

CERTIFICATION OF ENROLLMENT  
ENGROSSED SUBSTITUTE HOUSE BILL 1107

54th Legislature  
1995 Regular Session

Passed by the House April 23, 1995  
Yeas 93 Nays 0

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Speaker of the  
House of Representatives

Passed by the Senate April 22, 1995  
Yeas 46 Nays 0

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President of the Senate

Approved

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Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1107** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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Chief Clerk

FILED

Secretary of State  
State of Washington

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**ENGROSSED SUBSTITUTE HOUSE BILL 1107**

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AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

**State of Washington                      54th Legislature                      1995 Regular Session**

**By** House Committee on Government Operations (originally sponsored by Representatives Reams, Rust, Goldsmith, Kremen, Wolfe, R. Fisher and Chopp; by request of Governor Lowry)

Read first time 02/07/95.

1            AN ACT Relating to the elimination and consolidation of boards and  
2 commissions; amending RCW 13.40.025, 9.94A.040, 18.16.050, 18.145.030,  
3 18.145.050, 18.145.070, 18.145.080, 28B.10.804, 28B.80.575, 38.54.030,  
4 38.52.040, 43.19.190, 43.19.1905, 43.19.19052, 43.19.1906, 43.19.1937,  
5 43.19A.020, 43.20A.750, 43.70.010, 43.70.070, 70.170.020, 43.150.030,  
6 46.61.380, 81.104.090, 47.26.121, 47.66.030, 47.26.140, 47.66.040,  
7 47.26.160, 70.95D.010, 70.95D.060, 70.95B.020, 70.95B.040, 70.95B.100,  
8 70.119.020, 70.119.050, 70.119.110, 75.44.140, and 90.70.065;  
9 reenacting and amending RCW 38.52.030, 82.44.180, and 75.30.050; adding  
10 a new section to chapter 9.94A RCW; adding a new section to chapter  
11 39.19 RCW; adding a new section to chapter 43.63A RCW; adding a new  
12 section to chapter 70.95D RCW; adding a new section to chapter 70.95B  
13 RCW; adding a new section to chapter 70.119 RCW; creating new sections;  
14 repealing RCW 1.30.010, 1.30.020, 1.30.030, 1.30.040, 1.30.050,  
15 1.30.060, 2.52.010, 2.52.020, 2.52.030, 2.52.035, 2.52.040, 2.52.050,  
16 18.145.060, 27.34.300, 27.60.010, 27.60.020, 27.60.030, 27.60.040,  
17 27.60.050, 27.60.070, 27.60.090, 27.60.900, 28B.80.550, 28B.80.555,  
18 39.19.040, 43.19.1904, 43.20A.730, 43.31.631, 43.52.373, 70.170.030,  
19 70.170.040, 43.150.060, 43.17.260, 43.17.270, 43.17.280, 43.17.290,  
20 43.17.300, 47.66.020, 47.66.050, 47.66.060, 48.22.071, 48.22.072,  
21 70.95D.050, 70.95B.070, 70.119.080, 81.62.010, 81.62.020, 81.62.030,

1 81.62.040, 81.62.050, 81.62.060, 81.62.900, 81.62.901, and 90.56.450;  
2 repealing 1994 c 232 s 27 (uncodified); repealing 1991 c 53 s 1 and  
3 1987 c 480 s 6 (uncodified); providing effective dates; and declaring  
4 an emergency.

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

6 **PART 1**  
7 **LAW REVISION COMMISSION**

8 NEW SECTION. **Sec. 101.** The following acts or parts of acts are  
9 each repealed:

- 10 (1) RCW 1.30.010 and 1982 c 183 s 1;  
11 (2) RCW 1.30.020 and 1982 c 183 s 2;  
12 (3) RCW 1.30.030 and 1982 c 183 s 3;  
13 (4) RCW 1.30.040 and 1987 c 505 s 2 & 1982 c 183 s 4;  
14 (5) RCW 1.30.050 and 1982 c 183 s 5; and  
15 (6) RCW 1.30.060 and 1982 c 183 s 9.

16 **PART 2**  
17 **JUDICIAL COUNCIL**

18 NEW SECTION. **Sec. 201.** The following acts or parts of acts are  
19 each repealed:

- 20 (1) RCW 2.52.010 and 1994 c 32 s 1, 1987 c 322 s 1, 1977 ex.s. c  
21 112 s 1, 1973 c 18 s 1, 1971 c 40 s 1, 1967 c 124 s 1, 1961 c 271 s 1,  
22 1955 c 40 s 1, & 1925 ex.s. c 45 s 1;  
23 (2) RCW 2.52.020 and 1925 ex.s. c 45 s 2;  
24 (3) RCW 2.52.030 and 1987 c 322 s 2 & 1925 ex.s. c 45 s 3;  
25 (4) RCW 2.52.035 and 1987 c 322 s 4;  
26 (5) RCW 2.52.040 and 1977 ex.s. c 112 s 2 & 1925 ex.s. c 45 s 4;  
27 and  
28 (6) RCW 2.52.050 and 1987 c 322 s 3 & 1981 c 260 s 1.

29 **PART 3**  
30 **JUVENILE DISPOSITION STANDARDS COMMISSION**

31 NEW SECTION. **Sec. 301.** A new section is added to chapter 9.94A  
32 RCW to read as follows:

1 (1) The juvenile disposition standards commission is hereby  
2 abolished and its powers, duties, and functions are hereby transferred  
3 to the sentencing guidelines commission. All references to the  
4 director or the juvenile disposition standards commission in the  
5 Revised Code of Washington shall be construed to mean the director or  
6 the sentencing guidelines commission.

7 (2)(a) All reports, documents, surveys, books, records, files,  
8 papers, or written material in the possession of the juvenile  
9 disposition standards commission shall be delivered to the custody of  
10 the sentencing guidelines commission. All cabinets, furniture, office  
11 equipment, motor vehicles, and other tangible property employed by the  
12 juvenile disposition standards commission shall be made available to  
13 the sentencing guidelines commission. All funds, credits, or other  
14 assets held by the juvenile disposition standards commission shall be  
15 assigned to the sentencing guidelines commission.

16 (b) Any appropriations made to the juvenile disposition standards  
17 commission shall, on the effective date of this section, be transferred  
18 and credited to the sentencing guidelines commission.

19 (c) If any question arises as to the transfer of any personnel,  
20 funds, books, documents, records, papers, files, equipment, or other  
21 tangible property used or held in the exercise of the powers and the  
22 performance of the duties and functions transferred, the director of  
23 financial management shall make a determination as to the proper  
24 allocation and certify the same to the state agencies concerned.

25 (3) All employees of the juvenile disposition standards commission  
26 are transferred to the jurisdiction of the sentencing guidelines  
27 commission. All employees classified under chapter 41.06 RCW, the  
28 state civil service law, are assigned to the sentencing guidelines  
29 commission to perform their usual duties upon the same terms as  
30 formerly, without any loss of rights, subject to any action that may be  
31 appropriate thereafter in accordance with the laws and rules governing  
32 state civil service.

33 (4) All rules and all pending business before the juvenile  
34 disposition standards commission shall be continued and acted upon by  
35 the sentencing guidelines commission. All existing contracts and  
36 obligations shall remain in full force and shall be performed by the  
37 sentencing guidelines commission.

38 (5) The transfer of the powers, duties, functions, and personnel of  
39 the juvenile disposition standards commission shall not affect the

1 validity of any act performed before the effective date of this  
2 section.

3 (6) If apportionments of budgeted funds are required because of the  
4 transfers directed by this section, the director of financial  
5 management shall certify the apportionments to the agencies affected,  
6 the state auditor, and the state treasurer. Each of these shall make  
7 the appropriate transfer and adjustments in funds and appropriation  
8 accounts and equipment records in accordance with the certification.

9 (7) Nothing contained in this section may be construed to alter any  
10 existing collective bargaining unit or the provisions of any existing  
11 collective bargaining agreement until the agreement has expired or  
12 until the bargaining unit has been modified by action of the personnel  
13 board as provided by law.

14 **Sec. 302.** RCW 13.40.025 and 1986 c 288 s 8 are each amended to  
15 read as follows:

16 (1) There is established a juvenile disposition standards  
17 commission to propose disposition standards to the legislature in  
18 accordance with RCW 13.40.030 and perform the other responsibilities  
19 set forth in this chapter.

20 (2) The commission shall be composed of the secretary or the  
21 secretary's designee and the following nine members appointed by the  
22 governor, subject to confirmation by the senate: (a) A superior court  
23 judge; (b) a prosecuting attorney or deputy prosecuting attorney; (c)  
24 a law enforcement officer; (d) an administrator of juvenile court  
25 services; (e) a public defender actively practicing in juvenile court;  
26 (f) a county legislative official or county executive; and (g) three  
27 other persons who have demonstrated significant interest in the  
28 adjudication and disposition of juvenile offenders. In making the  
29 appointments, the governor shall seek the recommendations of the  
30 association of superior court judges in respect to the member who is a  
31 superior court judge; of Washington prosecutors in respect to the  
32 prosecuting attorney or deputy prosecuting attorney member; of the  
33 Washington association of sheriffs and police chiefs in respect to the  
34 member who is a law enforcement officer; of juvenile court  
35 administrators in respect to the member who is a juvenile court  
36 administrator; and of the state bar association in respect to the  
37 public defender member; and of the Washington association of counties

1 in respect to the member who is either a county legislative official or  
2 county executive.

3 (3) The secretary or the secretary's designee shall serve as  
4 chairman of the commission.

5 (4) The secretary shall serve on the commission during the  
6 secretary's tenure as secretary of the department. The term of the  
7 remaining members of the commission shall be three years. The initial  
8 terms shall be determined by lot conducted at the commission's first  
9 meeting as follows: (a) Four members shall serve a two-year term; and  
10 (b) four members shall serve a three-year term. In the event of a  
11 vacancy, the appointing authority shall designate a new member to  
12 complete the remainder of the unexpired term.

13 (5) Commission members shall be reimbursed for travel expenses as  
14 provided in RCW 43.03.050 and 43.03.060. Members shall be compensated  
15 in accordance with RCW 43.03.240.

16 (6) The commission shall ~~((meet at least once every three months))~~  
17 cease to exist on June 30, 1997, and its powers and duties shall be  
18 transferred to the sentencing guidelines commission established under  
19 RCW 9.94A.040.

20 **Sec. 303.** RCW 9.94A.040 and 1994 c 87 s 1 are each amended to read  
21 as follows:

22 (1) A sentencing guidelines commission is established as an agency  
23 of state government.

24 (2) The commission shall, following a public hearing or hearings:

25 (a) Devise a series of recommended standard sentence ranges for all  
26 felony offenses and a system for determining which range of punishment  
27 applies to each offender based on the extent and nature of the  
28 offender's criminal history, if any;

29 (b) Devise recommended prosecuting standards in respect to charging  
30 of offenses and plea agreements; and

31 (c) Devise recommended standards to govern whether sentences are to  
32 be served consecutively or concurrently.

33 (3) Each of the commission's recommended standard sentence ranges  
34 shall include one or more of the following: Total confinement, partial  
35 confinement, community supervision, community service, and a fine.

36 (4) In devising the standard sentence ranges of total and partial  
37 confinement under this section, the commission is subject to the  
38 following limitations:

1 (a) If the maximum term in the range is one year or less, the  
2 minimum term in the range shall be no less than one-third of the  
3 maximum term in the range, except that if the maximum term in the range  
4 is ninety days or less, the minimum term may be less than one-third of  
5 the maximum;

6 (b) If the maximum term in the range is greater than one year, the  
7 minimum term in the range shall be no less than seventy-five percent of  
8 the maximum term in the range; and

9 (c) The maximum term of confinement in a range may not exceed the  
10 statutory maximum for the crime as provided in RCW 9A.20.020.

11 (5) In carrying out its duties under subsection (2) of this  
12 section, the commission shall give consideration to the existing  
13 guidelines adopted by the association of superior court judges and the  
14 Washington association of prosecuting attorneys and the experience  
15 gained through use of those guidelines. The commission shall emphasize  
16 confinement for the violent offender and alternatives to total  
17 confinement for the nonviolent offender.

18 (6) This commission shall conduct a study to determine the capacity  
19 of correctional facilities and programs which are or will be available.  
20 While the commission need not consider such capacity in arriving at its  
21 recommendations, the commission shall project whether the  
22 implementation of its recommendations would result in exceeding such  
23 capacity. If the commission finds that this result would probably  
24 occur, then the commission shall prepare an additional list of standard  
25 sentences which shall be consistent with such capacity.

26 (7) The commission may recommend to the legislature revisions or  
27 modifications to the standard sentence ranges and other standards. If  
28 implementation of the revisions or modifications would result in  
29 exceeding the capacity of correctional facilities, then the commission  
30 shall accompany its recommendation with an additional list of standard  
31 sentence ranges which are consistent with correction capacity.

32 (8) The commission shall study the existing criminal code and from  
33 time to time make recommendations to the legislature for modification.

34 (9) The commission may (a) serve as a clearinghouse and information  
35 center for the collection, preparation, analysis, and dissemination of  
36 information on state and local sentencing practices; (b) develop and  
37 maintain a computerized sentencing information system by individual  
38 superior court judge consisting of offender, offense, history, and  
39 sentence information entered from judgment and sentence forms for all

1 adult felons; and (c) conduct ongoing research regarding sentencing  
2 guidelines, use of total confinement and alternatives to total  
3 confinement, plea bargaining, and other matters relating to the  
4 improvement of the criminal justice system.

5 (10) The staff and executive officer of the commission may provide  
6 staffing and services to the juvenile disposition standards commission,  
7 if authorized by RCW 13.40.025 and 13.40.027. The commission may  
8 conduct joint meetings with the juvenile disposition standards  
9 commission.

10 (11) The commission shall assume the powers and duties of the  
11 juvenile disposition standards commission after June 30, 1997.

12 (12) The commission shall exercise its duties under this section in  
13 conformity with chapter 34.05 RCW.

14 **PART 4**

15 **COSMETOLOGY, BARBERING, ESTHETICS, AND MANICURING ADVISORY BOARD**

16 NEW SECTION. **Sec. 401.** The legislature finds that the economic  
17 opportunities for cosmetologists, barbers, estheticians, and  
18 manicurists have deteriorated in this state as a result of the lack of  
19 skilled practitioners, inadequate licensing controls, and inadequate  
20 enforcement of health standards. To increase the opportunities for  
21 individuals to earn viable incomes in these professions and to protect  
22 the general health of the public, the state cosmetology, barbering,  
23 esthetics, and manicuring advisory board should be reconstituted and  
24 given a new charge to develop appropriate responses to this situation,  
25 including legislative proposals.

26 **Sec. 402.** RCW 18.16.050 and 1991 c 324 s 3 are each amended to  
27 read as follows:

28 (1) There is created a state cosmetology, barbering, esthetics, and  
29 manicuring advisory board consisting of ~~((five))~~ seven members  
30 appointed by the ~~((governor who shall advise the director concerning~~  
31 ~~the administration of this chapter))~~ director. ~~((Four))~~ These seven  
32 members of the board shall include ~~((a minimum of two instructors))~~ a  
33 representative of a private cosmetology school and a representative of  
34 a public vocational technical school involved in cosmetology training,  
35 with the balance made up of currently practicing licensees who have  
36 been engaged in the practice of manicuring, esthetics, barbering, or



1 cosmetology for at least three years. One member of the board shall be  
2 a consumer who is unaffiliated with the cosmetology, barbering,  
3 esthetics, or manicuring industry. The term of office for all board  
4 members ~~((is three years))~~ serving as of the effective date of this  
5 section expires June 30, 1995. On June 30, 1995, the director shall  
6 appoint seven new members to the board. These new members shall serve  
7 a term of two years, at the conclusion of which the board shall cease  
8 to exist. Any members serving on the advisory board as of the  
9 effective date of this section are eligible to be reappointed. Any  
10 board member may be removed for just cause. The director may appoint  
11 a new member to fill any vacancy on the ~~((committee))~~ board for the  
12 remainder of the unexpired term. ~~((No board member may serve more than~~  
13 ~~two consecutive terms, whether full or partial.))~~

14 (2) The board appointed on June 30, 1995, together with the  
15 director or the director's designee, shall conduct a thorough review of  
16 educational requirements, licensing requirements, and enforcement and  
17 health standards for persons engaged in cosmetology, barbering,  
18 esthetics, or manicuring and shall prepare a report to be delivered to  
19 the governor, the director, and the chairpersons of the governmental  
20 operations committees of the house of representatives and the senate.  
21 The report must summarize their findings and make recommendations,  
22 including, if appropriate, recommendations for legislation reforming  
23 and restructuring the regulation of cosmetology, barbering, esthetics,  
24 and manicuring.

25 (3) Board members shall be entitled to compensation pursuant to RCW  
26 43.03.240 for each day spent conducting official business and to  
27 reimbursement for travel expenses as provided by RCW 43.03.050 and  
28 43.03.060.

29 **PART 5**

30 **SHORTHAND REPORTERS ADVISORY BOARD**

31 **Sec. 501.** RCW 18.145.030 and 1989 c 382 s 4 are each amended to  
32 read as follows:

33 Unless the context clearly requires otherwise, the definitions in  
34 this section apply throughout this chapter.

35 (1) "Department" means the department of licensing.

36 (2) "Director" means the director of licensing.

1 (3) "Shorthand reporter" and "court reporter" mean an individual  
2 certified under this chapter.

3 (~~(4) "Board" means the Washington state shorthand reporter~~  
4 ~~advisory board.~~)

5 **Sec. 502.** RCW 18.145.050 and 1989 c 382 s 6 are each amended to  
6 read as follows:

7 In addition to any other authority provided by law, the director  
8 may:

9 (1) Adopt rules in accordance with chapter 34.05 RCW that are  
10 necessary to implement this chapter;

11 (2) Set all certification examination, renewal, late renewal,  
12 duplicate, and verification fees in accordance with RCW 43.24.086;

13 (3) Establish the forms and procedures necessary to administer this  
14 chapter;

15 (4) Issue a certificate to any applicant who has met the  
16 requirements for certification;

17 (5) Hire clerical, administrative, and investigative staff as  
18 needed to implement and administer this chapter;

19 (6) Investigate complaints or reports of unprofessional conduct as  
20 defined in this chapter and hold hearings pursuant to chapter 34.05  
21 RCW;

22 (7) Issue subpoenas for records and attendance of witnesses,  
23 statements of charges, statements of intent to deny certificates, and  
24 orders; administer oaths; take or cause depositions to be taken; and  
25 use other discovery procedures as needed in any investigation, hearing,  
26 or proceeding held under this chapter;

27 (8) Maintain the official departmental record of all applicants and  
28 certificate holders;

29 (9) Delegate, in writing to a designee, the authority to issue  
30 subpoenas, statements of charges, and statements of intent to deny  
31 certification;

32 (10) Prepare and administer or approve the preparation and  
33 administration of examinations for certification;

34 (11) Establish by rule the procedures for an appeal of a failure of  
35 an examination;

36 (12) Conduct a hearing under chapter 34.05 RCW on an appeal of a  
37 denial of a certificate based on the applicant's failure to meet  
38 minimum qualifications for certification;

1       (13) Establish ad hoc advisory committees whose membership shall  
2 include representatives of professional court reporting and  
3 stenomasking associations and representatives from accredited schools  
4 offering degrees in court reporting or stenomasking to advise the  
5 director on testing procedures, professional standards, disciplinary  
6 activities, or any other matters deemed necessary.

7       **Sec. 503.** RCW 18.145.070 and 1989 c 382 s 8 are each amended to  
8 read as follows:

9       The director(~~(, members of the board,)~~) and individuals acting on  
10 ~~((their))~~ the director's behalf shall not be civilly liable for any act  
11 performed in good faith in the course of their duties.

12       **Sec. 504.** RCW 18.145.080 and 1989 c 382 s 9 are each amended to  
13 read as follows:

14       (1) The department shall issue a certificate to any applicant who,  
15 as determined by the director ~~((upon advice of the board))~~, has:

16       (a) Successfully completed an examination approved by the director;

17       (b) Good moral character;

18       (c) Not engaged in unprofessional conduct; and

19       (d) Not been determined to be unable to practice with reasonable  
20 skill and safety as a result of a physical or mental impairment.

21       (2) A one-year temporary certificate may be issued, at the  
22 discretion of the director, to a person holding one of the following:  
23 National shorthand reporters association certificate of proficiency,  
24 registered professional reporter certificate, or certificate of merit;  
25 a current court or shorthand reporter certification, registration, or  
26 license of another state; or a certificate of graduation of a court  
27 reporting school. To continue to be certified under this chapter, a  
28 person receiving a temporary certificate shall successfully complete  
29 the examination under subsection (1)(a) of this section within one year  
30 of receiving the temporary certificate, except that the director may  
31 renew the temporary certificate if extraordinary circumstances are  
32 shown.

33       (3) The examination required by subsection (1)(a) of this section  
34 shall be no more difficult than the examination provided by the court  
35 reporter examining committee as authorized by RCW 2.32.180.

1 NEW SECTION. **Sec. 505.** RCW 18.145.060 and 1989 c 382 s 7 are each  
2 repealed.

3 **PART 6**

4 **MARITIME BICENTENNIAL ADVISORY COMMITTEE**

5 NEW SECTION. **Sec. 601.** RCW 27.34.300 and 1989 c 82 s 2 are each  
6 repealed.

7 **PART 7**

8 **CENTENNIAL COMMISSION**

9 NEW SECTION. **Sec. 701.** The following acts or parts of acts are  
10 each repealed:

11 (1) RCW 27.60.010 and 1982 c 90 s 1;

12 (2) RCW 27.60.020 and 1985 c 291 s 1, 1984 c 120 s 1, & 1982 c 90  
13 s 2;

14 (3) RCW 27.60.030 and 1982 c 90 s 3;

15 (4) RCW 27.60.040 and 1987 c 195 s 1, 1985 c 291 s 2, & 1982 c 90  
16 s 4;

17 (5) RCW 27.60.050 and 1982 c 90 s 5;

18 (6) RCW 27.60.070 and 1985 c 291 s 4;

19 (7) RCW 27.60.090 and 1986 c 157 s 2; and

20 (8) RCW 27.60.900 and 1989 c 82 s 3, 1985 c 268 s 3, & 1982 c 90 s  
21 6.

22 **PART 8**

23 **STUDENT FINANCIAL AID POLICY STUDY ADVISORY COMMITTEE**

24 **Sec. 801.** RCW 28B.10.804 and 1969 ex.s. c 222 s 10 are each  
25 amended to read as follows:

26 The commission shall be cognizant of the following guidelines in  
27 the performance of its duties:

28 (1) The commission shall be research oriented, not only at its  
29 inception but continually through its existence.

30 (2) The commission shall coordinate all existing programs of  
31 financial aid except those specifically dedicated to a particular  
32 institution by the donor.

1 (3) The commission shall take the initiative and responsibility for  
2 coordinating all federal student financial aid programs to insure that  
3 the state recognizes the maximum potential effect of these programs,  
4 and shall design the state program which complements existing federal,  
5 state and institutional programs.

6 (4) Counseling is a paramount function of student financial aid,  
7 and in most cases could only be properly implemented at the  
8 institutional levels; therefore, state student financial aid programs  
9 shall be concerned with the attainment of those goals which, in the  
10 judgment of the commission, are the reasons for the existence of a  
11 student financial aid program, and not solely with administration of  
12 the program on an individual basis.

13 ~~(5) ((In the development of any new program, the commission shall  
14 seek advice from and consultation with the institutions of higher  
15 learning, state agencies, industry, labor, and such other interested  
16 groups as may be able to contribute to the effectiveness of program  
17 development and implementation.~~

18 ~~(6))~~ The "package" approach of combining loans, grants and  
19 employment for student financial aid shall be the conceptional element  
20 of the state's involvement.

21 **PART 9**

22 **ADVISORY COMMITTEE ON ACCESS TO EDUCATION**  
23 **FOR STUDENTS WITH DISABILITIES**

24 NEW SECTION. **Sec. 901.** The following acts or parts of acts are  
25 each repealed:

26 (1) RCW 28B.80.550 and 1991 c 228 s 7; and

27 (2) RCW 28B.80.555 and 1991 c 228 s 8.

28 **PART 10**

29 **ADVISORY COMMITTEE FOR PROGRAM FOR**  
30 **DISLOCATED FOREST PRODUCTS WORKERS**

31 **Sec. 1001.** RCW 28B.80.575 and 1991 c 315 s 19 are each amended to  
32 read as follows:

33 The board shall administer a program designed to provide upper  
34 division higher education opportunities to dislocated forest products  
35 workers, their spouses, and others in timber impact areas. In

1 administering the program, the board shall have the following powers  
2 and duties:

3 (1) Distribute funding for institutions of higher education to  
4 service placebound students in the timber impact areas meeting the  
5 following criteria, as determined by the employment security  
6 department: (a) A lumber and wood products employment location  
7 quotient at or above the state average; (b) a direct lumber and wood  
8 products job loss of one hundred positions or more; and (c) an annual  
9 unemployment rate twenty percent above the state average; and

10 ~~(2) ((Appoint an advisory committee to assist the board in program  
11 design and future project selection;~~

12 ~~(3))) Monitor the program and report on student progress and  
13 outcome((; and~~

14 ~~(4) Report to the legislature by December 1, 1993, on the status of  
15 the program)).~~

16 **PART 11**

17 **STATE FIRE DEFENSE BOARD AND**

18 **FIRE PROTECTION POLICY BOARD**

19 **Sec. 1101.** RCW 38.54.030 and 1992 c 117 s 11 are each amended to  
20 read as follows:

21 ~~((There is created the state fire defense board consisting of the  
22 state fire marshal, a representative from the department of natural  
23 resources appointed by the commissioner of public lands, the assistant  
24 director of the emergency management division of the department of  
25 community development, and one representative selected by each regional  
26 fire defense board in the state. Members of the state fire defense  
27 board shall select from among themselves a chairperson. Members  
28 serving on the board do so in a voluntary capacity and are not eligible  
29 for reimbursement for meeting related expenses from the state.))~~

30 The state fire ~~((defense board shall develop and maintain))~~  
31 protection policy board shall review and make recommendations to the  
32 director on the refinement and maintenance of the Washington state fire  
33 services mobilization plan, which shall include the procedures to be  
34 used during fire and other emergencies for coordinating local,  
35 regional, and state fire jurisdiction resources. In carrying out this  
36 duty, the fire protection policy board shall consult with and solicit  
37 recommendations from representatives of state and local fire and

1 emergency management organizations, regional fire defense boards, and  
2 the department of natural resources. The Washington state fire  
3 services mobilization plan shall be consistent with, and made part of,  
4 the Washington state comprehensive emergency management plan. The  
5 director shall review the fire services mobilization plan as submitted  
6 by the state fire defense board and after consultation with the fire  
7 protection policy board, recommend changes that may be necessary, and  
8 approve the fire services mobilization plan for inclusion within the  
9 state comprehensive emergency management plan.

10 It is the responsibility of the director to mobilize jurisdictions  
11 under the Washington state fire services mobilization plan. The state  
12 fire marshal shall serve as the state fire resources coordinator when  
13 the Washington state fire services mobilization plan is mobilized.

## 14 PART 12

### 15 EMERGENCY MANAGEMENT COUNCIL AND RELATED BOARDS

16 **Sec. 1201.** RCW 38.52.030 and 1991 c 322 s 20 and 1991 c 54 s 2 are  
17 each reenacted and amended to read as follows:

18 (1) The director may employ such personnel and may make such  
19 expenditures within the appropriation therefor, or from other funds  
20 made available for purposes of emergency management, as may be  
21 necessary to carry out the purposes of this chapter.

22 (2) The director, subject to the direction and control of the  
23 governor, shall be responsible to the governor for carrying out the  
24 program for emergency management of this state. The director shall  
25 coordinate the activities of all organizations for emergency management  
26 within the state, and shall maintain liaison with and cooperate with  
27 emergency management agencies and organizations of other states and of  
28 the federal government, and shall have such additional authority,  
29 duties, and responsibilities authorized by this chapter, as may be  
30 prescribed by the governor.

31 (3) The director shall develop and maintain a comprehensive, all-  
32 hazard emergency plan for the state which shall include an analysis of  
33 the natural and man-caused hazards which could affect the state of  
34 Washington, and shall include the procedures to be used during  
35 emergencies for coordinating local resources, as necessary, and the  
36 resources of all state agencies, departments, commissions, and boards.  
37 The comprehensive emergency management plan shall direct the department

1 in times of state emergency to administer and manage the state's  
2 emergency operations center. This will include representation from all  
3 appropriate state agencies and be available as a single point of  
4 contact for the authorizing of state resources or actions, including  
5 emergency permits. The comprehensive, all-hazard emergency plan  
6 authorized under this subsection may not include preparation for  
7 emergency evacuation or relocation of residents in anticipation of  
8 nuclear attack. This plan shall be known as the comprehensive  
9 emergency management plan.

10 (4) In accordance with the comprehensive emergency management plans  
11 and the programs for the emergency management of this state, the  
12 director shall procure supplies and equipment, institute training  
13 programs and public information programs, and shall take all other  
14 preparatory steps, including the partial or full mobilization of  
15 emergency management organizations in advance of actual disaster, to  
16 insure the furnishing of adequately trained and equipped forces of  
17 emergency management personnel in time of need.

18 (5) The director shall make such studies and surveys of the  
19 industries, resources, and facilities in this state as may be necessary  
20 to ascertain the capabilities of the state for emergency management,  
21 and shall plan for the most efficient emergency use thereof.

22 ~~(6) ((The director may appoint a communications coordinating~~  
23 ~~committee consisting of six to eight persons with the director, or his~~  
24 ~~or her designee, as chairman thereof. Three of the members shall be~~  
25 ~~appointed from qualified, trained and experienced telephone~~  
26 ~~communications administrators or engineers actively engaged in such~~  
27 ~~work within the state of Washington at the time of appointment, and~~  
28 ~~three of the members shall be appointed from qualified, trained and~~  
29 ~~experienced radio communication administrators or engineers actively~~  
30 ~~engaged in such work within the state of Washington at the time of~~  
31 ~~appointment. This committee)) The emergency management council shall  
32 advise the director on all aspects of the communications and warning  
33 systems and facilities operated or controlled under the provisions of  
34 this chapter.~~

35 (7) The director, through the state enhanced 911 coordinator, shall  
36 coordinate and facilitate implementation and operation of a state-wide  
37 enhanced 911 emergency communications network.

38 (8) The director shall appoint a state coordinator of search and  
39 rescue operations to coordinate those state resources, services and



1 facilities (other than those for which the state director of  
2 aeronautics is directly responsible) requested by political  
3 subdivisions in support of search and rescue operations, and on request  
4 to maintain liaison with and coordinate the resources, services, and  
5 facilities of political subdivisions when more than one political  
6 subdivision is engaged in joint search and rescue operations.

7 (9) The director, subject to the direction and control of the  
8 governor, shall prepare and administer a state program for emergency  
9 assistance to individuals within the state who are victims of a natural  
10 or man-made disaster, as defined by RCW 38.52.010(6). Such program may  
11 be integrated into and coordinated with disaster assistance plans and  
12 programs of the federal government which provide to the state, or  
13 through the state to any political subdivision thereof, services,  
14 equipment, supplies, materials, or funds by way of gift, grant, or loan  
15 for purposes of assistance to individuals affected by a disaster.  
16 Further, such program may include, but shall not be limited to, grants,  
17 loans, or gifts of services, equipment, supplies, materials, or funds  
18 of the state, or any political subdivision thereof, to individuals who,  
19 as a result of a disaster, are in need of assistance and who meet  
20 standards of eligibility for disaster assistance established by the  
21 department of social and health services: PROVIDED, HOWEVER, That  
22 nothing herein shall be construed in any manner inconsistent with the  
23 provisions of Article VIII, section 5 or section 7 of the Washington  
24 state Constitution.

25 (10) The director shall appoint a state coordinator for radioactive  
26 and hazardous waste emergency response programs. The coordinator shall  
27 consult with the state radiation control officer in matters relating to  
28 radioactive materials. The duties of the state coordinator for  
29 radioactive and hazardous waste emergency response programs shall  
30 include:

31 (a) Assessing the current needs and capabilities of state and local  
32 radioactive and hazardous waste emergency response teams on an ongoing  
33 basis;

34 (b) Coordinating training programs for state and local officials  
35 for the purpose of updating skills relating to emergency response;

36 (c) Utilizing appropriate training programs such as those offered  
37 by the federal emergency management agency, the department of  
38 transportation and the environmental protection agency; and

1 (d) Undertaking other duties in this area that are deemed  
2 appropriate by the director.

3 **Sec. 1202.** RCW 38.52.040 and 1988 c 81 s 18 are each amended to  
4 read as follows:

5 (1) There is hereby created the emergency management council  
6 (hereinafter called the council), to consist of not ((less than seven  
7 nor)) more than seventeen members who shall be appointed by the  
8 governor. ((The council shall advise the governor and the director on  
9 all matters pertaining to emergency management and shall advise the  
10 chief of the Washington state patrol on safety in the transportation of  
11 hazardous materials described in RCW 46.48.170.)) The membership of  
12 the council shall include, but not be limited to, representatives of  
13 city and county governments, sheriffs and police chiefs, the Washington  
14 state patrol, the military department, the department of ecology, state  
15 and local fire chiefs, seismic safety experts, state and local  
16 emergency management directors, search and rescue volunteers, medical  
17 professions who have expertise in emergency medical care, building  
18 officials, and private industry((, and local fire chiefs)). The  
19 representatives of private industry shall include persons knowledgeable  
20 in ((the handling and transportation of hazardous materials)) emergency  
21 and hazardous materials management. The council members shall elect a  
22 chairman from within the council membership. The members of the  
23 council shall serve without compensation, but may be reimbursed for  
24 their travel expenses incurred in the performance of their duties in  
25 accordance with RCW 43.03.050 and 43.03.060 as now existing or  
26 hereafter amended.

27 (2) The emergency management council shall advise the governor and  
28 the director on all matters pertaining to state and local emergency  
29 management. The council may appoint such ad hoc committees,  
30 subcommittees, and working groups as are required to develop specific  
31 recommendations for the improvement of emergency management practices,  
32 standards, policies, or procedures. The council shall ensure that the  
33 governor receives an annual assessment of state-wide emergency  
34 preparedness including, but not limited to, specific progress on hazard  
35 mitigation and reduction efforts, implementation of seismic safety  
36 improvements, reduction of flood hazards, and coordination of hazardous  
37 materials planning and response activities. The council or a  
38 subcommittee thereof shall periodically convene in special session and

1 serve during those sessions as the state emergency response commission  
2 required by P.L. 99-499, the emergency planning and community right-to-  
3 know act. When sitting in session as the state emergency response  
4 commission, the council shall confine its deliberations to those items  
5 specified in federal statutes and state administrative rules governing  
6 the coordination of hazardous materials policy. The council shall  
7 review administrative rules governing state and local emergency  
8 management practices and recommend necessary revisions to the director.

9 NEW SECTION. **Sec. 1203.** By July 1, 1995, the director of  
10 community, trade, and economic development shall terminate the state  
11 emergency response commission, the disaster assistance council, the  
12 hazardous materials advisory committee, the hazardous materials  
13 transportation act grant review committee, the flood damage reduction  
14 committee, and the hazard mitigation grant review committee. The  
15 director shall ensure that the responsibilities of these committees are  
16 carried out by the emergency management council or subcommittees  
17 thereof.

18 **PART 13**

19 **OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

20 **ADVISORY COMMITTEE**

21 NEW SECTION. **Sec. 1301.** RCW 39.19.040 and 1985 c 466 s 45 & 1983  
22 c 120 s 4 are each repealed.

23 NEW SECTION. **Sec. 1302.** A new section is added to chapter 39.19  
24 RCW to read as follows:

25 The director may establish ad hoc advisory committees, as  
26 necessary, to assist in the development of policies to carry out the  
27 purposes of this chapter.

28 **PART 14**

29 **SUPPLY MANAGEMENT ADVISORY BOARD**

30 **Sec. 1401.** RCW 43.19.190 and 1994 c 138 s 1 are each amended to  
31 read as follows:

32 The director of general administration, through the state  
33 purchasing and material control director, shall:

1 (1) Establish and staff such administrative organizational units  
2 within the division of purchasing as may be necessary for effective  
3 administration of the provisions of RCW 43.19.190 through 43.19.1939;  
4 (2) Purchase all material, supplies, services, and equipment needed  
5 for the support, maintenance, and use of all state institutions,  
6 colleges, community colleges, technical colleges, college districts,  
7 and universities, the offices of the elective state officers, the  
8 supreme court, the court of appeals, the administrative and other  
9 departments of state government, and the offices of all appointive  
10 officers of the state: PROVIDED, That the provisions of RCW 43.19.190  
11 through 43.19.1937 do not apply in any manner to the operation of the  
12 state legislature except as requested by the legislature: PROVIDED,  
13 That any agency may purchase material, supplies, services, and  
14 equipment for which the agency has notified the purchasing and material  
15 control director that it is more cost-effective for the agency to make  
16 the purchase directly from the vendor: PROVIDED, That primary  
17 authority for the purchase of specialized equipment, instructional, and  
18 research material for their own use shall rest with the colleges,  
19 community colleges, and universities: PROVIDED FURTHER, That  
20 universities operating hospitals and the state purchasing and material  
21 control director, as the agent for state hospitals as defined in RCW  
22 72.23.010, and for health care programs provided in state correctional  
23 institutions as defined in RCW 72.65.010(3) and veterans' institutions  
24 as defined in RCW 72.36.010 and 72.36.070, may make purchases for  
25 hospital operation by participating in contracts for materials,  
26 supplies, and equipment entered into by nonprofit cooperative hospital  
27 group purchasing organizations: PROVIDED FURTHER, That primary  
28 authority for the purchase of materials, supplies, and equipment for  
29 resale to other than public agencies shall rest with the state agency  
30 concerned: PROVIDED FURTHER, That authority to purchase services as  
31 included herein does not apply to personal services as defined in  
32 chapter 39.29 RCW, unless such organization specifically requests  
33 assistance from the division of purchasing in obtaining personal  
34 services and resources are available within the division to provide  
35 such assistance: PROVIDED FURTHER, That the authority for the purchase  
36 of insurance and bonds shall rest with the risk manager under RCW  
37 43.19.1935: PROVIDED FURTHER, That, except for the authority of the  
38 risk manager to purchase insurance and bonds, the director is not  
39 required to provide purchasing services for institutions of higher

1 education that choose to exercise independent purchasing authority  
2 under RCW 28B.10.029;

3 ~~(3) ((Provide the required staff assistance for the state supply  
4 management advisory board through the division of purchasing;~~

5 ~~(4))~~ Have authority to delegate to state agencies authorization to  
6 purchase or sell, which authorization shall specify restrictions as to  
7 dollar amount or to specific types of material, equipment, services,  
8 and supplies(~~(:—PROVIDED, That))~~). Acceptance of the purchasing  
9 authorization by a state agency does not relieve such agency from  
10 conformance with other sections of RCW 43.19.190 through 43.19.1939, or  
11 from policies established by the director (~~(after consultation with the  
12 state supply management advisory board:—PROVIDED FURTHER, That))~~).  
13 Also, delegation of such authorization to a state agency, including an  
14 educational institution to which this section applies, to purchase or  
15 sell material, equipment, services, and supplies shall not be granted,  
16 or otherwise continued under a previous authorization, if such agency  
17 is not in substantial compliance with overall state purchasing and  
18 material control policies as established herein;

19 ~~((+5))~~ (4) Contract for the testing of material, supplies, and  
20 equipment with public and private agencies as necessary and advisable  
21 to protect the interests of the state;

22 ~~((+6))~~ (5) Prescribe the manner of inspecting all deliveries of  
23 supplies, materials, and equipment purchased through the division;

24 ~~((+7))~~ (6) Prescribe the manner in which supplies, materials, and  
25 equipment purchased through the division shall be delivered, stored,  
26 and distributed;

27 ~~((+8))~~ (7) Provide for the maintenance of a catalogue library,  
28 manufacturers' and wholesalers' lists, and current market information;

29 ~~((+9))~~ (8) Provide for a commodity classification system and may,  
30 in addition, provide for the adoption of standard specifications  
31 (~~(after receiving the recommendation of the supply management advisory  
32 board))~~);

33 ~~((+10))~~ (9) Provide for the maintenance of inventory records of  
34 supplies, materials, and other property;

35 ~~((+11))~~ (10) Prepare rules and regulations governing the  
36 relationship and procedures between the division of purchasing and  
37 state agencies and vendors;

38 ~~((+12))~~ (11) Publish procedures and guidelines for compliance by  
39 all state agencies, including those educational institutions to which

1 this section applies, which implement overall state purchasing and  
2 material control policies;

3 ~~((13))~~ (12) Advise state agencies, including educational  
4 institutions, regarding compliance with established purchasing and  
5 material control policies under existing statutes.

6 **Sec. 1402.** RCW 43.19.1905 and 1993 sp.s. c 10 s 3 are each amended  
7 to read as follows:

8 The director of general administration(~~(, after consultation with~~  
9 ~~the supply management advisory board)) shall establish overall state  
10 policy for compliance by all state agencies, including educational  
11 institutions, regarding the following purchasing and material control  
12 functions:~~

13 (1) Development of a state commodity coding system, including  
14 common stock numbers for items maintained in stores for reissue;

15 (2) Determination where consolidations, closures, or additions of  
16 stores operated by state agencies and educational institutions should  
17 be initiated;

18 (3) Institution of standard criteria for determination of when and  
19 where an item in the state supply system should be stocked;

20 (4) Establishment of stock levels to be maintained in state stores,  
21 and formulation of standards for replenishment of stock;

22 (5) Formulation of an overall distribution and redistribution  
23 system for stock items which establishes sources of supply support for  
24 all agencies, including interagency supply support;

25 (6) Determination of what function data processing equipment,  
26 including remote terminals, shall perform in state-wide purchasing and  
27 material control for improvement of service and promotion of economy;

28 (7) Standardization of records and forms used state-wide for supply  
29 system activities involving purchasing, receiving, inspecting, storing,  
30 requisitioning, and issuing functions (~~(under the provisions of RCW~~  
31 ~~43.19.510)), including a standard notification form for state agencies  
32 to report cost-effective direct purchases, which shall at least  
33 identify the price of the goods as available through the division of  
34 purchasing, the price of the goods as available from the alternative  
35 source, the total savings, and the signature of the notifying agency's  
36 director or the director's designee;~~

- 1 (8) Screening of supplies, material, and equipment excess to the  
2 requirements of one agency for overall state need before sale as  
3 surplus;
- 4 (9) Establishment of warehouse operation and storage standards to  
5 achieve uniform, effective, and economical stores operations;
- 6 (10) Establishment of time limit standards for the issuing of  
7 material in store and for processing requisitions requiring purchase;
- 8 (11) Formulation of criteria for determining when centralized  
9 rather than decentralized purchasing shall be used to obtain maximum  
10 benefit of volume buying of identical or similar items, including  
11 procurement from federal supply sources;
- 12 (12) Development of criteria for use of leased, rather than state  
13 owned, warehouse space based on relative cost and accessibility;
- 14 (13) Institution of standard criteria for purchase and placement of  
15 state furnished materials, carpeting, furniture, fixtures, and nonfixed  
16 equipment, in newly constructed or renovated state buildings;
- 17 (14) Determination of how transportation costs incurred by the  
18 state for materials, supplies, services, and equipment can be reduced  
19 by improved freight and traffic coordination and control;
- 20 (15) Establishment of a formal certification program for state  
21 employees who are authorized to perform purchasing functions as agents  
22 for the state under the provisions of chapter 43.19 RCW;
- 23 (16) Development of performance measures for the reduction of total  
24 overall expense for material, supplies, equipment, and services used  
25 each biennium by the state;
- 26 (17) Establishment of a standard system for all state organizations  
27 to record and report dollar savings and cost avoidance which are  
28 attributable to the establishment and implementation of improved  
29 purchasing and material control procedures;
- 30 (18) Development of procedures for mutual and voluntary cooperation  
31 between state agencies, including educational institutions, and  
32 political subdivisions for exchange of purchasing and material control  
33 services;
- 34 (19) Resolution of all other purchasing and material matters  
35 (~~referred to him by a member of the advisory board~~) which require the  
36 establishment of overall state-wide policy for effective and economical  
37 supply management;
- 38 (20) Development of guidelines and criteria for the purchase of  
39 vehicles, alternate vehicle fuels and systems, equipment, and materials

1 that reduce overall energy-related costs and energy use by the state,  
2 including the requirement that new passenger vehicles purchased by the  
3 state meet the minimum standards for passenger automobile fuel economy  
4 established by the United States secretary of transportation pursuant  
5 to the energy policy and conservation act (15 U.S.C. Sec. 2002).

6 **Sec. 1403.** RCW 43.19.19052 and 1986 c 158 s 9 are each amended to  
7 read as follows:

8 Initial policy determinations for the functions described in RCW  
9 43.19.1905 shall be developed and published within the 1975-77 biennium  
10 by the director(~~(, after consultation with the supply management~~  
11 ~~advisory board))~~) for guidance and compliance by all state agencies,  
12 including educational institutions, involved in purchasing and material  
13 control. Modifications to these initial supply management policies  
14 established during the 1975-77 biennium shall be instituted by the  
15 director(~~(, after consultation with the advisory board,~~)) in future  
16 biennia as required to maintain an efficient and up-to-date state  
17 supply management system. The director shall transmit to the governor  
18 and the legislature in June 1976 and June 1977 a progress report which  
19 indicates the degree of accomplishment of each of these assigned  
20 duties, and which summarizes specific achievements obtained in  
21 increased effectiveness and dollar savings or cost avoidance within the  
22 overall state purchasing and material control system. The second  
23 progress report in June 1977 shall include a comprehensive supply  
24 management plan which includes the recommended organization of a state-  
25 wide purchasing and material control system and development of an  
26 orderly schedule for implementing such recommendation. In the interim  
27 between these annual progress reports, the director shall furnish  
28 periodic reports to the office of financial management for review of  
29 progress being accomplished in achieving increased efficiencies and  
30 dollar savings or cost avoidance.

31 It is the intention of the legislature that measurable improvements  
32 in the effectiveness and economy of supply management in state  
33 government shall be achieved during the 1975-77 biennium, and each  
34 biennium thereafter. All agencies, departments, offices, divisions,  
35 boards, and commissions and educational, correctional, and other types  
36 of institutions are required to cooperate with and support the  
37 development and implementation of improved efficiency and economy in  
38 purchasing and material control. To effectuate this legislative



1 intention, the director, (~~in consultation with the supply management~~  
2 ~~advisory board, and~~)) through the state purchasing and material control  
3 director, shall have the authority to direct and require the submittal  
4 of data from all state organizations concerning purchasing and material  
5 control matters.

6 **Sec. 1404.** RCW 43.19.1906 and 1994 c 300 s 1 are each amended to  
7 read as follows:

8 Insofar as practicable, all purchases and sales shall be based on  
9 competitive bids, and a formal sealed bid procedure shall be used as  
10 standard procedure for all purchases and contracts for purchases and  
11 sales executed by the state purchasing and material control director  
12 and under the powers granted by RCW 43.19.190 through 43.19.1939. This  
13 requirement also applies to purchases and contracts for purchases and  
14 sales executed by agencies, including educational institutions, under  
15 delegated authority granted in accordance with provisions of RCW  
16 43.19.190 or under RCW 28B.10.029. However, formal sealed bidding is  
17 not necessary for:

18 (1) Emergency purchases made pursuant to RCW 43.19.200 if the  
19 sealed bidding procedure would prevent or hinder the emergency from  
20 being met appropriately;

21 (2) Purchases not exceeding thirty-five thousand dollars, or  
22 subsequent limits as calculated by the office of financial management:  
23 PROVIDED, That the state director of general administration shall  
24 establish procedures to assure that purchases made by or on behalf of  
25 the various state agencies shall not be made so as to avoid the thirty-  
26 five thousand dollar bid limitation, or subsequent bid limitations as  
27 calculated by the office of financial management: PROVIDED FURTHER,  
28 That the state purchasing and material control director is authorized  
29 to reduce the formal sealed bid limits of thirty-five thousand dollars,  
30 or subsequent limits as calculated by the office of financial  
31 management, to a lower dollar amount for purchases by individual state  
32 agencies if considered necessary to maintain full disclosure of  
33 competitive procurement or otherwise to achieve overall state  
34 efficiency and economy in purchasing and material control. Quotations  
35 from four hundred dollars to thirty-five thousand dollars, or  
36 subsequent limits as calculated by the office of financial management,  
37 shall be secured from at least three vendors to assure establishment of  
38 a competitive price and may be obtained by telephone or written

1 quotations, or both. The agency shall invite at least one quotation  
2 each from a certified minority and a certified women-owned vendor who  
3 shall otherwise qualify to perform such work. Immediately after the  
4 award is made, the bid quotations obtained shall be recorded and open  
5 to public inspection and shall be available by telephone inquiry. A  
6 record of competition for all such purchases from four hundred dollars  
7 to thirty-five thousand dollars, or subsequent limits as calculated by  
8 the office of financial management, shall be documented for audit  
9 purposes. Purchases up to four hundred dollars may be made without  
10 competitive bids based on buyer experience and knowledge of the market  
11 in achieving maximum quality at minimum cost: PROVIDED, That this four  
12 hundred dollar direct buy limit without competitive bids may be  
13 increased incrementally as required to a maximum of eight hundred  
14 dollars (~~with the approval of at least ten of the members of the state~~  
15 ~~supply management advisory board~~), if warranted by increases in  
16 purchasing costs due to inflationary trends;

17 (3) Purchases which are clearly and legitimately limited to a  
18 single source of supply and purchases involving special facilities,  
19 services, or market conditions, in which instances the purchase price  
20 may be best established by direct negotiation;

21 (4) Purchases of insurance and bonds by the risk management office  
22 under RCW 43.19.1935;

23 (5) Purchases and contracts for vocational rehabilitation clients  
24 of the department of social and health services: PROVIDED, That this  
25 exemption is effective only when the state purchasing and material  
26 control director, after consultation with the director of the division  
27 of vocational rehabilitation and appropriate department of social and  
28 health services procurement personnel, declares that such purchases may  
29 be best executed through direct negotiation with one or more suppliers  
30 in order to expeditiously meet the special needs of the state's  
31 vocational rehabilitation clients;

32 (6) Purchases by universities for hospital operation or biomedical  
33 teaching or research purposes and by the state purchasing and material  
34 control director, as the agent for state hospitals as defined in RCW  
35 72.23.010, and for health care programs provided in state correctional  
36 institutions as defined in RCW 72.65.010(3) and veterans' institutions  
37 as defined in RCW 72.36.010 and 72.36.070, made by participating in  
38 contracts for materials, supplies, and equipment entered into by  
39 nonprofit cooperative hospital group purchasing organizations;

1 (7) Purchases by institutions of higher education not exceeding  
2 thirty-five thousand dollars: PROVIDED, That for purchases between two  
3 thousand five hundred dollars and thirty-five thousand dollars  
4 quotations shall be secured from at least three vendors to assure  
5 establishment of a competitive price and may be obtained by telephone  
6 or written quotations, or both. For purchases between two thousand  
7 five hundred dollars and thirty-five thousand dollars, each institution  
8 of higher education shall invite at least one quotation each from a  
9 certified minority and a certified women-owned vendor who shall  
10 otherwise qualify to perform such work. A record of competition for  
11 all such purchases made from two thousand five hundred to thirty-five  
12 thousand dollars shall be documented for audit purposes; and

13 (8) Beginning on July 1, 1995, and on July 1 of each succeeding  
14 odd-numbered year, the dollar limits specified in this section shall be  
15 adjusted as follows: The office of financial management shall  
16 calculate such limits by adjusting the previous biennium's limits by  
17 the appropriate federal inflationary index reflecting the rate of  
18 inflation for the previous biennium. Such amounts shall be rounded to  
19 the nearest one hundred dollars.

20 **Sec. 1405.** RCW 43.19.1937 and 1975-'76 2nd ex.s. c 21 s 13 are  
21 each amended to read as follows:

22 No (~~member of the state supply management advisory board or~~)  
23 state employee whose duties performed for the state include:

24 (1) Advising on or drawing specifications for supplies, equipment,  
25 commodities, or services;

26 (2) Suggesting or determining vendors to be placed upon a bid list;

27 (3) Drawing requisitions for supplies, equipment, commodities, or  
28 services;

29 (4) Evaluating specifications or bids and suggesting or determining  
30 awards; or

31 (5) Accepting the receipt of supplies, equipment, and commodities  
32 or approving the performance of services or contracts;

33 shall accept or receive, directly or indirectly, a personal financial  
34 benefit, or accept any gift, token, membership, or service, as a result  
35 of a purchase entered into by the state, from any person, firm, or  
36 corporation engaged in the sale, lease, or rental of property,  
37 material, supplies, equipment, commodities, or services to the state of  
38 Washington.

1 Violation of this section shall be considered a malfeasance and may  
2 cause loss of position, and the violator shall be liable to the state  
3 upon his official bond for all damages sustained by the state.  
4 Contracts involved may be canceled at the option of the state.  
5 Penalties provided in this section are not exclusive, and shall not bar  
6 action under any other statute penalizing the same act or omission.

7 **Sec. 1406.** RCW 43.19A.020 and 1991 c 297 s 3 are each amended to  
8 read as follows:

9 (1) The director shall adopt standards specifying the minimum  
10 content of recycled materials in products or product categories. The  
11 standards shall:

12 (a) Be consistent with the USEPA product standards, unless the  
13 director finds that a different standard would significantly increase  
14 recycled product availability or competition;

15 (b) Consider the standards of other states, to encourage  
16 consistency of manufacturing standards;

17 (c) Consider regional product manufacturing capability;

18 (d) Address specific products or classes of products; and

19 (e) Consider postconsumer waste content and the recyclability of  
20 the product.

21 (2) The director shall consult with the (~~supply management board~~  
22 ~~and~~) department of ecology prior to adopting the recycled content  
23 standards.

24 (3) The director shall adopt recycled content standards for at  
25 least the following products by the dates indicated:

26 (a) By July 1, 1992:

27 (i) Paper and paper products;

28 (ii) Organic recovered materials; and

29 (iii) Latex paint products;

30 (b) By July 1, 1993:

31 (i) Products for lower value uses containing recycled plastics;

32 (ii) Retread and remanufactured tires;

33 (iii) Lubricating oils;

34 (iv) Automotive batteries; and

35 (v) Building insulation.

36 (4) The standards required by this section shall be applied to  
37 recycled product purchasing by the department and other state agencies.  
38 The standards may be adopted or applied by any other local government

1 in product procurement. The standards shall provide for exceptions  
2 under appropriate circumstances to allow purchases of recycled products  
3 that do not meet the minimum content requirements of the standards.

4 NEW SECTION. **Sec. 1407.** RCW 43.19.1904 and 1979 c 88 s 2, 1975-  
5 '76 2nd ex.s. c 21 s 4, 1967 ex.s. c 104 s 4, & 1965 c 8 s 43.19.1904  
6 are each repealed.

7 **PART 15**

8 **PRESCRIPTION DRUG PROGRAM ADVISORY COMMITTEE**

9 NEW SECTION. **Sec. 1501.** By July 1, 1995, the secretary of the  
10 department of social and health services shall abolish the prescription  
11 drug program advisory committee.

12 **PART 16**

13 **TELECOMMUNICATIONS RELAY SERVICE PROGRAM**  
14 **ADVISORY COMMITTEE**

15 NEW SECTION. **Sec. 1601.** RCW 43.20A.730 and 1992 c 144 s 4, 1990  
16 c 89 s 4, & 1987 c 304 s 4 are each repealed.

17 **PART 17**

18 **LABORATORY ACCREDITATION ADVISORY COMMITTEE**

19 NEW SECTION. **Sec. 1701.** By July 1, 1995, the director of the  
20 department of ecology shall abolish the laboratory accreditation  
21 advisory committee.

22 **PART 18**

23 **METALS MINING ADVISORY GROUP**

24 NEW SECTION. **Sec. 1801.** 1994 c 232 s 27 (uncodified) is repealed.

25 **PART 19**

26 **ECONOMIC RECOVERY COORDINATION BOARD**

27 **Sec. 1901.** RCW 43.20A.750 and 1993 c 280 s 38 are each amended to  
28 read as follows:

1 (1) The department of social and health services shall help  
2 families and workers in timber impact areas make the transition through  
3 economic difficulties and shall provide services to assist workers to  
4 gain marketable skills. The department, as a member of the agency  
5 timber task force (~~and in consultation with the economic recovery~~  
6 ~~coordination board,~~) and, where appropriate, under an interagency  
7 agreement with the department of community, trade, and economic  
8 development, shall provide grants through the office of the secretary  
9 for services to the unemployed in timber impact areas, including  
10 providing direct or referral services, establishing and operating  
11 service delivery programs, and coordinating delivery programs and  
12 delivery of services. These grants may be awarded for family support  
13 centers, reemployment centers, or other local service agencies.

14 (2) The services provided through the grants may include, but need  
15 not be limited to: Credit counseling; social services including  
16 marital counseling; psychotherapy or psychological counseling; mortgage  
17 foreclosures and utilities problems counseling; drug and alcohol abuse  
18 services; medical services; and residential heating and food  
19 acquisition.

20 (3) Funding for these services shall be coordinated through the  
21 economic recovery coordination board which will establish a fund to  
22 provide child care assistance, mortgage assistance, and counseling  
23 which cannot be met through current programs. No funds shall be used  
24 for additional full-time equivalents for administering this section.

25 (4)(a) Grants for family support centers are intended to provide  
26 support to families by responding to needs identified by the families  
27 and communities served by the centers. Services provided by family  
28 support centers may include parenting education, child development  
29 assessments, health and nutrition education, counseling, and  
30 information and referral services. Such services may be provided  
31 directly by the center or through referral to other agencies  
32 participating in the interagency team.

33 (b) The department shall consult with the council on child abuse or  
34 neglect regarding grants for family support centers.

35 (5) "Timber impact area" means:

36 (~~(a)~~) A county having a population of less than five hundred  
37 thousand, or a city or town located within a county having a population  
38 of less than five hundred thousand, and meeting two of the following  
39 three criteria, as determined by the employment security department,

1 for the most recent year such data is available: ((+i+)) (a) A lumber  
2 and wood products employment location quotient at or above the state  
3 average; ((+ii+)) (b) projected or actual direct lumber and wood  
4 products job losses of one hundred positions or more, except counties  
5 having a population greater than two hundred thousand but less than  
6 five hundred thousand must have direct lumber and wood products job  
7 losses of one thousand positions or more; or ((+iii+)) (c) an annual  
8 unemployment rate twenty percent or more above the state average((+or  
9 (b) ~~Additional communities as the economic recovery coordinating~~  
10 ~~board, established in RCW 43.31.631, designates based on a finding by~~  
11 ~~the board that each designated community is socially and economically~~  
12 ~~integrated with areas that meet the definition of a timber impact area~~  
13 ~~under (a) of this subsection)).~~

14 NEW SECTION. Sec. 1902. RCW 43.31.631 and 1993 c 316 s 3 & 1991  
15 c 314 s 6 are each repealed.

16 **PART 20**

17 **JOINT OPERATING AGENCY EXECUTIVE COMMITTEE**

18 NEW SECTION. Sec. 2001. RCW 43.52.373 and 1982 1st ex.s. c 43 s  
19 6 & 1965 c 8 s 43.52.373 are each repealed.

20 **PART 21**

21 **OFFICE OF CRIME VICTIMS ADVOCACY ADVISORY COMMITTEE**

22 NEW SECTION. Sec. 2101. By July 1, 1995, the director of the  
23 department of community, trade, and economic development shall abolish  
24 the office of crime victims advocacy advisory committee.

25 NEW SECTION. Sec. 2102. A new section is added to chapter 43.63A  
26 RCW to read as follows:

27 The director of the department of community, trade, and economic  
28 development may establish ad hoc advisory committees, as necessary, to  
29 obtain advice and guidance regarding the office of crime victims  
30 advocacy program.

31 **PART 22**

32 **HEALTH CARE ACCESS AND COST CONTROL COUNCIL**

1       **Sec. 2201.** RCW 43.70.010 and 1994 sp.s. c 7 s 206 are each amended  
2 to read as follows:

3       As used in this chapter, unless the context indicates otherwise:

4       (1) "Assessment" means the regular collection, analysis, and  
5 sharing of information about health conditions, risks, and resources in  
6 a community. Assessment activities identify trends in illness, injury,  
7 and death and the factors that may cause these events. They also  
8 identify environmental risk factors, community concerns, community  
9 health resources, and the use of health services. Assessment includes  
10 gathering statistical data as well as conducting epidemiologic and  
11 other investigations and evaluations of health emergencies and specific  
12 ongoing health problems;

13       (2) "Board" means the state board of health;

14       (3) (~~("Council" means the health care access and cost control~~  
15 ~~council;~~

16       ~~(4))~~) "Department" means the department of health;

17       (~~(5))~~) (4) "Policy development" means the establishment of social  
18 norms, organizational guidelines, operational procedures, rules,  
19 ordinances, or statutes that promote health or prevent injury, illness,  
20 or death; and

21       (~~(6))~~) (5) "Secretary" means the secretary of health.

22       **Sec. 2202.** RCW 43.70.070 and 1989 1st ex.s. c 9 s 109 are each  
23 amended to read as follows:

24       The department shall evaluate and analyze readily available data  
25 and information to determine the outcome and effectiveness of health  
26 services, utilization of services, and payment methods. This section  
27 should not be construed as allowing the department access to  
28 proprietary information.

29       (1) The department shall make its evaluations available to the  
30 board (~~(and the council)~~) for use in preparation of the state health  
31 report required by RCW 43.20.050, and to consumers, purchasers, and  
32 providers of health care.

33       (2) The department(~~(, with advice from the council)~~) shall use the  
34 information to:

35       (a) Develop guidelines which may be used by consumers, purchasers,  
36 and providers of health care to encourage necessary and cost-effective  
37 services; and



1 (b) Make recommendations to the governor on how state government  
2 and private purchasers may be prudent purchasers of cost-effective,  
3 adequate health services.

4 **Sec. 2203.** RCW 70.170.020 and 1989 1st ex.s. c 9 s 502 are each  
5 amended to read as follows:

6 As used in this chapter:

7 (1) (~~("Council" means the health care access and cost control~~  
8 ~~council created by this chapter.~~

9 ~~(2))~~ "Department" means department of health.

10 ~~((3))~~ (2) "Hospital" means any health care institution which is  
11 required to qualify for a license under RCW 70.41.020(2); or as a  
12 psychiatric hospital under chapter 71.12 RCW.

13 ~~((4))~~ (3) "Secretary" means secretary of health.

14 ~~((5))~~ (4) "Charity care" means necessary hospital health care  
15 rendered to indigent persons, to the extent that the persons are unable  
16 to pay for the care or to pay deductibles or co-insurance amounts  
17 required by a third-party payer, as determined by the department.

18 ~~((6))~~ (5) "Sliding fee schedule" means a hospital-determined,  
19 publicly available schedule of discounts to charges for persons deemed  
20 eligible for charity care; such schedules shall be established after  
21 consideration of guidelines developed by the department.

22 ~~((7))~~ (6) "Special studies" means studies which have not been  
23 funded through the department's biennial or other legislative  
24 appropriations.

25 NEW SECTION. **Sec. 2204.** The following acts or parts of acts are  
26 each repealed:

27 (1) RCW 70.170.030 and 1989 1st ex.s. c 9 s 503; and

28 (2) RCW 70.170.040 and 1989 1st ex.s. c 9 s 504.

29

## PART 23

30

### COUNCIL ON VOLUNTEERISM AND CITIZEN SERVICE

31 **Sec. 2301.** RCW 43.150.030 and 1992 c 66 s 3 are each amended to  
32 read as follows:

33 Unless the context clearly requires otherwise, the definitions in  
34 this section apply throughout this chapter.

1 (1) "Volunteer" means a person who is willing to work without  
2 expectation of salary or financial reward and who chooses where he or  
3 she provides services and the type of services he or she provides.

4 (2) "Center" means the state center for volunteerism and citizen  
5 service.

6 (~~(3) "Council" means the Washington state council on volunteerism  
7 and citizen service.~~)

8 NEW SECTION. **Sec. 2302.** RCW 43.150.060 and 1992 c 66 s 6, 1987 c  
9 505 s 39, 1985 c 110 s 1, & 1982 1st ex.s. c 11 s 6 are each repealed.

10 **PART 24**  
11 **COMMISSION ON EFFICIENCY AND ACCOUNTABILITY**  
12 **IN GOVERNMENT**

13 NEW SECTION. **Sec. 2401.** The following acts or parts of acts are  
14 each repealed:

- 15 (1) RCW 43.17.260 and 1987 c 480 s 1;  
16 (2) RCW 43.17.270 and 1987 c 480 s 2;  
17 (3) RCW 43.17.280 and 1987 c 480 s 3;  
18 (4) RCW 43.17.290 and 1987 c 480 s 4;  
19 (5) RCW 43.17.300 and 1987 c 480 s 5; and  
20 (6) 1991 c 53 s 1 & 1987 c 480 s 6 (uncodified).

21 **PART 25**  
22 **TECHNICAL ADVISORY COMMITTEE ON PUPIL TRANSPORTATION**

23 **Sec. 2501.** RCW 46.61.380 and 1984 c 7 s 70 are each amended to  
24 read as follows:

25 The state superintendent of public instruction(~~(, by and with the  
26 advice of the state department of transportation and the chief of the  
27 Washington state patrol,)) shall adopt and enforce rules not  
28 inconsistent with the law of this state to govern the design, marking,  
29 and mode of operation of all school buses owned and operated by any  
30 school district or privately owned and operated under contract or  
31 otherwise with any school district in this state for the transportation  
32 of school children. Those rules shall by reference be made a part of  
33 any such contract or other agreement with the school district. Every  
34 school district, its officers and employees, and every person employed~~

1 under contract or otherwise by a school district is subject to such  
2 rules. It is unlawful for any officer or employee of any school  
3 district or for any person operating any school bus under contract with  
4 any school district to violate any of the provisions of such rules.

5 **PART 26**

6 **TRANSPORTATION IMPROVEMENT BOARD AND**  
7 **MULTIMODAL TRANSPORTATION PROGRAMS**  
8 **AND PROJECTS SELECTION COMMITTEE**

9 **Sec. 2601.** RCW 82.44.180 and 1993 sp.s. c 23 s 64 and 1993 c 393  
10 s 1 are each reenacted and amended to read as follows:

11 (1) The transportation fund is created in the state treasury.  
12 Revenues under RCW 82.44.020 (1) and (2), 82.44.110, 82.44.150, and the  
13 surcharge under RCW 82.50.510 shall be deposited into the fund as  
14 provided in those sections.

15 Moneys in the fund may be spent only after appropriation.  
16 Expenditures from the fund may be used only for transportation purposes  
17 and activities and operations of the Washington state patrol not  
18 directly related to the policing of public highways and that are not  
19 authorized under Article II, section 40 of the state Constitution.

20 (2) There is hereby created the central Puget Sound public  
21 transportation account within the transportation fund. Moneys  
22 deposited into the account under RCW 82.44.150(2)(b) shall be  
23 appropriated to the ((department of)) transportation improvement board  
24 and allocated by the ((multimodal transportation programs and projects  
25 selection committee created in RCW 47.66.020)) transportation  
26 improvement board to public transportation projects within the region  
27 from which the funds are derived, solely for:

28 (a) Planning;

29 (b) Development of capital projects;

30 (c) Development of high capacity transportation systems as defined  
31 in RCW 81.104.015;

32 (d) Development of high occupancy vehicle lanes and related  
33 facilities as defined in RCW 81.100.020; and

34 (e) Public transportation system contributions required to fund  
35 projects under federal programs and those approved by the  
36 transportation improvement board from other fund sources.

1 (3) There is hereby created the public transportation systems  
2 account within the transportation fund. Moneys deposited into the  
3 account under RCW 82.44.150(2)(c) shall be appropriated to the  
4 ~~((department of))~~ transportation improvement board and allocated by the  
5 ~~((multimodal transportation programs and projects selection committee))~~  
6 transportation improvement board to public transportation projects  
7 submitted by the public transportation systems from which the funds are  
8 derived, solely for:

9 (a) Planning;

10 (b) Development of capital projects;

11 (c) Development of high capacity transportation systems as defined  
12 in RCW 81.104.015;

13 (d) Development of high occupancy vehicle lanes and related  
14 facilities as defined in RCW 81.100.020;

15 (e) Other public transportation system-related roadway projects on  
16 state highways, county roads, or city streets; and

17 (f) Public transportation system contributions required to fund  
18 projects under federal programs and those approved by the  
19 transportation improvement board from other fund sources.

20 **Sec. 2602.** RCW 81.104.090 and 1993 c 393 s 2 are each amended to  
21 read as follows:

22 The department of transportation shall be responsible for  
23 distributing amounts appropriated from the high capacity transportation  
24 account, which shall be allocated by the ~~((multimodal transportation  
25 programs and projects selection committee))~~ department of  
26 transportation based on criteria in subsection (2) of this section.  
27 The department shall assemble and participate in a committee comprised  
28 of transit agencies eligible to receive funds from the high capacity  
29 transportation account for the purpose of reviewing fund applications.

30 (1) State high capacity transportation account funds may provide up  
31 to eighty percent matching assistance for high capacity transportation  
32 planning efforts.

33 (2) Authorizations for state funding for high capacity  
34 transportation planning projects shall be subject to the following  
35 criteria:

36 (a) Conformance with the designated regional transportation  
37 planning organization's regional transportation plan;

38 (b) Local matching funds;

1 (c) Demonstration of projected improvement in regional mobility;  
2 (d) Conformance with planning requirements prescribed in RCW  
3 81.104.100, and if five hundred thousand dollars or more in state  
4 funding is requested, conformance with the requirements of RCW  
5 81.104.110; and

6 (e) Establishment, through interlocal agreements, of a joint  
7 regional policy committee as defined in RCW 81.104.030 or 81.104.040.

8 (3) The department of transportation shall provide general review  
9 and monitoring of the system and project planning process prescribed in  
10 RCW 81.104.100.

11 **Sec. 2603.** RCW 47.26.121 and 1994 c 179 s 13 are each amended to  
12 read as follows:

13 (1) There is hereby created a transportation improvement board of  
14 ~~((eighteen))~~ twenty-one members, six of whom shall be county members  
15 and six of whom shall be city members. The remaining members shall be:

16 (a) One representative appointed by the governor who shall be a state  
17 employee with responsibility for transportation policy, planning, or  
18 funding; (b) ~~((the assistant secretary of the department of  
19 transportation whose primary responsibilities relate to planning and  
20 public transportation; (c) the assistant secretary for local programs  
21 of))~~ two representatives from the department of transportation; ~~((d)~~  
22 a) (c) two representatives of ((a)) public transit systems; ((e))  
23 (d) a private sector representative; ((and (f) a public member)) (e) a  
24 member representing the ports; (f) a member representing nonmotorized  
25 transportation; and (g) a member representing special needs  
26 transportation.

27 (2) Of the county members of the board, one shall be a county  
28 engineer or public works director; one shall be the executive director  
29 of the county road administration board; one shall be a county planning  
30 director or planning manager; one shall be a county executive,  
31 councilmember, or commissioner from a county with a population of one  
32 hundred twenty-five thousand or more; one shall be a county executive,  
33 councilmember, or commissioner of a county who serves on the board of  
34 a public transit system; and one shall be a county executive,  
35 councilmember, or commissioner from a county with a population of less  
36 than one hundred twenty-five thousand. All county members of the  
37 board, except the executive director of the county road administration  
38 board, shall be appointed. Not more than one county member of the

1 board shall be from any one county. No more than two of the three  
2 county-elected officials may represent counties located in either the  
3 eastern or western part of the state as divided north and south by the  
4 summit of the Cascade mountains.

5 (3) Of the city members of the board one shall be a chief city  
6 engineer, public works director, or other city employee with  
7 responsibility for public works activities, of a city with a population  
8 of twenty thousand or more; one shall be a chief city engineer, public  
9 works director, or other city employee with responsibility for public  
10 works activities, of a city of less than twenty thousand population;  
11 one shall be a city planning director or planning manager; one shall be  
12 a mayor, commissioner, or city councilmember of a city with a  
13 population of twenty thousand or more; one shall be a mayor,  
14 commissioner, or city councilmember of a city who serves on the board  
15 of a public transit system; and one shall be a mayor, commissioner, or  
16 councilmember of a city of less than twenty thousand population. All  
17 of the city members shall be appointed. Not more than one city member  
18 of the board shall be from any one city. No more than two of the three  
19 city-elected officials may represent cities located in either the  
20 eastern or western part of the state as divided north and south by the  
21 summit of the Cascade mountains.

22 (4) Of the transit members, at least one shall be a general  
23 manager, executive director, or transit director of a public transit  
24 system in an urban area with a population over two hundred thousand and  
25 at least one representative from a rural or small urban transit system  
26 in an area with a population less than two hundred thousand.

27 (5) The private sector member shall be a citizen with business,  
28 management, and transportation related experience and shall be active  
29 in a business community-based transportation organization.

30 (6) The public member shall have professional experience in  
31 transportation or land use planning, a demonstrated interest in  
32 transportation issues, and involvement with community groups or grass  
33 roots organizations.

34 (7) The port member shall be a commissioner or senior staff person  
35 of a public port.

36 (8) The nonmotorized transportation member shall be a citizen with  
37 a demonstrated interest and involvement with a nonmotorized  
38 transportation group.

1        (9) The specialized transportation member shall be a citizen with  
2 a demonstrated interest and involvement with a state-wide specialized  
3 needs transportation group.

4        (10) Appointments of county, city, Washington department of  
5 transportation, transit, port, nonmotorized transportation, special  
6 needs transportation, private sector, and public representatives shall  
7 be made by the secretary of the department of transportation.  
8 Appointees shall be chosen from a list of two persons for each position  
9 nominated by the Washington state association of counties for county  
10 members, the association of Washington cities for city members, ~~((and))~~  
11 the Washington state transit association for the transit members, and  
12 the Washington public ports association for the port member. The  
13 private sector ~~((and))~~, public, nonmotorized transportation, and  
14 special needs members shall be sought through classified advertisements  
15 in selected newspapers collectively serving all urban areas of the  
16 state, and other appropriate means. Persons applying for the private  
17 sector, nonmotorized transportation, special needs transportation, or  
18 the public member position must provide a letter of interest and a  
19 resume to the secretary of the department of transportation. In the  
20 case of a vacancy, the appointment shall be only for the remainder of  
21 the unexpired term in which the vacancy has occurred. A vacancy shall  
22 be deemed to have occurred on the board when any member elected to  
23 public office completes that term of office or is removed therefrom for  
24 any reason or when any member employed by a political subdivision  
25 terminates such employment for whatsoever reason or when a private  
26 sector, nonmotorized transportation, special needs transportation, or  
27 public member resigns or is unable or unwilling to serve.

28        ~~((+8))~~ (11) Appointments shall be for terms of four years. Terms  
29 of all appointed members shall expire on June 30th of even-numbered  
30 years. The initial term of appointed members may be for less than four  
31 years. No appointed member may serve more than two consecutive four-  
32 year terms.

33        ~~((+9))~~ (12) The board shall elect a chair from among its members  
34 for a two-year term.

35        ~~((+10))~~ (13) Expenses of the board shall be paid in accordance  
36 with RCW 47.26.140.

37        ~~((+11))~~ (14) For purposes of this section, "public transit system"  
38 means a city-owned transit system, county transportation authority,

1 metropolitan municipal corporation, public transportation benefit area,  
2 or regional transit authority.

3 **Sec. 2604.** RCW 47.66.030 and 1993 c 393 s 5 are each amended to  
4 read as follows:

5 (1)(a) The ~~((multimodal transportation programs and projects~~  
6 ~~selection committee))~~ transportation improvement board is authorized  
7 and responsible for the final selection of programs and projects funded  
8 from the central Puget Sound public transportation account; public  
9 transportation systems account; high capacity transportation account;  
10 and the intermodal surface transportation and efficiency act of 1991,  
11 surface transportation program, state-wide competitive.

12 (b) The ~~((committee))~~ board may establish subcommittees ~~((of the~~  
13 ~~full committee))~~ as well as technical advisory committees to carry out  
14 the mandates of this chapter.

15 (2)~~((a))~~ Expenses of the ~~((committee))~~ board, including  
16 administrative expenses for managing the program, shall be paid ~~((from~~  
17 ~~the transportation fund))~~ in accordance with RCW 47.26.140.

18 ~~((b) Members of the committee shall receive no compensation for~~  
19 ~~their services on the committee, but shall be reimbursed for travel~~  
20 ~~expenses incurred while attending meetings of the committee or while~~  
21 ~~engaged on other business of the committee when authorized by the~~  
22 ~~committee in accordance with RCW 43.03.050 and 43.03.060.))~~

23 **Sec. 2605.** RCW 47.26.140 and 1994 c 179 s 14 are each amended to  
24 read as follows:

25 The transportation improvement board shall appoint an executive  
26 director, who shall serve at its pleasure and whose salary shall be set  
27 by the board, and may employ additional staff as it deems appropriate.  
28 All costs associated with staff, together with travel expenses in  
29 accordance with RCW 43.03.050 and 43.03.060, shall be paid from the  
30 urban arterial trust account, small city account, city hardship  
31 assistance account, transportation fund, and the transportation  
32 improvement account in the motor vehicle fund as determined by the  
33 biennial appropriation.

34 **Sec. 2606.** RCW 47.66.040 and 1993 c 393 s 6 are each amended to  
35 read as follows:



1 (1) The ((multimodal transportation programs and projects selection  
2 committee)) transportation improvement board shall select programs and  
3 projects based on a competitive process consistent with the mandates  
4 governing each account or source of funds. The competition shall be  
5 consistent with the following criteria:

6 (a) Local, regional, and state transportation plans;

7 (b) Local transit development plans; and

8 (c) Local comprehensive land use plans.

9 (2) The following criteria shall be considered by the ((committee))  
10 board in selecting programs and projects:

11 (a) Objectives of the growth management act, the high capacity  
12 transportation act, the commute trip reduction act, transportation  
13 demand management programs, federal and state air quality requirements,  
14 and federal Americans with disabilities act and related state  
15 accessibility requirements; and

16 (b) Energy efficiency issues, freight and goods movement as related  
17 to economic development, regional significance, rural isolation, the  
18 leveraging of other funds including funds administered by this  
19 ((committee)) board, and safety and security issues.

20 (3) The ((committee)) board shall determine the appropriate level  
21 of local match required for each program and project based on the  
22 source of funds.

23 **Sec. 2607.** RCW 47.26.160 and 1994 c 179 s 15 are each amended to  
24 read as follows:

25 The transportation improvement board shall:

26 (1) Adopt rules necessary to implement the provisions of chapter  
27 47.66 RCW and this chapter relating to the allocation of funds;

28 (2) Adopt reasonably uniform design standards for city and county  
29 arterials.

30 NEW SECTION. **Sec. 2608.** The following acts or parts of acts are  
31 each repealed:

32 (1) RCW 47.66.020 and 1993 c 393 s 4;

33 (2) RCW 47.66.050 and 1993 c 393 s 7; and

34 (3) RCW 47.66.060 and 1993 c 393 s 8.

1 **PART 27**

2 **OVERSIGHT COMMITTEE ON LONGSHOREMAN'S AND**  
3 **HARBOR WORKER'S COMPENSATION COVERAGE**

4 NEW SECTION. **Sec. 2701.** The following acts or parts of acts are  
5 each repealed:

- 6 (1) RCW 48.22.071 and 1992 c 209 s 3; and  
7 (2) RCW 48.22.072 and 1993 c 177 s 2 & 1992 c 209 s 4.

8 **PART 28**

9 **BOARD OF ADVISORS FOR SOLID WASTE INCINERATOR**  
10 **AND LANDFILL OPERATOR CERTIFICATION**

11 **Sec. 2801.** RCW 70.95D.010 and 1989 c 431 s 65 are each amended to  
12 read as follows:

13 Unless the context clearly requires otherwise the definitions in  
14 this section apply throughout this chapter.

15 (~~(1)~~) (~~("Board" means the board of advisors for solid waste~~  
16 ~~incinerator and landfill operator certification established by RCW~~  
17 ~~70.95D.050.~~

18 ~~(2))~~ "Certificate" means a certificate of competency issued by the  
19 director stating that the operator has met the requirements for the  
20 specified operator classification of the certification program.

21 ~~((3))~~ (2) "Department" means the department of ecology.

22 ~~((4))~~ (3) "Director" means the director of ecology.

23 ~~((5))~~ (4) "Incinerator" means a facility which has the primary  
24 purpose of burning or which is designed with the primary purpose of  
25 burning solid waste or solid waste derived fuel, but excludes  
26 facilities that have the primary purpose of burning hog fuel.

27 ~~((6))~~ (5) "Landfill" means a landfill as defined under RCW  
28 70.95.030.

29 ~~((7))~~ (6) "Owner" means, in the case of a town or city, the city  
30 or town acting through its chief executive officer or the lessee if  
31 operated pursuant to a lease or contract; in the case of a county, the  
32 chief elected official of the county legislative authority or the chief  
33 elected official's designee; in the case of a board of public  
34 utilities, association, municipality, or other public body, the  
35 president or chief elected official of the body or the president's or

1 chief elected official's designee; in the case of a privately owned  
2 landfill or incinerator, the legal owner.

3 ~~((+8))~~ (7) "Solid waste" means solid waste as defined under RCW  
4 70.95.030.

5 **Sec. 2802.** RCW 70.95D.060 and 1989 c 431 s 70 are each amended to  
6 read as follows:

7 (1) The director may ~~((, with the recommendation of the board and  
8 after a hearing before the board,))~~ revoke a certificate:

9 (a) If it were found to have been obtained by fraud or deceit;

10 (b) For gross negligence in the operation of a solid waste  
11 incinerator or landfill;

12 (c) For violating the requirements of this chapter or any lawful  
13 rule or order of the department; or

14 (d) If the facility operated by the certified employee is operated  
15 in violation of state or federal environmental laws.

16 (2) A person whose certificate is revoked under this section shall  
17 not be eligible to apply for a certificate for one year from the  
18 effective date of the final order ~~((or {of}))~~ of revocation.

19 NEW SECTION. **Sec. 2803.** RCW 70.95D.050 and 1989 c 431 s 69 are  
20 each repealed.

21 NEW SECTION. **Sec. 2804.** A new section is added to chapter 70.95D  
22 RCW to read as follows:

23 The director may establish ad hoc advisory committees, as  
24 necessary, to obtain advice and technical assistance on the  
25 certification of solid waste incinerator and landfill operators.

26 **PART 29**

27 **WATER AND WASTEWATER OPERATOR CERTIFICATION**

28 **BOARD OF EXAMINERS**

29 **Sec. 2901.** RCW 70.95B.020 and 1987 c 357 s 1 are each amended to  
30 read as follows:

31 As used in this chapter unless context requires another meaning:

32 (1) "Director" means the director of the department of ecology.

33 (2) "Department" means the department of ecology.

1       (3) (~~("Board" means the water and wastewater operator certification~~  
2 ~~board of examiners established by RCW 70.95B.070.~~

3       ~~(4))~~ "Certificate" means a certificate of competency issued by the  
4 director stating that the operator has met the requirements for the  
5 specified operator classification of the certification program.

6       ~~((5))~~ (4) "Wastewater treatment plant" means a facility used to  
7 treat any liquid or waterborne waste of domestic origin or a  
8 combination of domestic, commercial or industrial origin, and which by  
9 its design requires the presence of an operator for its operation. It  
10 shall not include any facility used exclusively by a single family  
11 residence, septic tanks with subsoil absorption, industrial wastewater  
12 treatment plants, or wastewater collection systems.

13       ~~((6))~~ (5) "Operator in responsible charge" means an individual  
14 who is designated by the owner as the person on-site in responsible  
15 charge of the routine operation of a wastewater treatment plant.

16       ~~((7))~~ (6) "Nationally recognized association of certification  
17 authorities" shall mean that organization which serves as an  
18 information center for certification activities, recommends minimum  
19 standards and guidelines for classification of potable water treatment  
20 plants, water distribution systems and wastewater facilities and  
21 certification of operators, facilitates reciprocity between state  
22 programs and assists authorities in establishing new certification  
23 programs and updating existing ones.

24       ~~((8))~~ (7) "Wastewater collection system" means any system of  
25 lines, pipes, manholes, pumps, liftstations, or other facilities used  
26 for the purpose of collecting and transporting wastewater.

27       ~~((9))~~ (8) "Operating experience" means routine performance of  
28 duties, on-site in a wastewater treatment plant, that affects plant  
29 performance or effluent quality.

30       ~~((10))~~ (9) "Owner" means in the case of a town or city, the city  
31 or town acting through its chief executive officer or the lessee if  
32 operated pursuant to a lease or contract; in the case of a county, the  
33 chairman of the county legislative authority or the chairman's  
34 designee; in the case of a sewer district, board of public utilities,  
35 association, municipality or other public body, the president or  
36 chairman of the body or the president's or chairman's designee; in the  
37 case of a privately owned wastewater treatment plant, the legal owner.

38       ~~((11))~~ (10) "Wastewater certification program coordinator" means  
39 an employee of the department (~~who is appointed by the director to~~

1 ~~serve on the board and~~) who administers the wastewater treatment plant  
2 operators' certification program.

3 **Sec. 2902.** RCW 70.95B.040 and 1987 c 357 s 3 are each amended to  
4 read as follows:

5 The director(~~(, with the approval of the board,)~~) shall adopt and  
6 enforce such rules and regulations as may be necessary for the  
7 administration of this chapter. The rules and regulations shall  
8 include, but not be limited to, provisions for the qualification and  
9 certification of operators for different classifications of wastewater  
10 treatment plants.

11 **Sec. 2903.** RCW 70.95B.100 and 1973 c 139 s 10 are each amended to  
12 read as follows:

13 The director may, (~~with the recommendation of the board and after~~  
14 ~~a hearing before the same~~) after conducting a hearing, revoke a  
15 certificate found to have been obtained by fraud or deceit, or for  
16 gross negligence in the operation of a waste treatment plant, or for  
17 violating the requirements of this chapter or any lawful rule, order or  
18 regulation of the department. No person whose certificate is revoked  
19 under this section shall be eligible to apply for a certificate for one  
20 year from the effective date of this final order or revocation.

21 **Sec. 2904.** RCW 70.119.020 and 1991 c 305 s 2 are each amended to  
22 read as follows:

23 As used in this chapter unless context requires another meaning:

24 (1) (~~("Board" means the board established pursuant to RCW~~  
25 ~~70.95B.070 which shall be known as the water and waste water operator~~  
26 ~~certification board of examiners.~~

27 ~~(2))~~ "Certificate" means a certificate of competency issued by the  
28 secretary stating that the operator has met the requirements for the  
29 specified operator classification of the certification program.

30 ~~((3))~~ (2) "Certified operator" means an individual holding a  
31 valid certificate and employed or appointed by any county, water  
32 district, municipality, public or private corporation, company,  
33 institution, person, or the state of Washington and who is designated  
34 by the employing or appointing officials as the person responsible for  
35 active daily technical operation.

36 ~~((4))~~ (3) "Department" means the department of health.

1        ~~((+5))~~ (4) "Distribution system" means that portion of a public  
2 water system which stores, transmits, pumps and distributes water to  
3 consumers.

4        ~~((+6))~~ (5) "Ground water under the direct influence of surface  
5 water" means any water beneath the surface of the ground with:

6        (a) Significant occurrence of insects or other macroorganisms,  
7 algae, or large diameter pathogens such as giardia lamblia; or

8        (b) Significant and relatively rapid shifts in water  
9 characteristics such as turbidity, temperature, conductivity, or pH  
10 which closely correlate to climatological or surface water conditions.

11       ~~((+7))~~ (6) "Group A water system" means a system with fifteen or  
12 more service connections, regardless of the number of people; or a  
13 system serving an average of twenty-five or more people per day for  
14 sixty or more days within a calendar year, regardless of the number of  
15 service connections. Group A water system does not include a system  
16 serving fewer than fifteen single-family residences, regardless of the  
17 number of people.

18       ~~((+8))~~ (7) "Nationally recognized association of certification  
19 authorities" shall mean an organization which serves as an information  
20 center for certification activities, recommends minimum standards and  
21 guidelines for classification of potable water treatment plants, water  
22 distribution systems and waste water facilities and certification of  
23 operators, facilitates reciprocity between state programs and assists  
24 authorities in establishing new certification programs and updating  
25 existing ones.

26       ~~((+9))~~ (8) "Public water system" means any system, excluding a  
27 system serving only one single-family residence and a system with four  
28 or fewer connections all of which serve residences on the same farm,  
29 providing piped water for human consumption, including any collection,  
30 treatment, storage, or distribution facilities under control of the  
31 purveyor and used primarily in connection with the system; and  
32 collection or pretreatment storage facilities not under control of the  
33 purveyor but primarily used in connection with the system.

34       ~~((+10))~~ (9) "Purification plant" means that portion of a public  
35 water system which treats or improves the physical, chemical or  
36 bacteriological quality of the system's water to bring the water into  
37 compliance with state board of health standards.

38       ~~((+11))~~ (10) "Secretary" means the secretary of the department of  
39 health.

1       (~~(12)~~) (11) "Service" means a connection to a public water system  
2 designed to serve a single-family residence, dwelling unit, or  
3 equivalent use. If the facility has group home or barracks-type  
4 accommodations, three persons will be considered equivalent to one  
5 service.

6       (~~(13)~~) (12) "Surface water" means all water open to the  
7 atmosphere and subject to surface runoff.

8       **Sec. 2905.** RCW 70.119.050 and 1983 c 292 s 4 are each amended to  
9 read as follows:

10       The secretary shall adopt(~~(, with the approval of the board,)~~) such  
11 rules and regulations as may be necessary for the administration of  
12 this chapter and shall enforce such rules and regulations. The rules  
13 and regulations shall include provisions establishing minimum  
14 qualifications and procedures for the certification of operators,  
15 criteria for determining the kind and nature of continuing educational  
16 requirements for renewal of certification under RCW 70.119.100(2), and  
17 provisions for classifying water purification plants and distribution  
18 systems.

19       Rules and regulations adopted under the provisions of this section  
20 shall be adopted in accordance with the provisions of chapter 34.05  
21 RCW.

22       **Sec. 2906.** RCW 70.119.110 and 1991 c 305 s 7 are each amended to  
23 read as follows:

24       The secretary may(~~(, with the recommendation of the board and after~~  
25 ~~hearing before the same,)~~) after conducting a hearing revoke a  
26 certificate found to have been obtained by fraud or deceit; or for  
27 gross negligence in the operation of a purification plant or  
28 distribution system; or for an intentional violation of the  
29 requirements of this chapter or any lawful rules, order, or regulation  
30 of the department. No person whose certificate is revoked under this  
31 section shall be eligible to apply for a certificate for one year from  
32 the effective date of the final order of revocation.

33       NEW SECTION. **Sec. 2907.** The following acts or parts of acts are  
34 each repealed:

35       (1) RCW 70.95B.070 and 1984 c 287 s 106, 1975-'76 2nd ex.s. c 34 s  
36 161, & 1973 c 139 s 7; and

1 (2) RCW 70.119.080 and 1983 c 292 s 6 & 1977 ex.s. c 99 s 8.

2 NEW SECTION. **Sec. 2908.** A new section is added to chapter 70.95B  
3 RCW to read as follows:

4 The director, in cooperation with the secretary of health, may  
5 establish ad hoc advisory committees, as necessary, to obtain advice  
6 and technical assistance regarding the examination and certification of  
7 operators of wastewater treatment plants.

8 NEW SECTION. **Sec. 2909.** A new section is added to chapter 70.119  
9 RCW to read as follows:

10 The secretary, in cooperation with the director of ecology, may  
11 establish ad hoc advisory committees, as necessary, to obtain advice  
12 and technical assistance regarding the development of rules  
13 implementing this chapter and on the examination and certification of  
14 operators of water systems.

15 **PART 30**

16 **TWIN RIVERS CORRECTIONS CENTER**

17 **VOLUNTEER ADVISORY COMMITTEE**

18 NEW SECTION. **Sec. 3001.** By July 1, 1995, the secretary of the  
19 department of corrections shall abolish the twin rivers corrections  
20 center volunteer advisory committee.

21 **PART 31**

22 **SEA URCHIN AND SEA CUCUMBER ADVISORY REVIEW BOARDS**

23 **Sec. 3101.** RCW 75.30.050 and 1994 sp.s. c 9 s 807 and 1994 c 260  
24 s 18 are each reenacted and amended to read as follows:

25 (1) The director shall appoint three-member advisory review boards  
26 to hear cases as provided in RCW 75.30.060. Members shall be from:

27 (a) The commercial crab fishing industry in cases involving  
28 Dungeness crab Puget Sound fishery licenses;

29 (b) The commercial herring fishery in cases involving herring  
30 fishery licenses;

31 (c) The commercial sea urchin and sea cucumber fishery in cases  
32 involving sea urchin and sea cucumber dive fishery licenses;



1 (d) (~~The commercial sea cucumber fishery in cases involving sea~~  
2 ~~cucumber dive fishery licenses;~~

3 ~~(e))~~ The commercial ocean pink shrimp industry (*Pandalus jordani*)  
4 in cases involving ocean pink shrimp delivery licenses; and

5 ~~((f))~~ (e) The commercial coastal crab fishery in cases involving  
6 Dungeness crab coastal fishery licenses and Dungeness crab coastal  
7 class B fishery licenses. The members shall include one person from  
8 the commercial crab processors, one Dungeness crab coastal fishery  
9 license holder, and one citizen representative of a coastal community.

10 (2) Members shall serve at the discretion of the director and shall  
11 be reimbursed for travel expenses as provided in RCW 43.03.050,  
12 43.03.060, and 43.03.065.

13 **PART 32**

14 **ADVISORY BOARD FOR THE PURCHASE OF**  
15 **FISHING VESSELS AND LICENSES**

16 **Sec. 3201.** RCW 75.44.140 and 1983 1st ex.s. c 46 s 159 are each  
17 amended to read as follows:

18 The director shall adopt rules for the administration of the  
19 program. To assist the department in the administration of the  
20 program, the director may contract with persons not employed by the  
21 state and may enlist the aid of other state agencies.

22 ~~((The director shall appoint an advisory board composed of five~~  
23 ~~individuals who are knowledgeable of the commercial fishing industry to~~  
24 ~~advise the director concerning the values of licenses and permits.~~  
25 ~~Advisory board members shall be reimbursed for travel expenses under~~  
26 ~~RCW 43.03.050 and 43.03.060.))~~

27 **PART 33**

28 **RAIL DEVELOPMENT COMMISSION**

29 NEW SECTION. **Sec. 3301.** The following acts or parts of acts are  
30 each repealed:

- 31 (1) RCW 81.62.010 and 1987 c 429 s 1;  
32 (2) RCW 81.62.020 and 1987 c 429 s 2;  
33 (3) RCW 81.62.030 and 1987 c 429 s 3;  
34 (4) RCW 81.62.040 and 1987 c 429 s 4;  
35 (5) RCW 81.62.050 and 1987 c 429 s 5;

- 1 (6) RCW 81.62.060 and 1987 c 429 s 6;  
2 (7) RCW 81.62.900 and 1987 c 429 s 7; and  
3 (8) RCW 81.62.901 and 1987 c 429 s 8.

4 **PART 34**

5 **MARINE OVERSIGHT BOARD**

6 NEW SECTION. **Sec. 3401.** RCW 90.56.450 and 1992 c 73 s 40 & 1991  
7 c 200 s 501 are each repealed.

8 **PART 35**

9 **INTERAGENCY COORDINATING COMMITTEE FOR PUGET SOUND**

10 **AMBIENT MONITORING PROGRAM**

11 **Sec. 3501.** RCW 90.70.065 and 1994 c 264 s 98 are each amended to  
12 read as follows:

13 (1) In addition to other powers and duties specified in this  
14 chapter, the authority shall ensure implementation and coordination of  
15 the Puget Sound ambient monitoring program established in the plan  
16 under RCW 90.70.060(12). The program shall:

17 (a) Develop a baseline and examine differences among areas of Puget  
18 Sound, for environmental conditions, natural resources, and  
19 contaminants in seafood, against which future changes can be measured;

20 (b) Take measurements relating to specific program elements  
21 identified in the plan;

22 (c) Measure the progress of the ambient monitoring programs  
23 implemented under the plan;

24 (d) Provide a permanent record of significant natural and human-  
25 caused changes in key environmental indicators in Puget Sound; and

26 (e) Help support research on Puget Sound.

27 (2) ~~((To ensure proper coordination of the ambient monitoring  
28 program, the authority may establish an interagency coordinating  
29 committee consisting of representatives from the departments of  
30 ecology, fish and wildlife, natural resources, and health, and such  
31 federal, local, tribal, and other organizations as are necessary to  
32 implement the program.~~

33 ~~(3))~~ Each state agency with responsibilities for implementing the  
34 Puget Sound ambient monitoring program, as specified in the plan, shall  
35 participate in the program.

PART 36  
MISCELLANEOUS

1  
2

3        NEW SECTION.    **Sec. 3601.** Part headings as used in this act do not  
4 constitute any part of the law.

5        NEW SECTION.    **Sec. 3602.** If any provision of this act or its  
6 application to any person or circumstance is held invalid, the  
7 remainder of the act or the application of the provision to other  
8 persons or circumstances is not affected.

9        NEW SECTION.    **Sec. 3603.** Section 301 of this act shall take effect  
10 June 30, 1997.

11       NEW SECTION.    **Sec. 3604.** Sections 101, 201, 302, 303, 401, 402,  
12 501 through 505, 601, 701, 801, 901, 1001, 1101, 1201 through 1203,  
13 1301, 1302, 1401 through 1407, 1501, 1601, 1701, 1801, 1901, 1902,  
14 2001, 2101, 2102, 2201 through 2204, 2301, 2302, 2401, 2501, 2601  
15 through 2608, 2701, 2801 through 2804, 2901 through 2909, 3001, 3101,  
16 3201, 3301, 3401, and 3501 of this act are necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and shall take  
19 effect July 1, 1995.

--- END ---