14 19.105.380 is in effect, or unless declared effective by order of the
15 director prior thereto, the application for registration shall
16 automatically become effective upon the expiration of the twentieth
17 full business day following a filing with the director in complete and
18 proper form, but an applicant may consent to the delay of effectiveness
19 until such time as the director may by order declare registration
20 effective or issue a permit to market.

21 (2) An application for registration, renewal of registration, or
22 amendment is not in completed form and shall not be deemed a statutory
23 filing until such time as all required fees, completed application
24 forms, and the information and documents required pursuant to RCW
25 19.105.320(1) and departmental rules have been filed.

26 It is the operator's responsibility to see that required filing
27 materials and fees arrive at the appropriate mailing address of the
28 department. Within seven business days, excluding the date of receipt,
29 of receiving an application or initial request for registration and the
30 filing fees, the department shall notify the applicant of receipt of
31 the application and whether or not the application is complete and in
32 proper form. If the application is incomplete, the department shall at
33 the same time inform the applicant what additional documents or
34 information is required.

35 If the application is not in a completed form, the department shall
36 give immediate notice to the applicant. On the date the application is
37 complete and properly filed, the statutory period for an in-depth
38 examination of the filing, prescribed in subsection (1) of this

1 section, shall begin to run, unless the applicant and the department
2 have agreed to a stay of effectiveness or the department has issued a
3 denial of the application or a permit to market.

4 (3) No person who has been certified by the department of social
5 and health services as a person who is not in compliance with a support
6 order as provided in section 3 of this act or by a court under section
7 110 of this act may be issued a license or certificate under this
8 chapter. The application of a person so certified by the department of
9 social and health services or by a court may be reviewed for issuance
10 of a license or certificate under this chapter after the person
11 provides the department with a written release issued by the department
12 of social and health services or a court stating that the person is in
13 compliance with the order.

14 **Sec. 73.** RCW 19.105.380 and 1988 c 159 s 14 are each amended to
15 read as follows:

16 (1) A registration or an application for registration of camping
17 resort contracts or renewals thereof may by order be denied, suspended,
18 or revoked if the director finds that:

19 (a) The advertising, sales techniques, or trade practices of the
20 applicant, registrant, or its affiliate or agent have been or are
21 deceptive, false, or misleading;

22 (b) The applicant or registrant has failed to file copies of the
23 camping resort contract form under RCW 19.105.360;

24 (c) The applicant, registrant, or affiliate has failed to comply
25 with any provision of this chapter, the rules adopted or the conditions
26 of a permit granted under this chapter, or a stipulation or final order
27 previously entered into by the operator or issued by the department
28 under this chapter;

29 (d) The applicant's, registrant's, or affiliate's offering of
30 camping resort contracts has worked or would work a fraud upon
31 purchasers or owners of camping resort contracts;

32 (e) The camping resort operator or any officer, director, or
33 affiliate of the camping resort operator has been within the last five
34 years convicted of or pleaded nolo contendere to any misdemeanor or
35 felony involving conversion, embezzlement, theft, fraud, or dishonesty,
36 has been enjoined from or had any civil penalty assessed for a finding
37 of dishonest dealing or fraud in a civil suit, or been found to have
38 engaged in any violation of any act designed to protect consumers, or

1 has been engaged in dishonest practices in any industry involving sales
2 to consumers;

3 (f) The applicant or registrant has represented or is representing
4 to purchasers in connection with the offer or sale of a camping resort
5 contract that a camping resort property, facility, amenity camp site,
6 or other development is planned, promised, or required, and the
7 applicant or registrant has not provided the director with a security
8 or assurance of performance as required by this chapter;

9 (g) The applicant or registrant has not provided or is no longer
10 providing the director with the necessary security arrangements to
11 assure future availability of titles or properties as required by this
12 chapter or agreed to in the permit to market;

13 (h) The applicant or registrant is or has been employing
14 unregistered salespersons or offering or proposing a membership
15 referral program not in compliance with this chapter;

16 (i) The applicant or registrant has breached any escrow, impound,
17 reserve account, or trust arrangement or the conditions of an order or
18 permit to market required by this chapter;

19 (j) The applicant or registrant has breached any stipulation or
20 order entered into in settlement of the department's filing of a
21 previous administrative action;

22 (k) The applicant or registrant has filed or caused to be filed
23 with the director any document or affidavit, or made any statement
24 during the course of a registration or exemption procedure with the
25 director, that is materially untrue or misleading;

26 (l) The applicant or registrant has engaged in a practice of
27 failing to provide the written disclosures to purchasers or prospective
28 purchasers as required under this chapter;

29 (m) The applicant, registrant, or any of its officers, directors,
30 or employees, if the operator is other than a natural person, have
31 wilfully done, or permitted any of their salespersons or agents to do,
32 any of the following:

33 (i) Engage in a pattern or practice of making untrue or misleading
34 statements of a material fact, or omitting to state a material fact;

35 (ii) Employ any device, scheme, or artifice to defraud purchasers
36 or members;

37 (iii) Engage in a pattern or practice of failing to provide the
38 written disclosures to purchasers or prospective purchasers as required
39 under this chapter;

1 (n) The applicant or registrant has failed to provide a bond,
2 letter of credit, or other arrangement to assure delivery of promised
3 gifts, prizes, awards, or other items of consideration, as required
4 under this chapter, breached such a security arrangement, or failed to
5 maintain such a security arrangement in effect because of a resignation
6 or loss of a trustee, impound, or escrow agent;

7 (o) The applicant or registrant has engaged in a practice of
8 selling contracts using material amendments or codicils that have not
9 been filed or are the consequences of breaches or alterations in
10 previously filed contracts;

11 (p) The applicant or registrant has engaged in a practice of
12 selling or proposing to sell contracts in a ratio of contracts to sites
13 available in excess of that filed in the affidavit required by this
14 chapter;

15 (q) The camping resort operator has withdrawn, has the right to
16 withdraw, or is proposing to withdraw from use all or any portion of
17 any camping resort property devoted to the camping resort program,
18 unless:

19 (i) Adequate provision has been made to provide within a reasonable
20 time thereafter a substitute property in the same general area that is
21 at least as desirable for the purpose of camping and outdoor
22 recreation;

23 (ii) The property is withdrawn because, despite good faith efforts
24 by the camping resort operator, a nonaffiliate of the camping resort
25 has exercised a right of withdrawal from use by the camping resort
26 (such as withdrawal following expiration of a lease of the property to
27 the camping resort) and the terms of the withdrawal right have been
28 disclosed in writing to all purchasers at or prior to the time of any
29 sales of camping resort contracts after the camping resort has
30 represented to purchasers that the property is or will be available for
31 camping or recreation purposes;

32 (iii) The specific date upon which the withdrawal becomes effective
33 has been disclosed in writing to all purchasers and members prior to
34 the time of any sales of camping resort contracts after the camping
35 resort has represented to purchasers that the property is or will be
36 available for camping or recreation purposes;

37 (iv) The rights of members and owners of the camping resort
38 contracts under the express terms of the camping resort contract have
39 expired, or have been specifically limited, upon the lapse of a stated

1 or determinable period of time, and the director by order has found
2 that the withdrawal is not otherwise inconsistent with the protection
3 of purchasers or the desire of the majority of the owners of camping
4 resort contracts, as expressed in their previously obtained vote of
5 approval;

6 (r) The format, form, or content of the written disclosures
7 provided therein is not complete, full, or materially accurate, or
8 statements made therein are materially false, misleading, or deceptive;

9 (s) The applicant or registrant has failed or declined to respond
10 to any subpoena lawfully issued and served by the department under this
11 chapter;

12 (t) The applicant or registrant has failed to file an amendment for
13 a material change in the manner or at the time required under this
14 chapter or its implementing rules;

15 (u) The applicant or registrant has filed voluntarily or been
16 placed involuntarily into a federal bankruptcy or is proposing to do
17 so; or

18 (v) A camping resort operator's rights or interest in a campground
19 has been terminated by foreclosure or the operations in a camping
20 resort have been terminated in a manner contrary to contract
21 provisions.

22 (2) Any applicant or registrant who has violated subsection (1)(a),
23 (b), (c), (f), (h), (i), (j), (l), (m), or (n) of this section may be
24 fined by the director in an amount not to exceed one thousand dollars
25 for each such violation. Proceedings seeking such fines shall be held
26 in accordance with chapter 34.05 RCW and may be filed either separately
27 or in conjunction with other administrative proceedings to deny,
28 suspend, or revoke registrations authorized under this chapter. Fines
29 collected from such proceedings shall be deposited in the state general
30 fund.

31 (3) An operator, registrant, or applicant against whom
32 administrative or legal proceedings have been filed shall be
33 responsible for and shall reimburse the state, by payment into the
34 general fund, for all administrative and legal costs actually incurred
35 by the department in issuing, processing, and conducting any such
36 administrative or legal proceeding authorized under this chapter that
37 results in a final legal or administrative determination of any type or
38 degree in favor of the department.

1 (4) No order may be entered under this section without appropriate
2 prior notice to the applicant or registrant of opportunity for a
3 hearing and written findings of fact and conclusions of law, except
4 that the director may by order summarily deny an application for
5 registration or renewal under any of the above subsections and may
6 summarily suspend or revoke a registration under subsection (1)(d),
7 (f), (g), (h), (i), (k), (l), (m), and (n) of this section. No fine
8 may be imposed by summary order.

9 (5) The proceedings to deny an application or renewal, suspend or
10 revoke a registration or permit, whether summarily or otherwise, or
11 impose a fine shall be held in accordance with chapter 34.05 RCW.

12 (6) The director may enter into assurances of discontinuance in
13 lieu of issuing a statement of charges or a cease and desist order or
14 conducting a hearing under this chapter. The assurances shall consist
15 of a statement of the law in question and an agreement not to violate
16 the stated provision. The applicant or registrant shall not be
17 required to admit to any violation of the law, nor shall the assurance
18 be construed as such an admission. Violating or breaching an assurance
19 under this subsection is grounds for suspension or revocation of
20 registration or imposition of a fine.

21 (7) The director shall immediately suspend the license or
22 certificate of a person who has been certified pursuant to section 3 of
23 this act by the department of social and health services or by a court
24 under section 110 of this act as a person who is not in compliance with
25 a support order. If the person has continued to meet all other
26 requirements for reinstatement during the suspension, reissuance of the
27 license or certificate shall be automatic upon the director's receipt
28 of a written release issued by the department of social and health
29 services or a court stating that the licensee is in compliance with the
30 order.

31 **Sec. 74.** RCW 19.105.440 and 1988 c 159 s 21 are each amended to
32 read as follows:

33 (1) A salesperson may apply for registration by filing in a
34 complete and readable form with the director an application form
35 provided by the director which includes the following:

36 (a) A statement whether or not the applicant within the past five
37 years has been convicted of, pleaded nolo contendere to, or been ordered
38 to serve probation for a period of a year or more for any misdemeanor

1 or felony involving conversion, embezzlement, theft, fraud, or
2 dishonesty or the applicant has been enjoined from, had any civil
3 penalty assessed for, or been found to have engaged in any violation of
4 any act designed to protect consumers;

5 (b) A statement fully describing the applicant's employment history
6 for the past five years and whether or not any termination of
7 employment during the last five years was the result of any theft,
8 fraud, or act of dishonesty;

9 (c) A consent to service comparable to that required of operators
10 under this chapter; and

11 (d) Required filing fees.

12 (2) The director may by order deny, suspend, or revoke a camping
13 resort salesperson's registration or application for registration under
14 this chapter or the person's license or application under chapter 18.85
15 RCW, or impose a fine on such persons not exceeding two hundred dollars
16 per violation, if the director finds that the order is necessary for
17 the protection of purchasers or owners of camping resort contracts and
18 the applicant or registrant is guilty of:

19 (a) Obtaining registration by means of fraud, misrepresentation, or
20 concealment, or through the mistake or inadvertence of the director;

21 (b) Violating any of the provisions of this chapter or any lawful
22 rules adopted by the director pursuant thereto;

23 (c) Being convicted in a court of competent jurisdiction of this or
24 any other state, or federal court, of forgery, embezzlement, obtaining
25 money under false pretenses, bribery, larceny, extortion, conspiracy to
26 defraud, or any similar offense or offenses. For the purposes of this
27 section, "being convicted" includes all instances in which a plea of
28 guilty or nolo contendere is the basis for the conviction, and all
29 proceedings in which the sentence has been deferred or suspended;

30 (d) Making, printing, publishing, distributing, or causing,
31 authorizing, or knowingly permitting the making, printing, publication,
32 or distribution of false statements, descriptions, or promises of such
33 character as to reasonably induce any person to act thereon, if the
34 statements, descriptions, or promises purport to be made or to be
35 performed by either the applicant or registrant and the applicant or
36 registrant then knew or, by the exercise of reasonable care and
37 inquiry, could have known, of the falsity of the statements,
38 descriptions, or promises;

1 (e) Knowingly committing, or being a party to, any material fraud,
2 misrepresentation, concealment, conspiracy, collusion, trick, scheme,
3 or device whereby any other person lawfully relies upon the work,
4 representation, or conduct of the applicant or registrant;

5 (f) Failing, upon demand, to disclose to the director or the
6 director's authorized representatives acting by authority of law any
7 information within his or her knowledge or to produce for inspection
8 any document, book or record in his or her possession, which is
9 material to the salesperson's registration or application for
10 registration;

11 (g) Continuing to sell camping resort contracts in a manner whereby
12 the interests of the public are endangered, if the director has, by
13 order in writing, stated objections thereto;

14 (h) Committing any act of fraudulent or dishonest dealing or a
15 crime involving moral turpitude, and a certified copy of the final
16 holding of any court of competent jurisdiction in such matter shall be
17 conclusive evidence in any hearing under this chapter;

18 (i) Misrepresentation of membership in any state or national
19 association; or

20 (j) Discrimination against any person in hiring or in sales
21 activity on the basis of race, color, creed, or national origin, or
22 violating any state or federal antidiscrimination law.

23 (3) No order may be entered under this section without appropriate
24 prior notice to the applicant or registrant of opportunity for a
25 hearing and written findings of fact and conclusions of law, except
26 that the director may by order summarily deny an application for
27 registration under this section.

28 (4) The proceedings to deny an application or renewal, suspend or
29 revoke a registration or permit, whether summarily or otherwise, or
30 impose a fine shall be held in accordance with chapter 34.05 RCW.

31 (5) The director, subsequent to any complaint filed against a
32 salesperson or pursuant to an investigation to determine violations,
33 may enter into stipulated assurances of discontinuances in lieu of
34 issuing a statement of charges or a cease and desist order or
35 conducting a hearing. The assurance shall consist of a statement of
36 the law in question and an agreement not to violate the stated
37 provision. The salesperson shall not be required to admit to any
38 violation of the law, nor shall the assurance be construed as such an
39 admission. Violation of an assurance under this subsection is grounds

1 for a disciplinary action, a suspension of registration, or a fine not
2 to exceed one thousand dollars.

3 (6) The director may by rule require such further information or
4 conditions for registration as a camping resort salesperson, including
5 qualifying examinations and fingerprint cards prepared by authorized
6 law enforcement agencies, as the director deems necessary to protect
7 the interests of purchasers.

8 (7) Registration as a camping resort salesperson shall be effective
9 for a period of one year unless the director specifies otherwise or the
10 salesperson transfers employment to a different registrant.
11 Registration as a camping resort salesperson shall be renewed annually,
12 or at the time of transferring employment, whichever occurs first, by
13 the filing of a form prescribed by the director for that purpose.

14 (8) It is unlawful for a registrant of camping resort contracts to
15 employ or a person to act as a camping resort salesperson covered under
16 this section unless the salesperson has in effect with the department
17 and displays a valid registration in a conspicuous location at each of
18 the sales offices at which the salesperson is employed. It is the
19 responsibility of both the operator and the salesperson to notify the
20 department when and where a salesperson is employed, his or her
21 responsibilities and duties, and when the salesperson's employment or
22 reported duties are changed or terminated.

23 (9) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act or by a court under section
26 110 of this act may be issued a license or certificate under this
27 chapter. The application of a person so certified by the department of
28 social and health services or by a court may be reviewed for issuance
29 of a license or certificate under this chapter after the person
30 provides the department with a written release issued by the department
31 of social and health services or a court stating that the person is in
32 compliance with the order.

33 (10) The director shall immediately suspend the license or
34 certificate of a person who has been certified pursuant to section 3 of
35 this act by the department of social and health services or by a court
36 under section 110 of this act as a person who is not in compliance with
37 a support order. If the person has continued to meet all other
38 requirements for reinstatement during the suspension, reissuance of the
39 license or certificate shall be automatic upon the director's receipt

1 of a written release issued by the department of social and health
2 services or a court stating that the licensee is in compliance with the
3 order.

4 **Sec. 75.** RCW 19.138.130 and 1994 c 237 s 6 are each amended to
5 read as follows:

6 (1) The director may deny, suspend, or revoke the registration of
7 a seller of travel if the director finds that the applicant:

8 (a) Was previously the holder of a registration issued under this
9 chapter, and the registration was revoked for cause and never reissued
10 by the director, or the registration was suspended for cause and the
11 terms of the suspension have not been fulfilled;

12 (b) Has been found guilty of a felony within the past five years
13 involving moral turpitude, or of a misdemeanor concerning fraud or
14 conversion, or suffers a judgment in a civil action involving willful
15 fraud, misrepresentation, or conversion;

16 (c) Has made a false statement of a material fact in an application
17 under this chapter or in data attached to it;

18 (d) Has violated this chapter or failed to comply with a rule
19 adopted by the director under this chapter;

20 (e) Has failed to display the registration as provided in this
21 chapter;

22 (f) Has published or circulated a statement with the intent to
23 deceive, misrepresent, or mislead the public;

24 (g) Has committed a fraud or fraudulent practice in the operation
25 and conduct of a travel agency business, including, but not limited to,
26 intentionally misleading advertising; or

27 (h) Has aided or abetted a person, firm, or corporation that they
28 know has not registered in this state in the business of conducting a
29 travel agency or other sale of travel.

30 (2) If the seller of travel is found in violation of this chapter
31 or in violation of the consumer protection act, chapter 19.86 RCW, by
32 the entry of a judgment or by settlement of a claim, the director may
33 revoke the registration of the seller of travel, and the director may
34 reinstate the registration at the director's discretion.

35 (3) No person who has been certified by the department of social
36 and health services as a person who is not in compliance with a support
37 order as provided in section 3 of this act or by a court under section
38 110 of this act may be issued a license or certificate under this

1 chapter. The application of a person so certified by the department of
2 social and health services or by a court may be reviewed for issuance
3 of a license or certificate under this chapter after the person
4 provides the department with a written release issued by the department
5 of social and health services or a court stating that the person is in
6 compliance with the order.

7 (4) The director shall immediately suspend the license or
8 certificate of a person who has been certified pursuant to section 3 of
9 this act by the department of social and health services or by a court
10 under section 110 of this act as a person who is not in compliance with
11 a support order. If the person has continued to meet all other
12 requirements for reinstatement during the suspension, reissuance of the
13 license or certificate shall be automatic upon the director's receipt
14 of a written release issued by the department of social and health
15 services or a court stating that the licensee is in compliance with the
16 order.

17 **Sec. 76.** RCW 19.158.050 and 1989 c 20 s 5 are each amended to read
18 as follows:

19 (1) In order to maintain or defend a lawsuit or do any business in
20 this state, a commercial telephone solicitor must be registered with
21 the department of licensing. Prior to doing business in this state, a
22 commercial telephone solicitor shall register with the department of
23 licensing. Doing business in this state includes both commercial
24 telephone solicitation from a location in Washington and solicitation
25 of purchasers located in Washington.

26 (2) The department of licensing, in registering commercial
27 telephone solicitors, shall have the authority to require the
28 submission of information necessary to assist in identifying and
29 locating a commercial telephone solicitor, including past business
30 history, prior judgments, and such other information as may be useful
31 to purchasers.

32 (3) The department of licensing shall issue a registration number
33 to the commercial telephone solicitor.

34 (4) It is a violation of this chapter for a commercial telephone
35 solicitor to:

36 (a) Fail to maintain a valid registration;

1 (b) Advertise that one is registered as a commercial telephone
2 solicitor or to represent that such registration constitutes approval
3 or endorsement by any government or governmental office or agency;

4 (c) Provide inaccurate or incomplete information to the department
5 of licensing when making a registration application; or

6 (d) Represent that a person is registered or that such person has
7 a valid registration number when such person does not.

8 (5) An annual registration fee shall be assessed by the department
9 of licensing, the amount of which shall be determined at the discretion
10 of the director of the department of licensing, and which shall be
11 reasonably related to the cost of administering the provisions of this
12 chapter.

13 (6) No person who has been certified by the department of social
14 and health services as a person who is not in compliance with a support
15 order as provided in section 3 of this act or by a court under section
16 110 of this act may be issued a license or certificate under this
17 chapter. The application of a person so certified by the department of
18 social and health services or by a court may be reviewed for issuance
19 of a license or certificate under this chapter after the person
20 provides the department with a written release issued by the department
21 of social and health services or a court stating that the person is in
22 compliance with the order.

23 (7) The department shall immediately suspend the license or
24 certificate of a person who has been certified pursuant to section 3 of
25 this act by the department of social and health services or by a court
26 under section 110 of this act as a person who is not in compliance with
27 a support order. If the person has continued to meet all other
28 requirements for reinstatement during the suspension, reissuance of the
29 license or certificate shall be automatic upon the department's receipt
30 of a written release issued by the department of social and health
31 services or a court stating that the licensee is in compliance with the
32 order.

33 **Sec. 77.** RCW 19.166.040 and 1995 c 60 s 2 are each amended to read
34 as follows:

35 (1) An application for registration as an international student
36 exchange visitor placement organization shall be submitted in the form
37 prescribed by the secretary of state. The application shall include:

1 (a) Evidence that the organization meets the standards established
2 by the secretary of state under RCW 19.166.050;

3 (b) The name, address, and telephone number of the organization,
4 its chief executive officer, and the person within the organization who
5 has primary responsibility for supervising placements within the state;

6 (c) The organization's unified business identification number, if
7 any;

8 (d) The organization's United States Information Agency number, if
9 any;

10 (e) Evidence of council on standards for international educational
11 travel listing, if any;

12 (f) Whether the organization is exempt from federal income tax; and

13 (g) A list of the organization's placements in Washington for the
14 previous academic year including the number of students placed, their
15 home countries, the school districts in which they were placed, and the
16 length of their placements.

17 (2) The application shall be signed by the chief executive officer
18 of the organization and the person within the organization who has
19 primary responsibility for supervising placements within Washington.
20 If the secretary of state determines that the application is complete,
21 the secretary of state shall file the application and the applicant is
22 registered.

23 (3) International student exchange visitor placement organizations
24 that have registered shall inform the secretary of state of any changes
25 in the information required under subsection (1) of this section within
26 thirty days of the change.

27 (4) Registration shall be renewed annually as established by rule
28 by the office of the secretary of state.

29 (5) No person who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a license or certificate under this
33 chapter. The application of a person so certified by the department of
34 social and health services or by a court may be reviewed for issuance
35 of a license or certificate under this chapter after the person
36 provides the department with a written release issued by the department
37 of social and health services or a court stating that the person is in
38 compliance with the order.

1 (6) The office of the secretary of state shall immediately suspend
2 the license or certificate of a person who has been certified pursuant
3 to section 3 of this act by the department of social and health
4 services or by a court under section 110 of this act as a person who is
5 not in compliance with a support order. If the person has continued to
6 meet all other requirements for reinstatement during the suspension,
7 reissuance of the license or certificate shall be automatic upon the
8 office of the secretary of state's receipt of a written release issued
9 by the department of social and health services or a court stating that
10 the licensee is in compliance with the order.

11 **NEW SECTION. Sec. 78.** A new section is added to chapter 20.01 RCW
12 to read as follows:

13 (1) No person who has been certified by the department of social
14 and health services as a person who is not in compliance with a support
15 order as provided in section 3 of this act or by a court under section
16 110 of this act may be issued a license or certificate under this
17 chapter. The application of a person so certified by the department of
18 social and health services or by a court may be reviewed for issuance
19 of a license or certificate under this chapter after the person
20 provides the department with a written release issued by the department
21 of social and health services or a court stating that the person is in
22 compliance with the order.

23 (2) The director shall immediately suspend the license or
24 certificate of a person who has been certified pursuant to section 3 of
25 this act by the department of social and health services or by a court
26 under section 110 of this act as a person who is not in compliance with
27 a support order. If the person has continued to meet all other
28 requirements for reinstatement during the suspension, reissuance of the
29 license or certificate shall be automatic upon the director's receipt
30 of a written release issued by the department of social and health
31 services or a court stating that the licensee is in compliance with the
32 order.

33 **Sec. 79.** RCW 21.20.070 and 1981 c 272 s 2 are each amended to read
34 as follows:

35 (1) Except as provided in subsection (2) of this section, if no
36 denial order is in effect and no proceeding is pending under RCW
37 21.20.110, registration becomes effective when the applicant has

1 successfully passed a written examination as prescribed by rule or
2 order of the director with the advice of the advisory committee, or has
3 satisfactorily demonstrated that the applicant is exempt from the
4 written examination requirements of this section.

5 (2) No person who has been certified by the department of social
6 and health services as a person who is not in compliance with a support
7 order as provided in section 3 of this act or by a court under section
8 110 of this act may be issued a license or certificate under this
9 chapter. The application of a person so certified by the department of
10 social and health services or by a court may be reviewed for issuance
11 of a license or certificate under this chapter after the person
12 provides the department with a written release issued by the department
13 of social and health services or a court stating that the person is in
14 compliance with the order.

15 **Sec. 80.** RCW 21.20.110 and 1994 c 256 s 10 are each amended to
16 read as follows:

17 The director may by order deny, suspend, or revoke registration of
18 any broker-dealer, salesperson, investment adviser representative, or
19 investment adviser; censure or fine the registrant or an officer,
20 director, partner, or person occupying similar functions for a
21 registrant; or restrict or limit a registrant's function or activity of
22 business for which registration is required in this state; if the
23 director finds that the order is in the public interest and that the
24 applicant or registrant or, in the case of a broker-dealer or
25 investment adviser, any partner, officer, or director:

26 (1) Has filed an application for registration under this section
27 which, as of its effective date, or as of any date after filing in the
28 case of an order denying effectiveness, was incomplete in any material
29 respect or contained any statement which was, in the light of the
30 circumstances under which it was made, false, or misleading with
31 respect to any material fact;

32 (2) Has willfully violated or willfully failed to comply with any
33 provision of this chapter or a predecessor act or any rule or order
34 under this chapter or a predecessor act, or any provision of chapter
35 21.30 RCW or any rule or order thereunder;

36 (3) Has been convicted, within the past five years, of any
37 misdemeanor involving a security, or a commodity contract or commodity
38 option as defined in RCW 21.30.010, or any aspect of the securities or

1 investment commodities business, or any felony involving moral
2 turpitude;

3 (4) Is permanently or temporarily enjoined by any court of
4 competent jurisdiction from engaging in or continuing any conduct or
5 practice involving any aspect of the securities or investment
6 commodities business;

7 (5) Is the subject of an order of the director denying, suspending,
8 or revoking registration as a broker-dealer, salesperson, investment
9 adviser, or investment adviser representative;

10 (6) Is the subject of an order entered within the past five years
11 by the securities administrator of any other state or by the federal
12 securities and exchange commission denying or revoking registration as
13 a broker-dealer or salesperson, or a commodity broker-dealer or sales
14 representative, or the substantial equivalent of those terms as defined
15 in this chapter or by the commodity futures trading commission denying
16 or revoking registration as a commodity merchant as defined in RCW
17 21.30.010, or is the subject of an order of suspension or expulsion
18 from membership in or association with a self-regulatory organization
19 registered under the securities exchange act of 1934 or the federal
20 commodity exchange act, or is the subject of a United States post
21 office fraud order; but (a) the director may not institute a revocation
22 or suspension proceeding under this clause more than one year from the
23 date of the order relied on, and (b) the director may not enter any
24 order under this clause on the basis of an order unless that order was
25 based on facts which would currently constitute a ground for an order
26 under this section;

27 (7) Has engaged in dishonest or unethical practices in the
28 securities or investment commodities business;

29 (8) Is insolvent, either in the sense that his or her liabilities
30 exceed his or her assets or in the sense that he or she cannot meet his
31 or her obligations as they mature; but the director may not enter an
32 order against a broker-dealer or investment adviser under this clause
33 without a finding of insolvency as to the broker-dealer or investment
34 adviser;

35 (9) Has not complied with a condition imposed by the director under
36 RCW 21.20.100, or is not qualified on the basis of such factors as
37 training, experience, or knowledge of the securities business; or

1 (10)(a) Has failed to supervise reasonably a salesperson or an
2 investment adviser representative. For the purposes of this
3 subsection, no person fails to supervise reasonably another person, if:

4 (i) There are established procedures, and a system for applying
5 those procedures, that would reasonably be expected to prevent and
6 detect, insofar as practicable, any violation by another person of this
7 chapter, or a rule or order under this chapter; and

8 (ii) The supervising person has reasonably discharged the duties
9 and obligations required by these procedures and system without
10 reasonable cause to believe that another person was violating this
11 chapter or rules or orders under this chapter.

12 (b) The director may issue a summary order pending final
13 determination of a proceeding under this section upon a finding that it
14 is in the public interest and necessary or appropriate for the
15 protection of investors. The director may not impose a fine under this
16 section except after notice and opportunity for hearing. The fine
17 imposed under this section may not exceed five thousand dollars for
18 each act or omission that constitutes the basis for issuing the order.

19 The director shall immediately suspend the license or certificate
20 of a person who either has been certified pursuant to section 3 of this
21 act by the department of social and health services or by a court under
22 section 110 of this act as a person who is not in compliance with a
23 support order. If the person has continued to meet all other
24 requirements for reinstatement during the suspension, reissuance of the
25 license or certificate shall be automatic upon the director's receipt
26 of a written release issued by the department of social and health
27 services or a court stating that the licensee is in compliance with the
28 order.

29 NEW SECTION. Sec. 81. A new section is added to chapter 48.17 RCW
30 to read as follows:

31 (1) No person who has been certified by the department of social
32 and health services as a person who is not in compliance with a support
33 order as provided in section 3 of this act or by a court under section
34 110 of this act may be issued a license or certificate under this
35 chapter. The application of a person so certified by the department of
36 social and health services or by a court may be reviewed for issuance
37 of a license or certificate under this chapter after the person
38 provides the department with a written release issued by the department

1 of social and health services or a court stating that the person is in
2 compliance with the order.

3 (2) The commissioner shall immediately suspend the license or
4 certificate of a person who has been certified pursuant to section 3 of
5 this act by the department of social and health services or by a court
6 under section 110 of this act as a person who is not in compliance with
7 a support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license or certificate shall be automatic upon the commissioner's
10 receipt of a written release issued by the department of social and
11 health services or a court stating that the licensee is in compliance
12 with the order.

13 NEW SECTION. **Sec. 82.** A new section is added to chapter 74.15 RCW
14 to read as follows:

15 (1) No person who has been certified by the department of social
16 and health services as a person who is not in compliance with a support
17 order as provided in section 3 of this act or by a court under section
18 110 of this act may be issued a license or certificate under this
19 chapter. The application of a person so certified by the department of
20 social and health services or by a court may be reviewed for issuance
21 of a license or certificate under this chapter after the person
22 provides the department with a written release issued by the department
23 of social and health services or a court stating that the person is in
24 compliance with the order.

25 (2) The secretary shall immediately suspend the license or
26 certificate of a person who has been certified pursuant to section 3 of
27 this act by the department of social and health services or by a court
28 under section 110 of this act as a person who is not in compliance with
29 a support order. If the person has continued to meet all other
30 requirements for reinstatement during the suspension, reissuance of the
31 license or certificate shall be automatic upon the secretary's receipt
32 of a written release issued by the department of social and health
33 services or a court stating that the licensee is in compliance with the
34 order.

35 NEW SECTION. **Sec. 83.** A new section is added to chapter 47.68 RCW
36 to read as follows:

1 (1) No person who has been certified by the department of social
2 and health services as a person who is not in compliance with a support
3 order as provided in section 3 of this act or by a court under section
4 110 of this act may be issued a license or certificate under this
5 chapter. The application of a person so certified by the department of
6 social and health services or by a court may be reviewed for issuance
7 of a license or certificate under this chapter after the person
8 provides the department with a written release issued by the department
9 of social and health services or a court stating that the person is in
10 compliance with the order.

11 (2) The department shall immediately suspend the license or
12 certificate of a person who has been certified pursuant to section 3 of
13 this act by the department of social and health services or by a court
14 under section 110 of this act as a person who is not in compliance with
15 a support order. If the person has continued to meet all other
16 requirements for reinstatement during the suspension, reissuance of the
17 license or certificate shall be automatic upon the department's receipt
18 of a written release issued by the department of social and health
19 services or a court stating that the licensee is in compliance with the
20 order.

21 NEW SECTION. **Sec. 84.** A new section is added to chapter 71.12 RCW
22 to read as follows:

23 (1) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act or by a court under section
26 110 of this act may be issued a license or certificate under this
27 chapter. The application of a person so certified by the department of
28 social and health services or by a court may be reviewed for issuance
29 of a license or certificate under this chapter after the person
30 provides the department with a written release issued by the department
31 of social and health services or a court stating that the person is in
32 compliance with the order.

33 (2) The department of health shall immediately suspend the license
34 or certificate of a person who has been certified pursuant to section
35 3 of this act by the department of social and health services or by a
36 court under section 110 of this act as a person who is not in
37 compliance with a support order. If the person has continued to meet
38 all other requirements for reinstatement during the suspension,

1 reissuance of the license or certificate shall be automatic upon the
2 department of health's receipt of a written release issued by the
3 department of social and health services or a court stating that the
4 licensee is in compliance with the order.

5 **Sec. 85.** RCW 66.20.320 and 1995 c 51 s 4 are each amended to read
6 as follows:

7 (1) The board shall regulate a required alcohol server education
8 program that includes:

9 (a) Development of the curriculum and materials for the education
10 program;

11 (b) Examination and examination procedures;

12 (c) Certification procedures, enforcement policies, and penalties
13 for education program instructors and providers;

14 (d) The curriculum for an approved class 12 alcohol permit training
15 program that includes but is not limited to the following subjects:

16 (i) The physiological effects of alcohol including the effects of
17 alcohol in combination with drugs;

18 (ii) Liability and legal information;

19 (iii) Driving while intoxicated;

20 (iv) Intervention with the problem customer, including ways to stop
21 service, ways to deal with the belligerent customer, and alternative
22 means of transportation to get the customer safely home;

23 (v) Methods for checking proper identification of customers;

24 (vi) Nationally recognized programs, such as TAM (Techniques in
25 Alcohol Management) and TIPS (Training for Intervention Programs)
26 modified to include Washington laws and regulations.

27 (2) The board shall provide the program through liquor licensee
28 associations, independent contractors, private persons, private or
29 public schools certified by the board, or any combination of such
30 providers.

31 (3) Except as provided in section 87 of this act, each training
32 entity shall provide a class 12 permit to the manager or bartender who
33 has successfully completed a course the board has certified. A list of
34 the individuals receiving the class 12 permit shall be forwarded to the
35 board on the completion of each course given by the training entity.

36 (4) After July 1, 1996, the board shall require all alcohol servers
37 applying for a class 13 alcohol server permit to view a video training

1 session. Retail liquor licensees shall fully compensate employees for
2 the time spent participating in this training session.

3 (5) When requested by a retail liquor licensee, the board shall
4 provide copies of videotaped training programs that have been produced
5 by private vendors and make them available for a nominal fee to cover
6 the cost of purchasing and shipment, with the fees being deposited in
7 the liquor revolving fund for distribution to the board as needed.

8 (6) Each training entity may provide the board with a video program
9 of not less than one hour that covers the subjects in subsection (1)(d)
10 (i) through (v) of this section that will be made available to a
11 licensee for the training of a class 13 alcohol server.

12 (7) Except as provided in section 87 of this act, applicants shall
13 be given a class 13 permit upon the successful completion of the
14 program.

15 (8) A list of the individuals receiving the class 13 permit shall
16 be forwarded to the board on the completion of each video training
17 program.

18 (9) The board shall develop a model permit for the class 12 and 13
19 permits. The board may provide such permits to training entities or
20 licensees for a nominal cost to cover production.

21 (10) Persons who have completed a nationally recognized alcohol
22 management or intervention program since July 1, 1993, may be issued a
23 class 12 or 13 permit upon providing proof of completion of such
24 training to the board.

25 NEW SECTION. Sec. 86. A new section is added to chapter 66.20 RCW
26 to read as follows:

27 (1) No person who has been certified by the department of social
28 and health services as a person who is not in compliance with a support
29 order as provided in section 3 of this act or by a court under section
30 110 of this act may be issued a license under this chapter. The
31 application of a person so certified by the department of social and
32 health services or by a court may be reviewed for issuance of a license
33 under this chapter after the person provides the department with a
34 written release issued by the department of social and health services
35 or a court stating that the person is in compliance with the order.

36 (2) The board shall immediately suspend the license of a person who
37 has been certified pursuant to section 3 of this act by the department
38 of social and health services or by a court under section 110 of this

1 act as a person who is not in compliance with a support order. If the
2 person has continued to meet all other requirements for reinstatement
3 during the suspension, reissuance of the license shall be automatic
4 upon the board's receipt of a written release issued by the department
5 of social and health services or a court stating that the licensee is
6 in compliance with the order.

7 NEW SECTION. **Sec. 87.** A new section is added to chapter 66.24 RCW
8 to read as follows:

9 (1) No person who has been certified by the department of social
10 and health services as a person who is not in compliance with a support
11 order as provided in section 3 of this act or by a court under section
12 110 of this act may be issued a license under this chapter. The
13 application of a person so certified by the department of social and
14 health services or by a court may be reviewed for issuance of a license
15 under this chapter after the person provides the department with a
16 written release issued by the department of social and health services
17 or a court stating that the person is in compliance with the order.

18 (2) The board shall immediately suspend the license of a person who
19 has been certified pursuant to section 3 of this act by the department
20 of social and health services or by a court under section 110 of this
21 act as a person who is not in compliance with a support order. If the
22 person has continued to meet all other requirements for reinstatement
23 during the suspension, reissuance of the license shall be automatic
24 upon the board's receipt of a written release issued by the department
25 of social and health services or a court stating that the licensee is
26 in compliance with the order.

27 NEW SECTION. **Sec. 88.** A new section is added to chapter 88.02 RCW
28 to read as follows:

29 (1) No person who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a vessel registration or a vessel
33 dealer's registration under this chapter. The application of a person
34 so certified by the department of social and health services or by a
35 court may be reviewed for issuance of registration under this chapter
36 after the person provides the department with a written release issued

1 by the department of social and health services or a court stating that
2 the person is in compliance with the order.

3 (2) The department shall immediately suspend the vessel
4 registration or vessel dealer's registration of a person who has been
5 certified pursuant to section 3 of this act by the department of social
6 and health services or by a court under section 110 of this act as a
7 person who is not in compliance with a support order. If the person
8 has continued to meet all other requirements for reinstatement during
9 the suspension, reissuance of the registration shall be automatic upon
10 the department's receipt of a written release issued by the department
11 of social and health services or a court stating that the licensee is
12 in compliance with the order.

13 **Sec. 89.** RCW 67.08.040 and 1993 c 278 s 14 are each amended to
14 read as follows:

15 Except as provided in RCW 67.08.100, upon the approval by the
16 department of any application for a license, as hereinabove provided,
17 and the filing of the bond the department shall forthwith issue such
18 license.

19 **Sec. 90.** RCW 67.08.100 and 1993 c 278 s 20 are each amended to
20 read as follows:

21 (1) The department may grant annual licenses upon application in
22 compliance with the rules and regulations prescribed by the director,
23 and the payment of the fees, the amount of which is to be set by the
24 director in accordance with RCW 43.24.086, prescribed to promoters,
25 managers, referees, boxers, wrestlers, and seconds: PROVIDED, That the
26 provisions of this section shall not apply to contestants or
27 participants in strictly amateur contests and/or fraternal
28 organizations and/or veterans' organizations chartered by congress or
29 the defense department or any bona fide athletic club which is a member
30 of the Pacific northwest association of the amateur athletic union of
31 the United States, holding and promoting athletic contests and where
32 all funds are used primarily for the benefit of their members.

33 (2) Any such license may be revoked by the department for any cause
34 which it shall deem sufficient.

35 (3) No person shall participate or serve in any of the above
36 capacities unless licensed as provided in this chapter.

1 (4) The referee for any boxing contest shall be designated by the
2 department from among such licensed referees.

3 (5) The referee for any wrestling exhibition or show shall be
4 provided by the promoter and licensed by the department.

5 (6) No person who has been certified by the department of social
6 and health services as a person who is not in compliance with a support
7 order as provided in section 3 of this act or by a court under section
8 110 of this act may be issued a license or certificate under this
9 chapter. The application of a person so certified by the department of
10 social and health services or by a court may be reviewed for issuance
11 of a license or certificate under this chapter after the person
12 provides the department with a written release issued by the department
13 of social and health services or a court stating that the person is in
14 compliance with the order.

15 (7) The department shall immediately suspend the license or
16 certificate of a person who has been certified pursuant to section 3 of
17 this act by the department of social and health services or by a court
18 under section 110 of this act as a person who is not in compliance with
19 a support order. If the person has continued to meet all other
20 requirements for reinstatement during the suspension, reissuance of the
21 license or certificate shall be automatic upon the department's receipt
22 of a written release issued by the department of social and health
23 services or a court stating that the licensee is in compliance with the
24 order.

25 **Sec. 91.** RCW 19.02.100 and 1991 c 72 s 8 are each amended to read
26 as follows:

27 (1) The department shall not issue or renew a master license to any
28 person if:

29 (a) The person does not have a valid tax registration, if required;

30 (b) The person is a corporation delinquent in fees or penalties
31 owing to the secretary of state or is not validly registered under
32 Title 23B RCW, chapter 18.100 RCW, Title 24 RCW, and any other statute
33 now or hereafter adopted which gives corporate or business licensing
34 responsibilities to the secretary of state; ~~((or))~~

35 (c) The person has not submitted the sum of all fees and deposits
36 required for the requested individual license endorsements, any
37 outstanding master license delinquency fee, or other fees and penalties
38 to be collected through the system; or

1 (d) No person who has been certified by the department of social
2 and health services as a person who is not in compliance with a support
3 order as provided in section 3 of this act or by a court under section
4 110 of this act may be issued a license or certificate under this
5 chapter. The application of a person so certified by the department of
6 social and health services or by a court may be reviewed for issuance
7 of a license or certificate under this chapter after the person
8 provides the department with a written release issued by the department
9 of social and health services or a court stating that the person is in
10 compliance with the order.

11 (2) Nothing in this section shall prevent registration by the state
12 of an employer for the purpose of paying an employee of that employer
13 industrial insurance or unemployment insurance benefits.

14 (3) The department shall immediately suspend the license or
15 certificate of a person who has been certified pursuant to section 3 of
16 this act by the department of social and health services or by a court
17 under section 110 of this act as a person who is not in compliance with
18 a support order. If the person has continued to meet all other
19 requirements for reinstatement during the suspension, reissuance of the
20 license or certificate shall be automatic upon the department's receipt
21 of a written release issued by the department of social and health
22 services or a court stating that the licensee is in compliance with the
23 order.

24 **Sec. 92.** RCW 43.24.080 and 1979 c 158 s 99 are each amended to
25 read as follows:

26 Except as provided in section 95 of this act, at the close of each
27 examination the department of licensing shall prepare the proper
28 licenses, where no further fee is required to be paid, and issue
29 licenses to the successful applicants signed by the director and notify
30 all successful applicants, where a further fee is required, of the fact
31 that they are entitled to receive such license upon the payment of such
32 further fee to the department of licensing and notify all applicants
33 who have failed to pass the examination of that fact.

34 **Sec. 93.** RCW 43.24.110 and 1986 c 259 s 149 are each amended to
35 read as follows:

36 Except as provided in section 95 of this act, whenever there is
37 filed in a matter under the jurisdiction of the director of licensing

1 any complaint charging that the holder of a license has been guilty of
2 any act or omission which by the provisions of the law under which the
3 license was issued would warrant the revocation thereof, verified in
4 the manner provided by law, the director of licensing shall request the
5 governor to appoint, and the governor shall appoint within thirty days
6 of the request, two qualified practitioners of the profession or
7 calling of the person charged, who, with the director or his duly
8 appointed representative, shall constitute a committee to hear and
9 determine the charges and, in case the charges are sustained, impose
10 the penalty provided by law. In addition, the governor shall appoint
11 a consumer member of the committee.

12 The decision of any three members of such committee shall be the
13 decision of the committee.

14 The appointed members of the committee shall be compensated in
15 accordance with RCW 43.03.240 and shall be reimbursed for their travel
16 expenses, in accordance with RCW 43.03.050 and 43.03.060.

17 **Sec. 94.** RCW 43.24.120 and 1987 c 202 s 212 are each amended to
18 read as follows:

19 Except as provided in section 95 of this act, any person feeling
20 aggrieved by the refusal of the director to issue a license, or to
21 renew one, or by the revocation or suspension of a license shall have
22 a right of appeal to superior court from the decision of the director
23 of licensing, which shall be taken, prosecuted, heard, and determined
24 in the manner provided in chapter 34.05 RCW.

25 The decision of the superior court may be reviewed by the supreme
26 court or the court of appeals in the same manner as other civil cases.

27 NEW SECTION. **Sec. 95.** A new section is added to chapter 43.24 RCW
28 to read as follows:

29 (1) No person who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a license by the department of licensing.
33 The application of a person so certified by the department of social
34 and health services or by a court may be reviewed for issuance of
35 registration under this chapter after the person provides the
36 department with a written release issued by the department of social

1 and health services or a court stating that the person is in compliance
2 with the order.

3 (2) The department shall immediately suspend any license issued by
4 the department of licensing of a person who has been certified pursuant
5 to section 3 of this act by the department of social and health
6 services or by a court under section 110 of this act as a person who is
7 not in compliance with a support order. If the person has continued to
8 meet all other requirements for reinstatement during the suspension,
9 reissuance of the license shall be automatic upon the department's
10 receipt of a written release issued by the department of social and
11 health services or a court stating that the licensee is in compliance
12 with the order.

13 **Sec. 96.** RCW 70.74.110 and 1988 c 198 s 5 are each amended to read
14 as follows:

15 All persons engaged in the manufacture of explosives, or any
16 process involving explosives, or where explosives are used as a
17 component part in the manufacture of any article or device, on (~~the~~
18 ~~date when this 1969 amendatory act takes effect~~) August 11, 1969,
19 shall within sixty days thereafter, and all persons engaging in the
20 manufacture of explosives, or any process involving explosives, or
21 where explosives are used as a component part in the manufacture of any
22 article or device after (~~this act takes effect~~) August 11, 1969,
23 shall, before so engaging, make an application in writing, subscribed
24 to by such person or his agent, to the department of labor and
25 industries, the application stating:

26 (1) Location of place of manufacture or processing;

27 (2) Kind of explosives manufactured, processed or used;

28 (3) The distance that such explosives manufacturing building is
29 located or intended to be located from the other factory buildings,
30 magazines, inhabited buildings, railroads and highways and public
31 utility transmission systems;

32 (4) The name and address of the applicant;

33 (5) The reason for desiring to manufacture explosives;

34 (6) The applicant's citizenship, if the applicant is an individual;

35 (7) If the applicant is a partnership, the names and addresses of
36 the partners, and their citizenship;

1 (8) If the applicant is an association or corporation, the names
2 and addresses of the officers and directors thereof, and their
3 citizenship; and

4 (9) Such other pertinent information as the director of labor and
5 industries shall require to effectuate the purpose of this chapter.

6 There shall be kept in the main office on the premises of each
7 explosives manufacturing plant a plan of said plant showing the
8 location of all explosives manufacturing buildings and the distance
9 they are located from other factory buildings where persons are
10 employed and from magazines, and these plans shall at all times be open
11 to inspection by duly authorized inspectors of the department of labor
12 and industries. The superintendent of each plant shall upon demand of
13 said inspector furnish the following information:

14 (a) The maximum amount and kind of explosive material which is or
15 will be present in each building at one time.

16 (b) The nature and kind of work carried on in each building and
17 whether or not said buildings are surrounded by natural or artificial
18 barricades.

19 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the
20 department of labor and industries shall as soon as possible after
21 receiving such application cause an inspection to be made of the
22 explosives manufacturing plant, and if found to be in accordance with
23 RCW 70.74.030 and 70.74.050 and 70.74.061, such department shall issue
24 a license to the person applying therefor showing compliance with the
25 provisions of this chapter if the applicant demonstrates that either
26 the applicant or the officers, agents or employees of the applicant are
27 sufficiently experienced in the manufacture of explosives and the
28 applicant meets the qualifications for a license under RCW 70.74.360.
29 Such license shall continue in full force and effect until expired,
30 suspended, or revoked by the department pursuant to this chapter.

31 **Sec. 97.** RCW 70.74.130 and 1988 c 198 s 7 are each amended to read
32 as follows:

33 Every person desiring to engage in the business of dealing in
34 explosives shall apply to the department of labor and industries for a
35 license therefor. Said application shall state, among other things:

36 (1) The name and address of applicant;

37 (2) The reason for desiring to engage in the business of dealing in
38 explosives;

- 1 (3) Citizenship, if an individual applicant;
- 2 (4) If a partnership, the names and addresses of the partners and
3 their citizenship;
- 4 (5) If an association or corporation, the names and addresses of
5 the officers and directors thereof and their citizenship; and
- 6 (6) Such other pertinent information as the director of labor and
7 industries shall require to effectuate the purpose of this chapter.

8 Except as provided in RCW 70.74.135, 70.74.360, and 70.74.370, the
9 department of labor and industries shall issue the license if the
10 applicant demonstrates that either the applicant or the principal
11 officers, agents, or employees of the applicant are experienced in the
12 business of dealing in explosives, possess suitable facilities
13 therefor, have not been convicted of any crime that would warrant
14 revocation or nonrenewal of a license under this chapter, and have
15 never had an explosives-related license revoked under this chapter or
16 under similar provisions of any other state.

17 **Sec. 98.** RCW 70.74.135 and 1988 c 198 s 8 are each amended to read
18 as follows:

19 All persons desiring to purchase explosives except handloader
20 components shall apply to the department of labor and industries for a
21 license. Said application shall state, among other things:

- 22 (1) The location where explosives are to be used;
- 23 (2) The kind and amount of explosives to be used;
- 24 (3) The name and address of the applicant;
- 25 (4) The reason for desiring to use explosives;
- 26 (5) The citizenship of the applicant if the applicant is an
27 individual;
- 28 (6) If the applicant is a partnership, the names and addresses of
29 the partners and their citizenship;
- 30 (7) If the applicant is an association or corporation, the names
31 and addresses of the officers and directors thereof and their
32 citizenship; and
- 33 (8) Such other pertinent information as the director of the
34 department of labor and industries shall require to effectuate the
35 purpose of this chapter.

36 The department of labor and industries shall issue the license if
37 the applicant demonstrates that either the applicant or the officers,
38 agents or employees of the applicant are sufficiently experienced in

1 the use of explosives to authorize a purchase license. However, no
2 purchaser's license may be issued to any person who cannot document
3 proof of possession or right to use approved and licensed storage
4 facilities unless the person signs a statement certifying that
5 explosives will not be stored. No person who has been certified by the
6 department of social and health services as a person who is not in
7 compliance with a support order as provided in section 3 of this act or
8 by a court under section 110 of this act may be issued a license or
9 certificate under this chapter. The application of a person so
10 certified by the department of social and health services or by a court
11 may be reviewed for issuance of a license or certificate under this
12 chapter after the person provides the department with a written release
13 issued by the department of social and health services or a court
14 stating that the person is in compliance with the order.

15 **Sec. 99.** RCW 70.74.360 and 1988 c 198 s 3 are each amended to read
16 as follows:

17 (1) The director of labor and industries shall require, as a
18 condition precedent to the original issuance or renewal of any
19 explosive license, fingerprinting and criminal history record
20 information checks of every applicant. In the case of a corporation,
21 fingerprinting and criminal history record information checks shall be
22 required for the management officials directly responsible for the
23 operations where explosives are used if such persons have not
24 previously had their fingerprints recorded with the department of labor
25 and industries. In the case of a partnership, fingerprinting and
26 criminal history record information checks shall required of all
27 general partners. Such fingerprints as are required by the department
28 of labor and industries shall be submitted on forms provided by the
29 department to the identification section of the Washington state patrol
30 and to the identification division of the federal bureau of
31 investigation in order that these agencies may search their records for
32 prior convictions of the individuals fingerprinted. The Washington
33 state patrol shall provide to the director of labor and industries such
34 criminal record information as the director may request. The applicant
35 shall give full cooperation to the department of labor and industries
36 and shall assist the department of labor and industries in all aspects
37 of the fingerprinting and criminal history record information check.
38 The applicant may be required to pay a fee not to exceed twenty dollars

1 to the agency that performs the fingerprinting and criminal history
2 process.

3 (2) The director of labor and industries shall not issue a license
4 to manufacture, purchase, store, use, or deal with explosives to:

5 (a) Any person under twenty-one years of age;

6 (b) Any person whose license is suspended or whose license has been
7 revoked, except as provided in RCW 70.74.370;

8 (c) Any person who has been convicted in this state or elsewhere of
9 a violent offense as defined in RCW 9.94A.030, perjury, false swearing,
10 or bomb threats or a crime involving a schedule I or II controlled
11 substance, or any other drug or alcohol related offense, unless such
12 other drug or alcohol related offense does not reflect a drug or
13 alcohol dependency. However, the director of labor and industries may
14 issue a license if the person suffering a drug or alcohol related
15 dependency is participating in or has completed an alcohol or drug
16 recovery program acceptable to the department of labor and industries
17 and has established control of their alcohol or drug dependency. The
18 director of labor and industries shall require the applicant to provide
19 proof of such participation and control; ((or))

20 (d) Any person who has previously been adjudged to be mentally ill
21 or insane, or to be incompetent due to any mental disability or disease
22 and who has not at the time of application been restored to competency;
23 or

24 (e) Any person who has been certified by the department of social
25 and health services as a person who is not in compliance with a support
26 order as provided in section 3 of this act or by a court under section
27 110 of this act. The application of a person so certified by the
28 department of social and health services or by a court may be reviewed
29 for issuance of a license or certificate under this chapter after the
30 person provides the director of labor and industries with a written
31 release issued by the department of social and health services or a
32 court stating that the person is in compliance with the order.

33 (3) The director of labor and industries may establish reasonable
34 licensing fees for the manufacture, dealing, purchase, use, and storage
35 of explosives.

36 **Sec. 100.** RCW 70.74.370 and 1988 c 198 s 4 are each amended to
37 read as follows:

1 (1) The department of labor and industries shall revoke and not
2 renew the license of any person holding a manufacturer, dealer,
3 purchaser, user, or storage license upon conviction of any of the
4 following offenses, which conviction has become final:

5 (a) A violent offense as defined in RCW 9.94A.030;

6 (b) A crime involving perjury or false swearing, including the
7 making of a false affidavit or statement under oath to the department
8 of labor and industries in an application or report made pursuant to
9 this title;

10 (c) A crime involving bomb threats;

11 (d) A crime involving a schedule I or II controlled substance, or
12 any other drug or alcohol related offense, unless such other drug or
13 alcohol related offense does not reflect a drug or alcohol dependency.
14 However, the department of labor and industries may condition renewal
15 of the license to any convicted person suffering a drug or alcohol
16 dependency who is participating in an alcoholism or drug recovery
17 program acceptable to the department of labor and industries and has
18 established control of their alcohol or drug dependency. The
19 department of labor and industries shall require the licensee to
20 provide proof of such participation and control;

21 (e) A crime relating to possession, use, transfer, or sale of
22 explosives under this chapter or any other chapter of the Revised Code
23 of Washington.

24 (2) The department of labor and industries shall revoke the license
25 of any person adjudged to be mentally ill or insane, or to be
26 incompetent due to any mental disability or disease. The director
27 shall not renew the license until the person has been restored to
28 competency.

29 (3) The department of labor and industries is authorized to
30 suspend, for a period of time not to exceed six months, the license of
31 any person who has violated this chapter or the rules promulgated
32 pursuant to this chapter.

33 (4) The department of labor and industries may revoke the license
34 of any person who has repeatedly violated this chapter or the rules
35 promulgated pursuant to this chapter, or who has twice had his or her
36 license suspended under this chapter.

37 (5) The department of labor and industries shall immediately
38 suspend the license or certificate of a person who has been certified
39 pursuant to section 3 of this act by the department of social and

1 health services or by a court under section 110 of this act as a person
2 who is not in compliance with a support order. If the person has
3 continued to meet all other requirements for reinstatement during the
4 suspension, reissuance of the license or certificate shall be automatic
5 upon the department of labor and industries' receipt of a written
6 release issued by the department of social and health services or a
7 court stating that the licensee is in compliance with the order.

8 (6) Upon receipt of notification by the department of labor and
9 industries of revocation or suspension, a licensee must surrender
10 immediately to the department any or all such licenses revoked or
11 suspended.

12 **Sec. 101.** RCW 66.24.010 and 1995 c 232 s 1 are each amended to
13 read as follows:

14 (1) Every license shall be issued in the name of the applicant, and
15 the holder thereof shall not allow any other person to use the license.

16 (2) For the purpose of considering any application for a license,
17 the board may cause an inspection of the premises to be made, and may
18 inquire into all matters in connection with the construction and
19 operation of the premises. For the purpose of reviewing any
20 application for a license and for considering the denial, suspension or
21 revocation of any license, the liquor control board may consider any
22 prior criminal conduct of the applicant and the provisions of RCW
23 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The
24 board may, in its discretion, grant or refuse the license applied for.
25 Authority to approve an uncontested or unopposed license may be granted
26 by the board to any staff member the board designates in writing.
27 Conditions for granting such authority shall be adopted by rule. No
28 retail license of any kind may be issued to:

29 (a) A person who has not resided in the state for at least one
30 month prior to making application, except in cases of licenses issued
31 to dining places on railroads, boats, or aircraft;

32 (b) A copartnership, unless all of the members thereof are
33 qualified to obtain a license, as provided in this section;

34 (c) A person whose place of business is conducted by a manager or
35 agent, unless such manager or agent possesses the same qualifications
36 required of the licensee;

1 (d) A corporation, unless it was created under the laws of the
2 state of Washington or holds a certificate of authority to transact
3 business in the state of Washington; or

4 (e) Any person who has been certified by the department of social
5 and health services as a person who is not in compliance with a support
6 order as provided in section 3 of this act or by a court under section
7 110 of this act. The application of a person so certified by the
8 department of social and health services or by a court may be reviewed
9 for issuance of a license or certificate under this chapter after the
10 person provides the board with a written release issued by the
11 department of social and health services or a court stating that the
12 person is in compliance with the order.

13 (3)(a) The board may, in its discretion, subject to the provisions
14 of RCW 66.08.150, suspend or cancel any license; and all rights of the
15 licensee to keep or sell liquor thereunder shall be suspended or
16 terminated, as the case may be.

17 (b) The board shall immediately suspend the license or certificate
18 of a person who has been certified pursuant to section 3 of this act by
19 the department of social and health services or by a court under
20 section 110 of this act as a person who is not in compliance with a
21 support order. If the person has continued to meet all other
22 requirements for reinstatement during the suspension, reissuance of the
23 license or certificate shall be automatic upon the board's receipt of
24 a written release issued by the department of social and health
25 services or a court stating that the licensee is in compliance with the
26 order.

27 (c) The board may request the appointment of administrative law
28 judges under chapter 34.12 RCW who shall have power to administer
29 oaths, issue subpoenas for the attendance of witnesses and the
30 production of papers, books, accounts, documents, and testimony,
31 examine witnesses, and to receive testimony in any inquiry,
32 investigation, hearing, or proceeding in any part of the state, under
33 such rules and regulations as the board may adopt.

34 (d) Witnesses shall be allowed fees and mileage each way to and
35 from any such inquiry, investigation, hearing, or proceeding at the
36 rate authorized by RCW 34.05.446, as now or hereafter amended. Fees
37 need not be paid in advance of appearance of witnesses to testify or to
38 produce books, records, or other legal evidence.

1 (e) In case of disobedience of any person to comply with the order
2 of the board or a subpoena issued by the board, or any of its members,
3 or administrative law judges, or on the refusal of a witness to testify
4 to any matter regarding which he or she may be lawfully interrogated,
5 the judge of the superior court of the county in which the person
6 resides, on application of any member of the board or administrative
7 law judge, shall compel obedience by contempt proceedings, as in the
8 case of disobedience of the requirements of a subpoena issued from said
9 court or a refusal to testify therein.

10 (4) Upon receipt of notice of the suspension or cancellation of a
11 license, the licensee shall forthwith deliver up the license to the
12 board. Where the license has been suspended only, the board shall
13 return the license to the licensee at the expiration or termination of
14 the period of suspension. The board shall notify all vendors in the
15 city or place where the licensee has its premises of the suspension or
16 cancellation of the license; and no employee may allow or cause any
17 liquor to be delivered to or for any person at the premises of that
18 licensee.

19 (5)(a) At the time of the original issuance of a class H license,
20 the board shall prorate the license fee charged to the new licensee
21 according to the number of calendar quarters, or portion thereof,
22 remaining until the first renewal of that license is required.

23 (b) Unless sooner canceled, every license issued by the board shall
24 expire at midnight of the thirtieth day of June of the fiscal year for
25 which it was issued. However, if the board deems it feasible and
26 desirable to do so, it may establish, by rule pursuant to chapter 34.05
27 RCW, a system for staggering the annual renewal dates for any and all
28 licenses authorized by this chapter. If such a system of staggered
29 annual renewal dates is established by the board, the license fees
30 provided by this chapter shall be appropriately prorated during the
31 first year that the system is in effect.

32 (6) Every license issued under this section shall be subject to all
33 conditions and restrictions imposed by this title or by the regulations
34 in force from time to time. All conditions and restrictions imposed by
35 the board in the issuance of an individual license shall be listed on
36 the face of the individual license along with the trade name, address,
37 and expiration date.

38 (7) Every licensee shall post and keep posted its license, or
39 licenses, in a conspicuous place on the premises.

1 (8) Before the board shall issue a license to an applicant it shall
2 give notice of such application to the chief executive officer of the
3 incorporated city or town, if the application be for a license within
4 an incorporated city or town, or to the county legislative authority,
5 if the application be for a license outside the boundaries of
6 incorporated cities or towns; and such incorporated city or town,
7 through the official or employee selected by it, or the county
8 legislative authority or the official or employee selected by it, shall
9 have the right to file with the board within twenty days after date of
10 transmittal of such notice, written objections against the applicant or
11 against the premises for which the license is asked, and shall include
12 with such objections a statement of all facts upon which such
13 objections are based, and in case written objections are filed, may
14 request and the liquor control board may in its discretion hold a
15 formal hearing subject to the applicable provisions of Title 34 RCW.
16 Upon the granting of a license under this title the board shall send a
17 duplicate of the license or written notification to the chief executive
18 officer of the incorporated city or town in which the license is
19 granted, or to the county legislative authority if the license is
20 granted outside the boundaries of incorporated cities or towns.

21 (9) Before the board issues any license to any applicant, it shall
22 give (a) due consideration to the location of the business to be
23 conducted under such license with respect to the proximity of churches,
24 schools, and public institutions and (b) written notice by certified
25 mail of the application to churches, schools, and public institutions
26 within five hundred feet of the premises to be licensed. The board
27 shall issue no beer retailer license class A, B, D, or E or wine
28 retailer license class C or F or class H license covering any premises
29 not now licensed, if such premises are within five hundred feet of the
30 premises of any tax-supported public elementary or secondary school
31 measured along the most direct route over or across established public
32 walks, streets, or other public passageway from the outer property line
33 of the school grounds to the nearest public entrance of the premises
34 proposed for license, and if, after receipt by the school or public
35 institution of the notice as provided in this subsection, the board
36 receives written notice, within twenty days after posting such notice,
37 from an official representative or representatives of the school within
38 five hundred feet of said proposed licensed premises, indicating to the
39 board that there is an objection to the issuance of such license

1 because of proximity to a school. For the purpose of this section,
2 church shall mean a building erected for and used exclusively for
3 religious worship and schooling or other activity in connection
4 therewith. No liquor license may be issued or reissued by the board to
5 any motor sports facility or licensee operating within the motor sports
6 facility unless the motor sports facility enforces a program reasonably
7 calculated to prevent alcohol or alcoholic beverages not purchased
8 within the facility from entering the facility and such program is
9 approved by local law enforcement agencies. It is the intent under
10 this subsection that a retail license shall not be issued by the board
11 where doing so would, in the judgment of the board, adversely affect a
12 private school meeting the requirements for private schools under Title
13 28A RCW, which school is within five hundred feet of the proposed
14 licensee. The board shall fully consider and give substantial weight
15 to objections filed by private schools. If a license is issued despite
16 the proximity of a private school, the board shall state in a letter
17 addressed to the private school the board's reasons for issuing the
18 license.

19 (10) The restrictions set forth in subsection (9) of this section
20 shall not prohibit the board from authorizing the assumption of
21 existing licenses now located within the restricted area by other
22 persons or licenses or relocations of existing licensed premises within
23 the restricted area. In no case may the licensed premises be moved
24 closer to a church or school than it was before the assumption or
25 relocation.

26 (11) Nothing in this section prohibits the board, in its
27 discretion, from issuing a temporary retail or wholesaler license to an
28 applicant assuming an existing retail or wholesaler license to continue
29 the operation of the retail or wholesaler premises during the period
30 the application for the license is pending and when the following
31 conditions exist:

32 (a) The licensed premises has been operated under a retail or
33 wholesaler license within ninety days of the date of filing the
34 application for a temporary license;

35 (b) The retail or wholesaler license for the premises has been
36 surrendered pursuant to issuance of a temporary operating license;

37 (c) The applicant for the temporary license has filed with the
38 board an application to assume the retail or wholesaler license at such
39 premises to himself or herself; and

1 (d) The application for a temporary license is accompanied by a
2 temporary license fee established by the board by rule.

3 A temporary license issued by the board under this section shall be
4 for a period not to exceed sixty days. A temporary license may be
5 extended at the discretion of the board for an additional sixty-day
6 period upon payment of an additional fee and upon compliance with all
7 conditions required in this section.

8 Refusal by the board to issue or extend a temporary license shall
9 not entitle the applicant to request a hearing. A temporary license
10 may be canceled or suspended summarily at any time if the board
11 determines that good cause for cancellation or suspension exists. RCW
12 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

13 Application for a temporary license shall be on such form as the
14 board shall prescribe. If an application for a temporary license is
15 withdrawn before issuance or is refused by the board, the fee which
16 accompanied such application shall be refunded in full.

17 **Sec. 102.** RCW 43.63B.040 and 1994 c 284 s 19 are each amended to
18 read as follows:

19 (1) The department shall issue a certificate of manufactured home
20 installation to an applicant who has taken the training course, passed
21 the examination, paid the fees, and in all other respects ~~((meet[s]))~~
22 meets the qualifications. The certificate shall bear the date of
23 issuance, a certification identification number, and is renewable every
24 three years upon application and completion of a continuing education
25 program as determined by the department. A renewal fee shall be
26 assessed for each certificate. If a person fails to renew a
27 certificate by the renewal date, the person must retake the examination
28 and pay the examination fee.

29 (2) The certificate of manufactured home installation provided for
30 in this chapter grants the holder the right to engage in manufactured
31 home installation throughout the state, without any other installer
32 certification.

33 (3) No person who has been certified by the department of social
34 and health services as a person who is not in compliance with a support
35 order as provided in section 3 of this act or by a court under section
36 110 of this act may be issued a license or certificate under this
37 chapter. The application of a person so certified by the department of
38 social and health services or by a court may be reviewed for issuance

1 of a license or certificate under this chapter after the person
2 provides the department with a written release issued by the department
3 of social and health services or a court stating that the person is in
4 compliance with the order.

5 (4) The department shall immediately suspend the license or
6 certificate of a person who has been certified pursuant to section 3 of
7 this act by the department of social and health services or by a court
8 under section 110 of this act as a person who is not in compliance with
9 a support order. If the person has continued to meet all other
10 requirements for reinstatement during the suspension, reissuance of the
11 license or certificate shall be automatic upon the department's receipt
12 of a written release issued by the department of social and health
13 services or a court stating that the licensee is in compliance with the
14 order.

15 **Sec. 103.** RCW 70.95D.040 and 1989 c 431 s 68 are each amended to
16 read as follows:

17 (1) The department shall establish a process to certify incinerator
18 and landfill operators. To the greatest extent possible, the
19 department shall rely on the certification standards and procedures
20 developed by national organizations and the federal government.

21 (2) Operators shall be certified if they:

22 (a) Attend the required training sessions;

23 (b) Successfully complete required examinations; and

24 (c) Pay the prescribed fee.

25 (3) By January 1, 1991, the department shall adopt rules to require
26 incinerator and appropriate landfill operators to:

27 (a) Attend a training session concerning the operation of the
28 relevant type of landfill or incinerator;

29 (b) Demonstrate sufficient skill and competency for proper
30 operation of the incinerator or landfill by successfully completing an
31 examination prepared by the department; and

32 (c) Renew the certificate of competency at reasonable intervals
33 established by the department.

34 (4) The department shall provide for the collection of fees for the
35 issuance and renewal of certificates. These fees shall be sufficient
36 to recover the costs of the certification program.

37 (5) The department shall establish an appeals process for the
38 denial or revocation of a certificate.

1 (6) The department shall establish a process to automatically
2 certify operators who have received comparable certification from
3 another state, the federal government, a local government, or a
4 professional association.

5 (7) Upon July 23, 1989, and prior to January 1, 1992, the owner or
6 operator of an incinerator or landfill may apply to the department for
7 interim certification. Operators shall receive interim certification
8 if they:

9 (a) Have received training provided by a recognized national
10 organization, educational institution, or the federal government that
11 is acceptable to the department; or

12 (b) Have received individualized training in a manner approved by
13 the department; and

14 (c) Have successfully completed any required examinations.

15 (8) No interim certification shall be valid after January 1, 1992,
16 and interim certification shall not automatically qualify operators for
17 certification pursuant to subsections (2) through (4) of this section.

18 (9) No person who has been certified by the department of social
19 and health services as a person who is not in compliance with a support
20 order as provided in section 3 of this act or by a court under section
21 110 of this act may be issued a license or certificate under this
22 chapter. The application of a person so certified by the department of
23 social and health services or by a court may be reviewed for issuance
24 of a license or certificate under this chapter after the person
25 provides the department with a written release issued by the department
26 of social and health services or a court stating that the person is in
27 compliance with the order.

28 (10) The department shall immediately suspend the license or
29 certificate of a person who has been certified pursuant to section 3 of
30 this act by the department of social and health services or by a court
31 under section 110 of this act as a person who is not in compliance with
32 a support order. If the person has continued to meet all other
33 requirements for reinstatement during the suspension, reissuance of the
34 license or certificate shall be automatic upon the department's receipt
35 of a written release issued by the department of social and health
36 services or a court stating that the licensee is in compliance with the
37 order.

1 NEW SECTION. **Sec. 104.** A new section is added to chapter 70.95B
2 RCW to read as follows:

3 (1) No person who has been certified by the department of social
4 and health services as a person who is not in compliance with a support
5 order as provided in section 3 of this act or by a court under section
6 110 of this act may be issued a license or certificate under this
7 chapter. The application of a person so certified by the department of
8 social and health services or by a court may be reviewed for issuance
9 of a license or certificate under this chapter after the person
10 provides the department with a written release issued by the department
11 of social and health services or a court stating that the person is in
12 compliance with the order.

13 (2) The director shall immediately suspend the license or
14 certificate of a person who has been certified pursuant to section 3 of
15 this act by the department of social and health services or by a court
16 under section 110 of this act as a person who is not in compliance with
17 a support order. If the person has continued to meet all other
18 requirements for reinstatement during the suspension, reissuance of the
19 license or certificate shall be automatic upon the director's receipt
20 of a written release issued by the department of social and health
21 services or a court stating that the licensee is in compliance with the
22 order.

23 **Sec. 105.** RCW 17.21.130 and 1994 c 283 s 15 are each amended to
24 read as follows:

25 Any license, permit, or certification provided for in this chapter
26 may be revoked or suspended, and any license, permit, or certification
27 application may be denied by the director for cause. If the director
28 suspends a license under this chapter with respect to activity of a
29 continuing nature under chapter 34.05 RCW, the director may elect to
30 suspend the license for a subsequent license year during a period that
31 coincides with the period commencing thirty days before and ending
32 thirty days after the date of the incident or incidents giving rise to
33 the violation.

34 The director shall immediately suspend the license or certificate
35 of an individual who has been certified pursuant to section 3 of this
36 act by the department of social and health services or by a court under
37 section 110 of this act as a person who is not in compliance with a
38 support order. If the individual has continued to meet all other

1 requirements for reinstatement during the suspension, reissuance of the
2 license or certificate shall be automatic upon the director's receipt
3 of a written release issued by the department of social and health
4 services or a court stating that the licensee is in compliance with the
5 order.

6 **Sec. 106.** RCW 17.21.132 and 1994 c 283 s 16 are each amended to
7 read as follows:

8 Any person applying for a license or certification authorized under
9 the provisions of this chapter shall file an application on a form
10 prescribed by the director.

11 (1) The application shall state the license or certification and
12 the classification(s) for which the applicant is applying and the
13 method in which the pesticides are to be applied.

14 (2) For all classes of licenses except private applicator, all
15 applicants shall be at least eighteen years of age on the date that the
16 application is made. Applicants for a private pesticide applicator
17 license shall be at least sixteen years of age on the date that the
18 application is made.

19 (3) Application for a license to apply pesticides shall be
20 accompanied by the required fee. No license may be issued until the
21 required license fee has been received by the department. License fees
22 shall be prorated where necessary to accommodate staggering of
23 expiration dates of a license or licenses.

24 (4) Each classification of license issued under this chapter shall
25 expire annually on a date set by rule by the director. License
26 expiration dates may be staggered for administrative purposes. Renewal
27 applications shall be filed on or before the applicable expiration
28 date.

29 No individual who has been certified by the department of social
30 and health services as a person who is not in compliance with a support
31 order as provided in section 3 of this act or by a court under section
32 110 of this act may be issued a license or certificate under this
33 chapter. The application of an individual so certified by the
34 department of social and health services or by a court may be reviewed
35 for issuance of a license or certificate under this chapter after the
36 individual provides the department with a written release issued by the
37 department of social and health services or a court stating that the
38 individual is in compliance with the order.

1 **Sec. 107.** RCW 64.44.060 and 1990 c 213 s 7 are each amended to
2 read as follows:

3 (1) After January 1, 1991, a contractor may not perform
4 decontamination, demolition, or disposal work unless issued a
5 certificate by the state department of health. The department shall
6 establish performance standards for contractors by rule in accordance
7 with chapter 34.05 RCW, the administrative procedure act. The
8 department shall train and test, or may approve courses to train and
9 test, contractors and their employees on the essential elements in
10 assessing property used as an illegal drug manufacturing or storage
11 site to determine hazard reduction measures needed, techniques for
12 adequately reducing contaminants, use of personal protective equipment,
13 methods for proper demolition, removal, and disposal of contaminated
14 property, and relevant federal and state regulations. Upon successful
15 completion of the training, the contractor or employee shall be
16 certified.

17 (2) The department may require the successful completion of annual
18 refresher courses provided or approved by the department for the
19 continued certification of the contractor or employee.

20 (3) The department shall provide for reciprocal certification of
21 any individual trained to engage in decontamination, demolition, or
22 disposal work in another state when the prior training is shown to be
23 substantially similar to the training required by the department. The
24 department may require such individuals to take an examination or
25 refresher course before certification.

26 (4) The department may deny, suspend, or revoke a certificate for
27 failure to comply with the requirements of this chapter or any rule
28 adopted pursuant to this chapter. A certificate may be denied,
29 suspended, or revoked on any of the following grounds:

30 (a) Failing to perform decontamination, demolition, or disposal
31 work under the supervision of trained personnel;

32 (b) Failing to file a work plan;

33 (c) Failing to perform work pursuant to the work plan;

34 (d) Failing to perform work that meets the requirements of the
35 department; (~~or~~)

36 (e) The certificate was obtained by error, misrepresentation, or
37 fraud; or

38 (f) If the person has been certified pursuant to section 3 of this
39 act by the department of social and health services or by a court under

1 section 110 of this act as a person who is not in compliance with a
2 support order. If the person has continued to meet all other
3 requirements for reinstatement during the suspension, reissuance of the
4 license or certificate shall be automatic upon the department's receipt
5 of a written release issued by the department of social and health
6 services or a court stating that the person is in compliance with the
7 order.

8 (5) No person who has been certified by the department of social
9 and health services as a person who is not in compliance with a support
10 order as provided in section 3 of this act or by a court under section
11 110 of this act may be issued a license or certificate under this
12 chapter. The application of a person so certified by the department of
13 social and health services or by a court may be reviewed for issuance
14 of a license or certificate under this chapter after the person
15 provides the department with a written release issued by the department
16 of social and health services or a court stating that the person is in
17 compliance with the order.

18 (6) A contractor who violates any provision of this chapter may be
19 assessed a fine not to exceed five hundred dollars for each violation.

20 ((+6)) (7) The department of health shall prescribe fees as
21 provided for in RCW 43.70.250 for the issuance and renewal of
22 certificates, the administration of examinations, and for the review of
23 training courses.

24 ((+7)) (8) The decontamination account is hereby established in
25 the state treasury. All fees collected under this chapter shall be
26 deposited in this account. Moneys in the account may only be spent
27 after appropriation for costs incurred by the department in the
28 administration and enforcement of this chapter.

29 **Sec. 108.** RCW 19.146.210 and 1994 c 33 s 10 are each amended to
30 read as follows:

31 (1) The director shall issue and deliver a mortgage broker license
32 to an applicant if, after investigation, the director makes the
33 following findings:

34 (a) The applicant has paid the required license fees;

35 (b) The applicant has complied with RCW 19.146.205;

36 (c) Neither the applicant nor any of its principals has had a
37 license issued under this chapter or any similar state statute

1 suspended or revoked within five years of the filing of the present
2 application;

3 (d) Neither the applicant nor any of its principals has been
4 convicted of a gross misdemeanor involving dishonesty or financial
5 misconduct or a felony within seven years of the filing of the present
6 application;

7 (e) Either the applicant or one of its principals, who may be
8 designated by the applicant, (i) has at least two years of experience
9 in the residential mortgage loan industry or has completed the
10 educational requirements established by rule of the director and (ii)
11 has passed a written examination whose content shall be established by
12 rule of the director; and

13 (f) The applicant has demonstrated financial responsibility,
14 character, and general fitness such as to command the confidence of the
15 community and to warrant a belief that the business will be operated
16 honestly, fairly, and efficiently within the purposes of this chapter.

17 (2) If the director does not find the conditions of subsection (1)
18 of this section have been met, the director shall not issue the
19 license. The director shall notify the applicant of the denial and
20 return to the applicant the bond or approved alternative and any
21 remaining portion of the license fee that exceeds the department's
22 actual cost to investigate the license.

23 (3) No person who has been certified by the department of social
24 and health services as a person who is not in compliance with a support
25 order as provided in section 3 of this act or by a court under section
26 110 of this act may be issued a license or certificate under this
27 chapter. The application of a person so certified by the department of
28 social and health services or by a court may be reviewed for issuance
29 of a license or certificate under this chapter after the person
30 provides the department with a written release issued by the department
31 of social and health services or a court stating that the person is in
32 compliance with the order.

33 (4) The director shall issue a license under this chapter to any
34 licensee issued a license under chapter 468, Laws of 1993, that has a
35 valid license and is otherwise in compliance with the provisions of
36 this chapter.

37 ~~((4))~~ (5) A license issued pursuant to this chapter is valid from
38 the date of issuance with no fixed date of expiration.

1 (~~(5)~~) (6) A licensee may surrender a license by delivering to the
2 director written notice of surrender, but the surrender does not affect
3 the licensee's civil or criminal liability arising from acts or
4 omissions occurring before such surrender.

5 **Sec. 109.** RCW 19.146.220 and 1994 c 33 s 12 are each amended to
6 read as follows:

7 (1) The director shall enforce all laws and rules relating to the
8 licensing of mortgage brokers, grant or deny licenses to mortgage
9 brokers, and hold hearings. The director may impose any one or more of
10 the following sanctions:

11 (a) Suspend or revoke licenses, deny applications for licenses, or
12 impose penalties upon violators of cease and desist orders issued under
13 this chapter. The director may impose fines, as established by rule by
14 the director, for violations of or failure to comply with any lawful
15 directive, order, or requirement of the director. Each day's
16 continuance of the violation or failure to comply is a separate and
17 distinct violation or failure;

18 (b) Issue an order directing a licensee, its employee or loan
19 originator, or other person subject to this chapter to cease and desist
20 from conducting business in a manner that is injurious to the public or
21 violates any provision of this chapter, or to pay restitution to an
22 injured borrower; or

23 (c) Issue an order removing from office or prohibiting from
24 participation in the conduct of the affairs of a licensed mortgage
25 broker, or both, any officer, principal, employee, or loan originator,
26 as the case may be, of any licensed mortgage broker.

27 (2) The director may take those actions specified in subsection (1)
28 of this section if the director finds any of the following:

29 (a) The licensee has failed to pay a fee due the state of
30 Washington under this chapter or, to maintain in effect the bond or
31 approved alternative required under this chapter; or

32 (b) The licensee, employee or loan originator of the licensee, or
33 person subject to the license requirements or prohibited practices of
34 this chapter has failed to comply with any specific order or demand of
35 the director lawfully made and directed to the licensee, employee, or
36 loan originator of the licensee in accordance with this chapter; or

1 (c) The licensee, its employee or loan originator, or other person
2 subject to this chapter has violated any provision of this chapter or
3 a rule adopted under this chapter; or

4 (d) The licensee made false statements on the application or
5 omitted material information that, if known, would have allowed the
6 director to deny the application for the original license.

7 (3) The director shall establish by rule standards for licensure of
8 applicants licensed in other jurisdictions. Every licensed mortgage
9 broker that does not maintain a physical office within the state must
10 maintain a registered agent within the state to receive service of any
11 lawful process in any judicial or administrative noncriminal suit,
12 action, or proceeding, against the licensed mortgage broker which
13 arises under this chapter or any rule or order under this chapter, with
14 the same force and validity as if served personally on the licensed
15 mortgage broker. Service upon the registered agent shall be effective
16 if the plaintiff, who may be the director in a suit, action, or
17 proceeding instituted by him or her, sends notice of the service and a
18 copy of the process by registered mail to the defendant or respondent
19 at the last address of the respondent or defendant on file with the
20 director. In any judicial action, suit, or proceeding arising under
21 this chapter or any rule or order adopted under this chapter between
22 the department or director and a licensed mortgage broker who does not
23 maintain a physical office in this state, venue shall be exclusively in
24 the superior court of Thurston county.

25 (4) The director shall immediately suspend the license or
26 certificate of a person who has been certified pursuant to section 3 of
27 this act by the department of social and health services or by a court
28 under section 110 of this act as a person who is not in compliance with
29 a support order. If the person has continued to meet all other
30 requirements for reinstatement during the suspension, reissuance of the
31 license or certificate shall be automatic upon the director's receipt
32 of a written release issued by the department of social and health
33 services or a court stating that the licensee is in compliance with the
34 order.

35 **NEW SECTION.** **Sec. 110.** A new section is added to chapter 26.18
36 RCW to read as follows:

37 (1) Upon motion by the obligee and after a hearing the court may
38 enter a finding that the obligor is not in compliance with a support

1 order for purposes of this section and that the obligor has a license
2 or is in the process of applying for or renewing a license that is
3 subject to the provisions of this section. The issue that may be
4 considered at the hearing is limited to whether the obligor is in
5 compliance with the support order.

6 (2) If the court enters a finding that the obligor is not in
7 compliance with a support order, the court shall enter an order
8 directed to the appropriate licensing entity which certifies that the
9 obligor is not in compliance with a support order. The order shall
10 contain the obligor's name, address, and social security number, and
11 shall indicate whether the obligor is believed to be a licensee who
12 has, is in the process of applying for, or may seek renewal of a
13 license issued directly by the licensing entity or through a board
14 affiliated with the licensing entity. The court clerk shall forward
15 the order to the licensing entity.

16 (3) Upon receipt of the court order the licensing entity shall
17 refuse to issue or renew a license to the licensee or shall suspend the
18 licensee's license according to the provisions of section 3 of this act
19 or by a court under section 110 of this act until the licensee provides
20 the licensing entity with a release from the court that states the
21 licensee is in compliance with the support order.

22 (4) When an obligor subsequently complies with the support order,
23 the court shall provide the obligor and the appropriate licensing
24 entity with written confirmation that the obligor is in compliance with
25 the court order.

26 (5) The court may issue an order denying, suspending, or not
27 reissuing a license if the court issues an arrest warrant after the
28 obligor fails to appear at the show cause hearing.

29 (6) Nothing in this section prohibits an obligor from filing a
30 motion to modify a support order with the court under applicable
31 provisions in chapter 26.09 RCW governing modification.

32 (7) As used in this section, unless the context indicates
33 otherwise, "licensing entity," "noncompliance with a support order,"
34 "license," and "licensee" have the same meanings as in RCW 74.20A.020.

35 **Sec. 111.** RCW 26.23.050 and 1994 c 230 s 9 are each amended to
36 read as follows:

37 (1) If the office of support enforcement is providing support
38 enforcement services under RCW 26.23.045, or if a party is applying for

1 support enforcement services by signing the application form on the
2 bottom of the support order, the superior court shall include in all
3 court orders that establish or modify a support obligation:

4 (a) A provision that orders and directs the responsible parent to
5 make all support payments to the Washington state support registry;

6 (b) A statement that a notice of payroll deduction may be issued,
7 or other income withholding action under chapter 26.18 or 74.20A RCW
8 may be taken, without further notice to the responsible parent at any
9 time after entry of the court order, unless:

10 (i) One of the parties demonstrates, and the court finds, that
11 there is good cause not to require immediate income withholding and
12 that withholding should be delayed until a payment is past due; or

13 (ii) The parties reach a written agreement that is approved by the
14 court that provides for an alternate arrangement; ((and))

15 (c) A statement that the receiving parent might be required to
16 submit an accounting of how the support is being spent to benefit the
17 child; and

18 (d) A statement that the responsible parent's privileges to obtain
19 and maintain a license, as defined in section 2 of this act, may be
20 denied, not renewed, or suspended if the parent is not in compliance
21 with a support order as defined in section 2 of this act.

22 As used in this subsection and subsection (3) of this section,
23 "good cause not to require immediate income withholding" means a
24 written determination of why implementing immediate wage withholding
25 would not be in the child's best interests and, in modification cases,
26 proof of timely payment of previously ordered support.

27 (2) In all other cases not under subsection (1) of this section,
28 the court may order the responsible parent to make payments directly to
29 the person entitled to receive the payments, to the Washington state
30 support registry, or may order that payments be made in accordance with
31 an alternate arrangement agreed upon by the parties.

32 (a) The superior court shall include in all orders under this
33 subsection that establish or modify a support obligation:

34 (i) A statement that a notice of payroll deduction may be issued or
35 other income withholding action under chapter 26.18 or 74.20A RCW may
36 be taken, without further notice to the responsible parent at any time
37 after entry of the court order, unless:

1 (A) One of the parties demonstrates, and the court finds, that
2 there is good cause not to require immediate income withholding and
3 that withholding should be delayed until a payment is past due; or

4 (B) The parties reach a written agreement that is approved by the
5 court that provides for an alternate arrangement; and

6 (ii) A statement that the receiving parent may be required to
7 submit an accounting of how the support is being spent to benefit the
8 child.

9 As used in this subsection, "good cause not to require immediate
10 income withholding" is any reason that the court finds appropriate.

11 (b) The superior court may order immediate or delayed income
12 withholding as follows:

13 (i) Immediate income withholding may be ordered if the responsible
14 parent has earnings. If immediate income withholding is ordered under
15 this subsection, all support payments shall be paid to the Washington
16 state support registry. The superior court shall issue a mandatory
17 wage assignment order as set forth in chapter 26.18 RCW when the
18 support order is signed by the court. The parent entitled to receive
19 the transfer payment is responsible for serving the employer with the
20 order and for its enforcement as set forth in chapter 26.18 RCW.

21 (ii) If immediate income withholding is not ordered, the court
22 shall require that income withholding be delayed until a payment is
23 past due. The support order shall contain a statement that a notice of
24 payroll deduction may be issued, or other income-withholding action
25 under chapter 26.18 or 74.20A RCW may be taken, without further notice
26 to the responsible parent, after a payment is past due.

27 (c) If a mandatory wage withholding order under chapter 26.18 RCW
28 is issued under this subsection and the office of support enforcement
29 provides support enforcement services under RCW 26.23.045, the existing
30 wage withholding assignment is prospectively superseded upon the office
31 of support enforcement's subsequent service of an income withholding
32 notice.

33 (3) The office of administrative hearings and the department of
34 social and health services shall require that all support obligations
35 established as administrative orders include a provision which orders
36 and directs that the responsible parent shall make all support payments
37 to the Washington state support registry. All administrative orders
38 shall also state that the responsible parent's privileges to obtain and
39 maintain a license, as defined in section 2 of this act, may be denied,

1 not renewed, or suspended if the parent is not in compliance with a
2 support order as defined in section 2 of this act. All administrative
3 orders shall also state that a notice of payroll deduction may be
4 issued, or other income withholding action taken without further notice
5 to the responsible parent at any time after entry of the order, unless:

6 (a) One of the parties demonstrates, and the presiding officer
7 finds, that there is good cause not to require immediate income
8 withholding; or

9 (b) The parties reach a written agreement that is approved by the
10 presiding officer that provides for an alternate agreement.

11 (4) If the support order does not include the provision ordering
12 and directing that all payments be made to the Washington state support
13 registry and a statement that a notice of payroll deduction may be
14 issued if a support payment is past due or at any time after the entry
15 of the order, or that a parent's licensing privileges may be denied,
16 not renewed, or suspended, the office of support enforcement may serve
17 a notice on the responsible parent stating such requirements and
18 authorizations. Service may be by personal service or any form of mail
19 requiring a return receipt.

20 (5) Every support order shall state:

21 (a) The address where the support payment is to be sent;

22 (b) That a notice of payroll deduction may be issued or other
23 income withholding action under chapter 26.18 or 74.20A RCW may be
24 taken, without further notice to the responsible parent at any time
25 after entry of an order by the court, unless:

26 (i) One of the parties demonstrates, and the court finds, that
27 there is good cause not to require immediate income withholding; or

28 (ii) The parties reach a written agreement that is approved by the
29 court that provides for an alternate arrangement;

30 (c) The income of the parties, if known, or that their income is
31 unknown and the income upon which the support award is based;

32 (d) The support award as a sum certain amount;

33 (e) The specific day or date on which the support payment is due;

34 (f) The social security number, residence address, and name and
35 address of the employer of the responsible parent;

36 (g) The social security number and residence address of the
37 physical custodian except as provided in subsection (6) of this
38 section;

1 (h) The names, dates of birth, and social security numbers, if any,
2 of the dependent children;

3 (i) In cases requiring payment to the Washington state support
4 registry, that the parties are to notify the Washington state support
5 registry of any change in residence address. The responsible parent
6 shall notify the registry of the name and address of his or her current
7 employer, whether he or she has access to health insurance coverage at
8 reasonable cost and, if so, the health insurance policy information;

9 (j) That any parent owing a duty of child support shall be
10 obligated to provide health insurance coverage for his or her child if
11 coverage that can be extended to cover the child is or becomes
12 available to that parent through employment or is union-related as
13 provided under RCW 26.09.105;

14 (k) That if proof of health insurance coverage or proof that the
15 coverage is unavailable is not provided within twenty days, the obligee
16 or the department may seek direct enforcement of the coverage through
17 the obligor's employer or union without further notice to the obligor
18 as provided under chapter 26.18 RCW; ((and))

19 (l) The reasons for not ordering health insurance coverage if the
20 order fails to require such coverage; and

21 (m) That the responsible parent's privileges to obtain and maintain
22 a license, as defined in section 2 of this act, may be denied, not
23 renewed, or suspended if the parent is not in compliance with a support
24 order as defined in section 2 of this act.

25 (6) The physical custodian's address:

26 (a) Shall be omitted from an order entered under the administrative
27 procedure act. When the physical custodian's address is omitted from
28 an order, the order shall state that the custodian's address is known
29 to the office of support enforcement.

30 (b) A responsible parent may request the physical custodian's
31 residence address by submission of a request for disclosure under RCW
32 26.23.120 to the office of support enforcement.

33 (7) The superior court clerk, the office of administrative
34 hearings, and the department of social and health services shall,
35 within five days of entry, forward to the Washington state support
36 registry, a true and correct copy of all superior court orders or
37 administrative orders establishing or modifying a support obligation
38 which provide that support payments shall be made to the support
39 registry. If a superior court order entered prior to January 1, 1988,

1 directs the responsible parent to make support payments to the clerk,
2 the clerk shall send a true and correct copy of the support order and
3 the payment record to the registry for enforcement action when the
4 clerk identifies that a payment is more than fifteen days past due.
5 The office of support enforcement shall reimburse the clerk for the
6 reasonable costs of copying and sending copies of court orders to the
7 registry at the reimbursement rate provided in Title IV-D of the social
8 security act.

9 (8) Receipt of a support order by the registry or other action
10 under this section on behalf of a person or persons who have not made
11 a written application for support enforcement services to the office of
12 support enforcement and who are not recipients of public assistance is
13 deemed to be a request for payment services only.

14 (9) After the responsible parent has been ordered or notified to
15 make payments to the Washington state support registry under this
16 section, the responsible parent shall be fully responsible for making
17 all payments to the Washington state support registry and shall be
18 subject to payroll deduction or other income withholding action. The
19 responsible parent shall not be entitled to credit against a support
20 obligation for any payments made to a person or agency other than to
21 the Washington state support registry except as provided under RCW
22 74.20.101. A civil action may be brought by the payor to recover
23 payments made to persons or agencies who have received and retained
24 support moneys paid contrary to the provisions of this section.

25 NEW SECTION. **Sec. 112.** A new section is added to chapter 26.09
26 RCW to read as follows:

27 The court may issue an order denying, suspending, or not reissuing
28 a license if the court issues an arrest warrant after the parent fails
29 to appear following service under the civil rules at any hearing
30 involving determination, modification, or enforcement of support or if
31 a warrant is issued for failure to appear.

32 As used in this section, "license" has the same meaning as in RCW
33 74.20A.020.

34 NEW SECTION. **Sec. 113.** A new section is added to chapter 26.26
35 RCW to read as follows:

36 The court may issue an order denying, suspending, or not reissuing
37 a license if the court issues an arrest warrant after the parent fails

1 to appear following service under the civil rules at any hearing
2 involving establishment of paternity or support or if a warrant is
3 issued for failure to appear.

4 As used in this section, "license" has the same meaning as in RCW
5 74.20A.020.

6 NEW SECTION. **Sec. 114.** A new section is added to chapter 74.20A
7 RCW to read as follows:

8 The court may issue an order denying, suspending, or not reissuing
9 a license if the court issues an arrest warrant after the parent fails
10 to appear following service under the civil rules at any hearing
11 involving determination, modification, or enforcement of support or if
12 a warrant is issued for failure to appear.

13 NEW SECTION. **Sec. 115.** A new section is added to chapter 74.20A
14 RCW to read as follows:

15 The department shall indemnify a board acting under the authority
16 of section 3 of this act for reasonable legal expenses incurred in
17 defending the board's actions to comply with the requirements of
18 section 3 of this act.

19 NEW SECTION. **Sec. 116.** The department of fish and wildlife shall
20 report by December 31, 1996, to appropriate committees of the
21 legislature with recommendations on legislation to provide for the
22 denial or suspension of recreational licenses for persons who have been
23 certified by the department of social and health services as not in
24 compliance with a support order under section 3 of this act or by a
25 court under section 110 of this act.

26 NEW SECTION. **Sec. 117.** This act applies prospectively and
27 retroactively to parents who are not in compliance with a support order
28 on, before, or after the effective date of this section.

29 NEW SECTION. **Sec. 118.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 119.** This act shall take effect July 1, 1996."

1 **E2SSB 5375** - H AMD TO APP COMM AMD (H-5342.2/96)

2 By Representative Patterson

3

4 On page 129, line 27 of the title amendment, after "insert" strike
5 the remainder of the title amendment and insert "amending RCW
6 74.20A.020, 46.20.291, 46.20.311, 18.04.105, 18.04.335, 18.08.350,
7 18.08.350, 18.11.160, 18.16.100, 18.27.030, 18.27.060, 18.28.060,
8 18.39.181, 18.46.050, 18.51.054, 18.96.120, 18.96.150, 18.104.110,
9 18.106.070, 18.130.050, 18.130.120, 18.130.150, 18.160.080, 18.165.160,
10 18.170.170, 43.20A.205, 43.70.115, 19.28.120, 19.28.125, 19.28.310,
11 19.28.550, 19.28.580, 19.30.030, 19.30.060, 19.16.110, 19.16.120,
12 19.31.100, 19.31.130, 19.32.040, 19.32.060, 19.105.330, 19.105.380,
13 19.105.440, 19.138.130, 19.158.050, 19.166.040, 21.20.070, 21.20.110,
14 66.20.320, 67.08.040, 67.08.100, 19.02.100, 43.24.080, 43.24.110,
15 43.24.120, 70.74.110, 70.74.130, 70.74.135, 70.74.360, 70.74.370,
16 66.24.010, 43.63B.040, 70.95D.040, 17.21.130, 17.21.132, 64.44.060,
17 19.146.210, 19.146.220, and 26.23.050; reenacting and amending RCW
18 46.20.021 and 18.145.080; adding new sections to chapter 74.20A RCW;
19 adding a new section to chapter 48.22 RCW; adding a new section to
20 chapter 2.48 RCW; adding a new section to chapter 18.04 RCW; adding a
21 new section to chapter 18.08 RCW; adding a new section to chapter 18.16
22 RCW; adding a new section to chapter 18.20 RCW; adding a new section to
23 chapter 18.28 RCW; adding a new section to chapter 18.39 RCW; adding a
24 new section to chapter 18.43 RCW; adding a new section to chapter 18.44
25 RCW; adding a new section to chapter 18.51 RCW; adding a new section to
26 chapter 18.76 RCW; adding a new section to chapter 18.85 RCW; adding a
27 new section to chapter 18.96 RCW; adding a new section to chapter
28 18.104 RCW; adding a new section to chapter 18.106 RCW; adding a new
29 section to chapter 18.130 RCW; adding a new section to chapter 18.140
30 RCW; adding a new section to chapter 18.145 RCW; adding a new section
31 to chapter 18.165 RCW; adding a new section to chapter 18.170 RCW;
32 adding a new section to chapter 18.175 RCW; adding a new section to
33 chapter 18.185 RCW; adding a new section to chapter 28A.410 RCW; adding
34 a new section to chapter 20.01 RCW; adding a new section to chapter
35 48.17 RCW; adding a new section to chapter 74.15 RCW; adding a new
36 section to chapter 47.68 RCW; adding a new section to chapter 71.12
37 RCW; adding a new section to chapter 66.20 RCW; adding a new section to
38 chapter 66.24 RCW; adding a new section to chapter 88.02 RCW; adding a

1 new section to chapter 43.24 RCW; adding a new section to chapter
2 70.95B RCW; adding a new section to chapter 26.18 RCW; adding a new
3 section to chapter 26.09 RCW; adding a new section to chapter 26.26
4 RCW; creating new sections; and providing an effective date."

--- END ---