
SENATE BILL 6062

State of Washington

54th Legislature

1995 Regular Session

By Senators Quigley, Moyer, Fairley, Wood, Wojahn and Winsley

Read first time 03/30/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to making welfare work; amending RCW 74.12.255,
2 74.25.010, 74.20A.020, 74.20A.280, 46.20.291, 46.20.311, 18.04.335,
3 18.11.160, 18.27.060, 18.39.181, 18.46.050, 18.96.120, 18.104.110,
4 18.130.150, 18.160.080, 43.20A.205, 43.70.115, 36.70A.450, 35.63.185,
5 35A.63.215, and 74.15.020; reenacting and amending RCW 18.130.050;
6 adding new sections to chapter 74.12 RCW; adding new sections to
7 chapter 74.25 RCW; adding new sections to chapter 74.20A RCW; adding a
8 new section to chapter 48.22 RCW; adding a new section to chapter 2.48
9 RCW; adding a new section to chapter 18.04 RCW; adding a new section to
10 chapter 18.08 RCW; adding a new section to chapter 18.16 RCW; adding a
11 new section to chapter 18.20 RCW; adding a new section to chapter 18.28
12 RCW; adding a new section to chapter 18.39 RCW; adding a new section to
13 chapter 18.43 RCW; adding a new section to chapter 18.44 RCW; adding a
14 new section to chapter 18.51 RCW; adding a new section to chapter 18.76
15 RCW; adding a new section to chapter 18.85 RCW; adding a new section to
16 chapter 18.106 RCW; adding a new section to chapter 18.130 RCW; adding
17 a new section to chapter 18.140 RCW; adding a new section to chapter
18 18.145 RCW; adding a new section to chapter 18.165 RCW; adding a new
19 section to chapter 18.170 RCW; adding a new section to chapter 18.175
20 RCW; adding a new section to chapter 18.185 RCW; adding a new section
21 to chapter 26.18 RCW; adding a new section to chapter 36.70 RCW; adding

1 a new section to chapter 74.15 RCW; adding a new section to chapter
2 74.04 RCW; adding a new chapter to Title 82 RCW; adding a new chapter
3 to Title 74 RCW; creating new sections; repealing RCW 74.08.120,
4 74.08.125, 74.12.420, and 74.12.425; prescribing penalties; making an
5 appropriation; providing an effective date; providing a contingent
6 expiration date; and declaring an emergency.

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

8 **MAKING WELFARE WORK**

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1 treatment, shall be entitled to grant assistance if they engage in
2 intensive job search, and be given referrals to appropriate state and
3 local job search resources. Recipients in this target group shall
4 inform the department when they become employed, and shall be eligible
5 for a limited period of transitional child care and medical benefits.
6 They shall not be eligible for participation in welfare-to-work pilot
7 projects. It is the intent of the legislature to refrain from excess
8 expenditures on this group of public assistance recipients, as studies
9 have demonstrated that job-ready individuals leave public assistance
10 programs quickly with minimal public help. Any recipients in this
11 group who do not have paid employment within six months of beginning to
12 receive benefits shall contract for participation in the job
13 preparation target group or community service work as a condition of
14 continued benefit receipt.

15 **B. JOB PREPARATION TARGET GROUP**

16 NEW SECTION. **Sec. 103.** A new section is added to chapter 74.12
17 RCW to read as follows:

18 **JOB PREPARATION TARGET GROUP.** All applicants and, within twelve
19 months of the effective date of this section, all recipients, who are
20 over the age of eighteen and do not have the qualifications for
21 participation in the job-ready target group or the disabled parent
22 target group shall contract with the department for participation in at
23 least one of the alternate welfare-to-work selections provided for the
24 job preparation target group. This group shall be required, as a
25 condition of benefit receipt, to enroll in at least one of the
26 following:

27 (1) A pilot program of the Washington full employment act under
28 sections 210 through 217 of this act;

29 (2) The tax incentive partnership program under chapters 74.-- and
30 82.-- RCW (sections 206 through 209 and 203 through 205 of this act,
31 respectively);

32 (3) Any available public or approved private welfare-to-work
33 program, under contract with the department;

34 (4) The job opportunities and basic skills training program; or

35 (5) An approved local government welfare-to-work program.

36 **C. TEEN PARENT TARGET GROUP**

1 NEW SECTION. **Sec. 104.** A new section is added to chapter 74.12
2 RCW to read as follows:

3 TEEN PARENT TARGET GROUP. All applicants under the age of eighteen
4 years and, within twelve months of the effective date of this section,
5 all recipients, who are under the age of eighteen and are unmarried
6 shall, as a condition of receiving benefits, actively progress toward
7 the completion of a high school diploma or a GED, and live in a
8 supervised setting, as provided in RCW 74.12.255 or section 301 of this
9 act.

10 **Sec. 105.** RCW 74.12.255 and 1994 c 299 s 33 are each amended to
11 read as follows:

12 (1) The department shall determine, after consideration of all
13 relevant factors and in consultation with the applicant, the most
14 appropriate living situation for applicants under eighteen years of
15 age, unmarried, and either pregnant or having a dependent child in the
16 applicant's care. Appropriate living (~~((situations shall include a))~~
17 situation means the place of residence maintained by the applicant's
18 parent, legal guardian, or other adult relative as their own home, or
19 ((other)) if the department determines that living situation to be
20 unsafe, another appropriate supportive living arrangement supervised by
21 an adult ((where feasible)), with first preference to an approved group
22 home where available, and consistent with federal regulations under 45
23 C.F.R. chapter II, section 233.107.

24 (2) An applicant under eighteen years of age who is either pregnant
25 or has a dependent child (~~((and is not living in a situation described~~
26 ~~in subsection (1) of this section))~~) shall be presumed to be unable to
27 manage adequately the funds paid on behalf of the dependent child
28 and(~~(, unless the teenage custodial parent demonstrates otherwise,))~~)
29 shall be subject to the protective payee requirements provided for
30 under RCW 74.12.250 and 74.08.280.

31 (3) The department shall consider any statements or opinions by
32 either parent of the teen recipient as to an appropriate living
33 situation for the teen, whether in the parental home or other
34 situation. If the parents of the teen head of household applicant for
35 assistance request, they shall be entitled to a hearing in juvenile
36 court regarding the fitness and suitability of their home as the top
37 priority choice for the pregnant or parenting teen applicant for
38 assistance.

1 The parents shall have the opportunity to make a showing, based on
2 the preponderance of the evidence, that the parental home is the most
3 appropriate living situation.

4 (4) To encourage adoption, in cases in which the head of household
5 is under eighteen years of age((7)) and unmarried, ((unemployed, and
6 requests information on adoption,)) the department shall((, as part of
7 the determination of the appropriate living situation,)) provide
8 information about adoption including referral to community-based
9 organizations for counseling.

10 (5) As a condition of receiving public assistance, an unmarried
11 applicant under the age of eighteen shall be required to reside in an
12 approved place of residence as set forth in this section and to
13 actively progress toward a high school diploma or a GED unless
14 certified by a health care provider licensed under chapter 18.71 or
15 18.83 RCW to be unable to complete such education, whereupon the
16 department shall facilitate his or her application for supplemental
17 security income.

18 D. DISABLED PARENT TARGET GROUP

19 NEW SECTION. Sec. 106. A new section is added to chapter 74.12
20 RCW to read as follows:

21 DISABLED PARENT TARGET GROUP. The department shall, in accordance
22 with RCW 74.12.361, assess all recipients and applicants for assistance
23 to determine which of them may be eligible for federal supplemental
24 security income. Upon identification of individuals who are likely to
25 qualify for supplemental security income, the department shall assist
26 and facilitate their application for such income, and shall provide
27 transitional cash grant and other assistance for which the applicant
28 qualifies until payment of supplemental security income begins. Head
29 of household applicants who are placed on this supplemental social
30 security income diversion track shall not, during the term of their
31 facilitated application for supplemental social security income, be
32 required to participate in any of the target groups under sections 102
33 through 104 of this act.

34 In the event that supplemental social security income is denied to
35 a head of household, that head of household shall be assigned to the
36 job preparation target group or other appropriate job placement as a
37 condition of continued benefit receipt.

1 ~~career employees, and the nonavailability of useful labor market~~
2 ~~assessments.))~~

3 (2) The legislature (~~((also))~~) recognizes that aid to families with
4 dependent children recipients (~~((must be acknowledged as active))~~) are
5 participants in self-sufficiency planning under the program. The
6 legislature finds that the department of social and health services
7 should clearly communicate (~~((concepts of the importance))~~) a requirement
8 of work and how performance and effort directly affect future career
9 and educational opportunities and economic well-being, as well as
10 personal empowerment, self-motivation, and self-esteem to program
11 participants. The legislature further recognizes that informed choice
12 is consistent with individual responsibility, and that parents should
13 be given a range of options for available child care while
14 participating in the program.

15 (3) The legislature finds that current work experience is one of
16 the most important factors influencing an individual's ability to work
17 toward financial stability and an adequate standard of living in the
18 long term, and that work experience should be the most important
19 component of the program.

20 (4) The legislature finds that education, including, but not
21 limited to, literacy, high school equivalency, vocational, secondary,
22 and postsecondary, is one of the most important tools an individual
23 needs to achieve full independence, and that this should be an
24 important component of the program.

25 (5) The legislature further finds that the objectives of this
26 program are to assure that aid to families with dependent children
27 recipients gain experience in the labor force and thereby enhance their
28 long-term ability to achieve financial stability and an adequate
29 standard of living at wages that will meet family needs.

30 (6) The legislature finds that a critical component for successful
31 reductions in the aid to families with dependent children caseloads is
32 through employment. Employment opportunities must be increased through
33 public-private partnerships. The department shall work with the
34 private sector to meet market needs, increase employability through on-
35 the-job training opportunities, and develop financial incentives for
36 employers to hire recipients.

37 (7) All participants in the job opportunities and basic skills
38 training program, including those participants in the full employment
39 act, shall, within thirty days of application for aid to families with

1 dependent children, sign a written employment development contract of
2 mutual responsibility with the department, or be ineligible for
3 financial assistance from the department until the contract which shall
4 be developed with the full involvement of the participant, is signed.

5 (a) The contract shall set forth the responsibilities of and
6 expectations for the program participants and responsibilities and
7 obligation of the department, including services to be provided to the
8 participating family. The contract shall identify specific employment,
9 training, education, or support activities that will direct a
10 participant toward gainful employment and eventually self-sufficiency.
11 The contract shall be in a format developed for state-wide use and
12 shall clearly state each of the requirements and responsibilities set
13 forth in section 401 of this act.

14 (b) The department shall review the employment development contract
15 of mutual responsibility every six months and assess the participant's
16 progress. Except for sanctions in situations specified in section 401
17 of this act, the department shall reduce aid to families with dependent
18 children benefits by thirty-three percent every month for which the
19 recipient is found to be out of compliance with the contract.

20 (c) The department may require persons to obtain substance abuse or
21 alcohol abuse treatment before referral for employment. Unwillingness
22 to cooperate with treatment is deemed noncompliance with the job
23 opportunities and basic skills training program.

24 **NEW SECTION. Sec. 202.** (1) In administering the job opportunities
25 and basic skills training program, the department shall ensure that
26 delivery and coordination of all services are provided through
27 intensive case management. All program participants shall be referred
28 to a case manager. The case manager shall fully explain the program to
29 the participant, shall provide the participant with written materials
30 explaining the program, and shall assist in developing the employment
31 development contract of mutual responsibility.

32 (2) Each program participant shall sign a written employment
33 development contract of mutual responsibility for up to two years
34 duration, consistent with the participant's program. The contract
35 shall be developed with the approval of the department and in
36 accordance with RCW 74.25.010.

37 (3) The secretary, assisted by the director of community, trade,
38 and economic development, the commissioner of employment security, and

1 the higher education coordinating board, shall prepare and maintain an
2 annual plan for coordinating and integrating all appropriate services
3 in order to promote successful outcomes. The plan shall encourage the
4 use of local and regional public and nonprofit service providers and
5 permit a variety of methods of providing services. Emphasis shall be
6 placed on coordinating and integrating career counseling, job
7 development, job training and skills, job placement, the child care
8 partnership under RCW 74.13.0901, the child care partnership employer
9 liaison under RCW 74.13.0902, and academic and technical education.
10 Public and private institutions of higher education and other agencies
11 that offer similar or related services shall be invited to participate
12 as fully as possible in developing, implementing, and updating the
13 annual coordination plan.

14 (4) The secretary shall:

15 (a) Increase public awareness of the federal earned income credit
16 and assist families who may be eligible to apply for and receive this
17 tax credit monthly;

18 (b) Coordinate with employers to make employee reimbursement
19 accounts available to help employees with child care costs;

20 (c) Develop and pursue aggressive child-support initiatives as
21 established by the legislature and department, including contracting
22 with private collection agencies;

23 (d) Work with community providers to develop adoption, education,
24 family planning, parenting, and training options for program
25 participants; and

26 (e) Provide technical assistance to local departments of social
27 services to assist them in working with local nonprofit community
28 action agencies and nonprofit community organizations with experience
29 in job training for public assistance recipients in the community to
30 develop job and community work experience opportunities for
31 participants.

32 **B. TAX INCENTIVE PROGRAM**

33 NEW SECTION. **Sec. 203.** (1) An employer shall be allowed a credit
34 against tax due under chapter 82.04 or 82.16 RCW of an amount equal to
35 one hundred twenty percent of the payment made by the employer, to a
36 qualified training institution under a training plan for training a
37 qualified employee, subject to the limitations set forth in this

1 section. An employer may not receive a credit for the same amounts
2 under both chapters 82.04 and 82.16 RCW.

3 (2) A person claiming the credit shall file an affidavit form
4 prescribed by the department, which shall include the amount of the
5 credit claimed and additional information as the department may
6 require.

7 (3)(a) The tax credit in respect to any qualified employee may not
8 in a calendar year exceed:

9 (i) The lesser of twelve percent of the qualified employee's gross
10 annual wages or one thousand two hundred dollars in the case of a
11 category 1 qualified employee;

12 (ii) The lesser of twenty-four percent of the qualified employee's
13 gross annual wages or two thousand four hundred dollars, in the case of
14 a category 2 qualified employee; or

15 (iii) The lesser of thirty-six percent of the qualified employee's
16 gross annual wages or three thousand six hundred dollars in the case of
17 a category 3 qualified employee.

18 (b) The department of revenue shall, by December 1, 1996, for
19 calendar year 1997, and by December 1st of each year thereafter for the
20 following year, adjust the payment maximums under this subsection (3)
21 to reflect inflation, using the previous calendar year's limit as the
22 base amount to be adjusted. In making adjustments for inflation, the
23 department shall rely on the Consumer Price Index--Seattle, Washington
24 area for urban wage earners and clerical workers, compiled by the
25 Bureau of Labor Statistics, United States Department of Labor. The
26 department shall publish the new payment maximums which shall become
27 effective January 1st of the year following.

28 (4) The credit in respect to any qualified employee may not be
29 taken:

30 (a) For more than one year of training in the case of a category 1
31 qualified employee; or

32 (b) For more than two years of training in the case of a category
33 2 or category 3 qualified employee.

34 (5) The credit shall be taken against taxes due for the same
35 calendar year in which the payment is made to the qualified training
36 institution and must be claimed by the due date of the last tax return
37 for the calendar year in which the payment is made to the qualified
38 training institution.

1 (6) If the business, firm, or entity having a right to the tax
2 credit is sold, assigned, conveyed, or otherwise transferred, the
3 successor employer shall be allowed the credit. Unless the training
4 plan provides to the contrary, the successor employer shall be allowed
5 tax credits to the same extent as the previous employer.

6 (7) Total credits allowed to all employers claiming credits may not
7 exceed fifteen million dollars in any biennium.

8 (8) This section shall expire December 31, 2003.

9 NEW SECTION. **Sec. 204.** The definitions in this section apply
10 throughout this chapter and sections 206 through 209 of this act,
11 unless the context indicates otherwise.

12 (1) "Gross annual wages" means salary, wages, tips, and other
13 compensation paid to a qualified employee paid by an employer claiming
14 the credit under this section during the calendar year for which the
15 credit is claimed.

16 (2) "Qualified employee" and "category 1, 2, or 3 qualified
17 employee" means an applicant for or recipient of aid to families with
18 dependent children certified as such by the department of social and
19 health services who is hired before June 30, 2000. "Qualified
20 employee" does not include any person hired by an employer to replace
21 strikers or locked-out workers.

22 (3) "Qualified training institution" means a community or technical
23 college, four-year college or university, a private vocational school
24 licensed by the work force training and education coordinating board or
25 approved by the higher education coordinating board, apprenticeship
26 programs recognized by the Washington state apprenticeship and training
27 council, or a private industry council that has entered into a training
28 plan that provides for the training of a qualified employee of a person
29 claiming the credit under this section.

30 (4) "Employer" means person or business as defined by RCW
31 82.04.030.

32 (5) "Training plan" means a written agreement, signed by a
33 qualified employee, a union or other employee bargaining representative
34 if the position is covered by a collective bargaining agreement, a
35 qualified training institution, the department of social and health
36 services or a designee of the department, and an employer, which
37 specifies the amount that the employer will pay the qualified training
38 institution for training and related costs for the qualified employee,

1 the learning objectives intended to be achieved by the training, and a
2 statement of progressively increasing scale of wages to be paid to the
3 employee during the training plan period, ending in a wage scale that
4 exceeds federal poverty levels for a family of three.

5 NEW SECTION. **Sec. 205.** Chapter 82.32 RCW applies to the
6 administration of this chapter.

7 NEW SECTION. **Sec. 206.** (1) The tax incentive program is hereby
8 established. The department of social and health services is
9 authorized to enter into training plans. The department of social and
10 health services shall adopt rules for the tax incentive program. The
11 rules shall include, but are not limited to:

12 (a) Designation of three categories of eligible aid to families
13 with dependent children recipients from within the job preparation
14 target group in chapter 74.12 RCW. The department of social and health
15 services shall by rule establish criteria for assigning recipients into
16 categories 1, 2, and 3. In establishing the criteria, the department
17 shall consider the degree of work experience, training, wage and
18 employment history, and education, category 1 representing recipients
19 with the highest degree of job readiness.

20 (b) Selection criteria that the department can use to establish a
21 pool of prospective aid to families with dependent children
22 participants.

23 (c) A restriction on the total number of employees that an employer
24 may have in the program, except that no more than twenty percent of the
25 employers' employees may participate in the program, except businesses
26 with fewer than five employees may have one employee participate.

27 (d) A requirement that the employer participate in the earned
28 income tax credit program.

29 (e) Standards regarding length and learning objectives of training
30 plans, requiring the training institution to design the plan length and
31 learning objectives so that it meets accepted training standards for
32 that industry or profession. Training plans may not exceed two years.

33 (2) The department of social and health services may contract with
34 a public or private entity to carry out the department's duties under
35 this chapter. The department of social and health services reserves
36 the right to withdraw designation of authority to this entity without
37 showing cause.

1 (3) The department of social and health services shall manage the
2 program so that the total amount of credits by all employers claiming
3 tax credits under sections 203 through 205 of this act does not exceed
4 fifteen million dollars in any biennium. The department shall enter
5 into contracts with employers on a first-come, first-serve basis. The
6 department shall maintain an up-to-date tabulation of the potential
7 total amount of all credits that may be claimed during each biennium
8 under all training plans and shall not enter into any additional
9 training plan agreement if to do so would result in such amount
10 exceeding fifteen million dollars during a biennium.

11 (4) Employers who agree to accept a one hundred percent tax credit
12 instead of the one hundred twenty percent available under section
13 203(1) of this act shall be given priority in selection and placement
14 of qualified participants.

15 NEW SECTION. **Sec. 207.** The department of social and health
16 services may institute an experimental and control group study under
17 this program. The department, in carrying out this study, may select
18 particular recipients or categories of recipients to participate in the
19 study.

20 NEW SECTION. **Sec. 208.** The department of social and health
21 services, the employment security department, the department of
22 community, trade, and economic development, and the community and
23 technical colleges shall cooperate and coordinate among the existing
24 state and federal assistance and training programs to focus the efforts
25 of enrollees and programs to most effectively achieve results from the
26 various programs.

27 NEW SECTION. **Sec. 209.** (1) No training plans may be entered into
28 after June 30, 2000. Contracts in effect on June 30, 2000, shall
29 continue in effect according to the terms of the contract.

30 (2) If the program under chapter . . ., Laws of 1995 (this act) is
31 terminated before June 30, 2000, persons eligible for tax credits at
32 the time of program termination under sections 203 through 205 of this
33 act shall receive such credits, subject to the limitations in section
34 203(7) of this act.

35 **C. FULL EMPLOYMENT ACT**

1 NEW SECTION. **Sec. 210.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout sections
3 210 through 217 of this act.

4 (1) "Department" means the department of social and health
5 services.

6 (2) "Participants" means recipients and parents of aid to families
7 with dependent children.

8 (3) "Pilot program" or "program" means the Washington full
9 employment act pilot program established in section 211 of this act.

10 (4) "Washington full employment act" means the Washington full
11 employment pilot program established in section 211 of this act.

12 NEW SECTION. **Sec. 211.** (1) In establishing and implementing a
13 pilot program to be known as the Washington full employment act, it is
14 the intent of the legislature to use the benefits of the job
15 opportunities and basic skills training program (JOBS) to promote
16 greater economic self-sufficiency among families and workers by:

17 (a) Requiring all recipients of aid to families with dependent
18 children in the job preparation target group and living in the pilot
19 counties to participate in the program;

20 (b) Increasing the employability of participants who are unemployed
21 and underemployed workers through on-the-job training;

22 (c) Increasing the ability of the public and private sector to work
23 together to develop jobs;

24 (d) Ensuring that participants improve their work skills,
25 education, and employability through worksite training, mentoring, job
26 placement, and necessary support services that include child care,
27 transportation, and health care; and

28 (e) Guaranteeing that participation in the Washington full
29 employment act does not result in reductions of net income to
30 participants.

31 (2) The Washington full employment act is created as a five-year
32 pilot program in which residents of selected counties shall, in lieu of
33 receiving payments from the aid to families with dependent children
34 program and coupons under the food stamp program, be provided jobs that
35 promote self-sufficiency and encourage independence from public
36 assistance.

1 NEW SECTION. **Sec. 212.** PILOT COUNTIES. The Washington full
2 employment act shall be piloted in four locations, to be chosen by the
3 department based upon the following criteria: One in an urban county
4 of eastern Washington, one in an urban county of western Washington,
5 one in a rural county of eastern Washington, and one in a rural county
6 of western Washington. None of the pilot areas may have an
7 unemployment rate exceeding one hundred fifty percent of the state's
8 average unemployment rate at commencement of the pilot. The department
9 shall give preference to counties demonstrating a desire to
10 participate, and shall attempt to select counties with a reasonable
11 chance to fully implement the Washington full employment act.

12 NEW SECTION. **Sec. 213.** The department shall contract at least
13 fifty percent of the job training, job funding, and job matching
14 leading to independent employment, with private nonprofit community
15 action agencies, nonprofit local community organizations, and other
16 organizations with experience and ability to meet the employment needs
17 of individuals on public assistance. Such contracts shall be
18 performance and outcome based.

19 NEW SECTION. **Sec. 214.** A Washington full employment act
20 implementation board shall be established in each pilot county as a
21 liaison to the business community and shall work with the department to
22 address particular needs of participants in the county. The board
23 shall be comprised of not fewer than two representatives from the local
24 programs contracted with the department to provide mentoring, on-the-
25 job training, and job placement; two members currently participating in
26 the program who are aid to families with dependent children recipients;
27 five representatives from the local business community; one
28 representative from the labor community; one representative from the
29 department; and one representative from the department of community,
30 trade, and economic development. Each board shall be responsible for
31 recruiting employment opportunities and encouraging participation in
32 the county.

33 NEW SECTION. **Sec. 215.** (1) The Washington full employment act
34 special fund is created in the state treasury separate and distinct
35 from the general fund. Moneys in the fund may be spent only after
36 appropriation and shall be used exclusively to meet the necessary

1 expenses of the program. The fund shall be held and administered by
2 the state treasurer.

3 (2) All funds appropriated for expenditure by or apportioned to the
4 department for operation of the aid to families with dependent children
5 program, the job opportunities and basic skills training program, and
6 the food stamp program in the pilot counties shall accrue to the fund.

7 (3) The department shall allocate available job opportunities and
8 basic skills training program child care funds on a pro rata basis to
9 full employment act counties, based on the number of participants in
10 those counties.

11 (4) All income earned on moneys in the fund shall be credited to
12 and deposited in the fund to the extent permitted by state and federal
13 law.

14 (5) Expenditures from the fund shall include pilot program wage
15 reimbursements to participating employers, aid to families with
16 dependent children cash grants, food stamp allotments, Washington full
17 employment act payments to eligible participants of the pilot counties,
18 and administrative costs directly associated with the operation of the
19 pilot program. At the end of the five-year pilot program, expenditures
20 from the fund shall not exceed accruals to the fund.

21 (6) No less than quarterly, the department shall meet with the
22 implementation boards to review the cost-effectiveness of the program
23 and shall take any necessary action to modify or suspend the program to
24 maintain cost neutrality.

25 (7) In administering the fund, and consistent with other provisions
26 of the pilot program and to the extent permitted by federal law, the
27 department shall maximize the use of federal grants and apportionments
28 of the aid to families with dependent children program, the job
29 opportunities and basic skills training program, the food stamp
30 program, and employment-related child care.

31 (8) To the extent that additional moneys may be obtained for the
32 program from sources other than state tax revenues, the additional
33 moneys shall be appropriated to the fund.

34 NEW SECTION. **Sec. 216.** (1)(a) The department shall adopt by rule
35 a method to determine which employers, including public and private
36 sector employers, within this state shall have the opportunity to
37 utilize pilot program participants. In the event that openings exceed
38 the number of participants, the department shall give priority in the

1 hiring of participants to those employers willing to accept a ninety
2 percent reimbursement rate or to extend the initial term of employment
3 for an additional three months without requiring an additional subsidy.
4 No employer is required to participate in the Washington full
5 employment act. In the event that there are unassigned participants
6 whom no employer desires to utilize, they may be assigned to work for
7 a public agency.

8 (b) The department by rule may:

9 (i) Establish criteria for excluding employers from participation
10 for failure to abide by pilot program requirements or other
11 demonstrated unwillingness to comply with the stated intent of the
12 program;

13 (ii) Provide that employers that have terminated two participants
14 before completion of training without cause shall be ineligible to
15 receive additional participants.

16 (2) The department shall assign in priority order individuals
17 eligible for the pilot program who are:

18 (a) Single adults and caretaker relatives who are receiving aid to
19 families with dependent children benefits; and

20 (b) Two-parent families who are receiving aid to families with
21 dependent children benefits.

22 (3) The department shall ensure that jobs made available to pilot
23 program participants shall:

24 (a) Not require work in excess of forty hours per week;

25 (b) Be in conformity with section 3304(a)(5) of the federal
26 unemployment tax act; and

27 (c) Not be used to displace regular employees nor to fill unfilled
28 positions previously established.

29 (4)(a) With the assistance of the local full employment act
30 implementation board, the employment security department, and the
31 department of community, trade, and economic development, the
32 department shall develop a job inventory of sufficient size to
33 accommodate all of the participants in the program. In consultation
34 with the participant, the department shall try to match the profile of
35 a participant with the needs of an employer when assigning a
36 participant to work with the employer.

37 (b) Either the employer or the participant may terminate the
38 assignment by contacting the appropriate department office. In such
39 event, the department shall evaluate the termination and reassess the

1 needs of the participant and assign the participant to another
2 Washington full employment act placement or another Washington full
3 employment act component and, at the employer's request, provide the
4 employer with another participant.

5 (c)(i) If after seven months in a placement, a participant has not
6 been hired for an unsubsidized position, the employer shall allow the
7 worker to undertake eight hours of job search per week. Participating
8 employers shall consider such time as hours worked for the purposes of
9 paying wages.

10 (ii) If after nine months in a placement, a participant has not
11 been hired for an unsubsidized position, the placement shall be
12 terminated, and the case worker shall reassess the participant's
13 employment development contract. Based on the assessment, the
14 department may either reassign the participant to another on-the-job
15 training assignment or refer the individual to another appropriate
16 component of the program.

17 (5) Aid to families with dependent children and food stamp benefits
18 shall be suspended at the end of the calendar month in which an
19 employer makes the first wage payment to a participant who is a
20 custodial parent in a family that receives aid to families with
21 dependent children.

22 (6)(a) Employers shall pay all participating individuals at least
23 the hourly rate of the Washington minimum wage.

24 (b) Sick leave, holiday, and vacation absences shall conform to the
25 individual employer's rules for new employees.

26 (c) All persons participating in the Washington full employment act
27 shall be considered to be temporary employees of the individual
28 employer providing the work and shall be entitled only to benefits
29 required by state or federal law.

30 (d) Employers shall provide workers' compensation coverage for each
31 Washington full employment act participant.

32 (7) In the event that the net monthly full-time wage paid to a
33 participant would be less than the level of income from the aid to
34 families with dependent children program and the food stamp benefit
35 amount equivalent that the participant would otherwise receive, the
36 department shall determine and pay a supplemental payment as necessary
37 to provide the participant with that level of net income. The
38 department by rule shall adopt an equivalency scale to be adjusted for
39 household size and other factors. The purpose of this equivalency

1 scale is to ensure that participants are not economically
2 disadvantaged, in terms of net income, by accepting a job under the
3 pilot program. The department shall determine and pay in advance
4 supplemental payments to participants on a monthly basis as necessary
5 to ensure equivalent net pilot program wages. Participants shall be
6 compensated only for time worked.

7 (8) Pilot program participants who are eligible for federally and
8 state-funded medical assistance at the time they enter the pilot
9 program shall remain eligible as long as they continue to participate
10 in the pilot program. In conformity with existing state and federal
11 employment-related child care program regulations, child day care shall
12 be provided for all pilot program participants who require it.

13 (9) Washington full employment act employers shall:

14 (a) Endeavor to make Washington full employment act placements
15 positive learning and training experiences;

16 (b) Maintain health, safety, and working conditions at or above
17 levels generally acceptable in the industry and no less than that of
18 comparable jobs of the employer;

19 (c) Provide on-the-job training to the degree necessary for the
20 participants to perform their duties;

21 (d) Recruit volunteer mentors from among their regular employees to
22 assist the participants in becoming oriented to work and the workplace;

23 (e) Sign an agreement between the department and the recipient for
24 each placement outlining the specific job offered to the participant
25 and agreeing to abide by all requirements of the pilot program,
26 including the requirement that the pilot program not supplant existing
27 jobs. All agreements shall include provisions noting the employer's
28 responsibility to repay reimbursements in the event the employer
29 violates pilot program rules; and

30 (f) Coordinate with the department and the recipient to complete
31 all necessary paperwork to receive earned income tax credit monthly.

32 (10) Pilot program participant wages shall be subject to federal
33 tax, social security taxes, and unemployment insurance tax or
34 reimbursement as applicable, which shall be withheld and paid in
35 accordance with state and federal law. Supplemental payments made
36 pursuant to subsection (7) of this section, to the extent allowed by
37 federal law, shall not be subject to federal income taxes and social
38 security taxes.

1 (11)(a) The department shall reimburse employers for the employer
2 share of social security, unemployment insurance, and workers'
3 compensation premiums paid on behalf of pilot program participants, as
4 well as the minimum wage earnings paid to pilot program participants by
5 the employer from the Washington full employment act special fund.

6 (b) If the department finds that an employer has violated any of
7 the rules of the Washington full employment act, the department:

8 (i) Shall withhold any amounts due to employers under (a) of this
9 subsection;

10 (ii) May seek repayment of any amounts paid to employers under (a)
11 of this subsection.

12 NEW SECTION. **Sec. 217.** The establishment of local Washington full
13 employment act implementation boards shall occur within sixty days
14 after the effective date of this section.

15 **D. COMMUNITY SERVICE**

16 NEW SECTION. **Sec. 218.** A new section is added to chapter 74.12
17 RCW to read as follows:

18 COMMUNITY VOLUNTEER PROGRAM. The recipient in a community
19 volunteer program shall locate a community work experience with any
20 willing public or private organization and provide documentation to the
21 department of his or her participation on forms established in rule by
22 the department and signed by the recipient under penalty of perjury.
23 Compliance shall be subject to random checks by the department.

24 **PART III. TEEN PARENT PROGRAM**

25 NEW SECTION. **Sec. 301.** A new section is added to chapter 74.12
26 RCW to read as follows:

27 TEEN GROUP HOMES. (1) The department shall contract with public or
28 private providers to establish teen group homes as an alternative
29 living situation for recipients under eighteen years of age who cannot
30 safely live with their parent or parents. The department shall make
31 available to teens from unsafe homes information on the prosecution of
32 abusive parents, and shall, at the request of the teen, inform the teen
33 on how to contact the appropriate local prosecutor to pursue criminal
34 charges.

1 (2) In teen group homes, the cash grant for each resident teen
2 parent's assistance unit, as well as the food stamp allocation and any
3 other portion of any public assistance benefit accruing to the teen
4 recipient shall be pooled, and under the control of the home
5 administrator, for the benefit of the teen parents and their children,
6 and shall not be given directly to the teen parent.

7 (3) Each teen parent living in the teen group home shall be given
8 the following case-managed services: Parenting education, maternal and
9 child nutritional education, tutoring to aid in the completion of high
10 school or a GED, money management, anger management, and substance
11 abuse treatment, including treatment for tobacco addiction, where
12 appropriate.

13 (4) Teen parents living in teen group homes shall, as a condition
14 of receiving benefits, complete educational requirements, help with
15 household tasks at the home, attend and participate in instruction
16 provided for teen parents in residence, and abide by house rules.

17 (5) House rules shall be established by each teen group home, and
18 shall include, at a minimum, a requirement that no unsupervised male
19 visitors be allowed, that a curfew be established, and that an
20 equitable system of shared child care responsibilities be provided to
21 accommodate school and work attendance for teen parents.

22 (6) The department shall assure the teen parent and dependents in
23 his or her assistance unit of the following: Adequate housing and
24 nutrition, medical care, tutoring for completion of educational
25 requirements, and at least the minimal additional instruction and case-
26 managed care as provided for in this section.

27 **PART IV. REQUIREMENTS AND RESPONSIBILITIES**

28 NEW SECTION. **Sec. 401.** A new section is added to chapter 74.12
29 RCW to read as follows:

30 (1) At the end of a recipient's welfare-to-work program, which
31 shall not exceed two years, the recipient shall engage in a job search
32 of up to six months. At the end of this job search period, grant
33 assistance shall be reduced by twenty percent every six months.

34 (a) Time limits shall be tolled in the event of a medically
35 certified temporary illness or disability of the recipient, or if child
36 care is not available for a period of time.

1 (b) Recipients in need of substance abuse or alcohol abuse
2 treatment shall contract with the department for referral to an
3 appropriate program and shall comply with the requirements of the
4 program as a condition of continued benefit receipt.

5 (c) A recipient may extend full benefits for a period of an
6 additional two years by participating at least one hundred hours per
7 month in the community volunteer work program under section 218 of this
8 act.

9 (2) Except where otherwise specified, persons receiving public
10 assistance shall be exempt from participation in a job-ready or job
11 preparation target group or a welfare-to-work program if there is a
12 child under three years of age in the home, for a period of twelve
13 weeks after the birth of a child, or if the caretaker recipient is
14 disabled.

15 (3) If an additional child is born while the recipient is on
16 assistance, the benefit increase shall be limited to fifty percent of
17 the full amount for the first additional child. The birth of
18 subsequent additional children does not entitle the recipient to any
19 additional grant assistance.

20 (4) The department, working with the department of revenue, shall
21 encourage employers of recipients to use a month-to-month pass through
22 of the federal earned income tax credit. The department shall
23 facilitate application for such tax credit in all cases where
24 recipients report earned income.

25 (5) To the extent that resources are available, the department
26 shall provide transitional child care for up to twenty-four months to
27 individuals who have completed their welfare-to-work program or
28 obtained employment.

29 (6) The department has the responsibility of supplying child care
30 to participants who have contracted for welfare-to-work or other
31 programs under chapter . . . , Laws of 1995 (this act).

32 (7) At the completion of a participant's grant, the department
33 shall enroll the participant in the basic health plan under chapter
34 70.47 RCW and enroll the participant's children in medicaid, with fifty
35 percent federal contribution for the cost of the basic health plan.

36 **PART V. CHILD SUPPORT ENHANCEMENT**

37 **A. LICENSE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT**

1 NEW SECTION. **Sec. 501.** The failure of some noncustodial parents
2 to participate in the financial burden of supporting their children
3 drives many families to public assistance. This lack of personal
4 responsibility on the part of such noncustodial parents should be
5 addressed by more vigorous and effective efforts to collect child
6 support and stronger penalties for failure to pay child support. In
7 order to further ensure that child support obligations are met,
8 sections 502 through 541, chapter . . . , Laws of 1995 (sections 502
9 through 541 of this act) establish a program by which certain licenses
10 may be suspended if a person is ninety days or more in arrears on child
11 support payments.

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

23 NEW SECTION. **Sec. 502.** A new section is added to chapter 74.20A
24 RCW to read as follows:

25 (1) As used in this section, unless the context indicates
26 otherwise, the following terms have the following meanings.

27 (a) "Licensing entity" includes any department, board, commission,
28 or other organization of the state authorized by Title 18 RCW to issue,
29 renew, suspend, or revoke a license authorizing an individual to engage
30 in a business, occupation, profession, or industry, and the Washington
31 state bar association.

32 (b) "Noncompliance with a child support order" means a responsible
33 parent has:

34 (i) Accumulated arrears totaling more than three months of child
35 support payments;

36 (ii) Failed to make payments pursuant to a written agreement with
37 the department towards a support arrearage in an amount that exceeds
38 three months of payments; or

1 (iii) Failed to make payments required by a superior court order or
2 administrative order towards a support arrearage in an amount that
3 exceeds three months of payments.

4 (c) "License" means a license, certificate, registration, permit,
5 approval, or other similar document issued by a licensing entity
6 evidencing admission to or granting authority to engage in a
7 profession, occupation, business, or industry.

8 (d) "Licensee" means any individual holding a license, certificate,
9 registration, permit, approval, or other similar document issued by a
10 licensing entity evidencing admission to or granting authority to
11 engage in a profession, occupation, business, or industry.

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

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

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

28 (b) A request for an adjudicative proceeding must be made in
29 writing and must be postmarked or personally delivered to the
30 department within twenty days of service. Along with the request, the
31 parent must also submit a hearing fee of one hundred dollars, which
32 will be refunded to the parent if the parent prevails at the
33 adjudicative proceeding;

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

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

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

15 (f) If the department certifies the responsible parent to the
16 department of licensing and a licensing entity for noncompliance with
17 a child support order, the licensing entity will suspend the parent's
18 license and the department of licensing will suspend any driver's
19 license that the parent holds until the parent provides the department
20 of licensing and the licensing entity with a written release from the
21 department stating that the responsible parent is in compliance with
22 the child support order;

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

26 (h) If the responsible parent files a motion to modify support with
27 the court or requests the department to amend a support obligation
28 established by an administrative decision, the department or the court
29 may, for up to one hundred twenty days, stay action to certify the
30 parent to the department of licensing and any licensing entity for
31 noncompliance with a child support order; and

32 (i) If the responsible parent subsequently becomes in compliance
33 with the child support order, the department will promptly provide the
34 parent with a written release stating that the parent is in compliance
35 with the order, and the parent may request that the licensing entity or
36 the department of licensing reinstate the suspended license.

37 (4) A responsible parent may request an adjudicative proceeding
38 upon service of the notice described in subsection (2) of this section.
39 The request for an adjudicative proceeding must be postmarked or

1 personally delivered to the department within twenty days of service.
2 The request must be in writing and indicate the current mailing address
3 and daytime phone number, if available, of the responsible parent. The
4 parent must include with the request a hearing fee in the amount of one
5 hundred dollars, which shall be refunded to the parent if the parent
6 prevails at the adjudicative proceeding. The proceedings under this
7 subsection shall be conducted in accordance with the requirements of
8 chapter 34.05 RCW. The issues that may be considered at the
9 adjudicative proceeding are limited to whether the responsible parent
10 is required to pay child support under a child support order and
11 whether the responsible parent is in compliance with the order.

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

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

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

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

38 (a) The responsible parent does not timely request an adjudicative
39 proceeding upon service of a notice issued under subsection (2) of this

1 section and is not in compliance with a child support order twenty-one
2 days after service of the notice;

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

5 (c) The department and the responsible parent have been unable to
6 agree on a fair and reasonable schedule for payment of the arrears; or

7 (d) The court enters a judgment on a petition for judicial review
8 that finds the responsible parent is not in compliance with a child
9 support order.

10 The department shall send by regular mail a copy of any
11 certification of noncompliance filed with the department of licensing
12 or a licensing entity to the responsible parent at the responsible
13 parent's most recent address of record.

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

20 (10) When a responsible parent who is served notice under
21 subsection (2) of this section subsequently complies with the child
22 support order, the department shall promptly provide the parent with a
23 written release stating that the responsible parent is in compliance
24 with the order.

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

27 (12) Nothing in this section prohibits a responsible parent from
28 filing a motion to modify support with the court or from requesting the
29 department to amend a support obligation established by an
30 administrative decision. If there is a reasonable likelihood that the
31 motion or request will significantly change the amount of the arrears,
32 the department or the court may, for up to one hundred twenty days,
33 stay action to certify the responsible parent to the department of
34 licensing and any licensing entity for noncompliance with a child
35 support order.

36 (13) The department of licensing and a licensing entity may issue,
37 renew, reinstate, or otherwise extend a license in accordance with the
38 licensing entity's or the department of licensing's rules after the
39 licensing entity or the department of licensing receives a copy of the

1 written release specified in subsection (10) of this section. The
2 department of licensing and a licensing entity may waive any applicable
3 requirement for reissuance, renewal, or other extension if it
4 determines that the imposition of that requirement places an undue
5 burden on the person and that waiver of the requirement is consistent
6 with the public interest.

7 NEW SECTION. **Sec. 503.** A new section is added to chapter 74.20A
8 RCW to read as follows:

9 (1) The department of social and health services, the department of
10 licensing, and the various licensing entities shall enter into such
11 agreements as are necessary to carry out the requirements of the
12 license suspension program established in section 502 of this act, but
13 only to the extent the departments and licensing entities determine it
14 is cost-effective.

15 (2) On or before January 1, 1996, and quarterly thereafter, the
16 department of social and health services shall provide to the
17 department of licensing and all licensing entities subject to section
18 502 of this act a list of all responsible parents who are not in
19 compliance with a child support order, as defined in section 502 of
20 this act. Within thirty days of receipt of the list, the department of
21 licensing and each licensing entity shall compare the list with their
22 licensees, and provide to the department of social and health services
23 the following information regarding any current licensees who are on
24 the department's list of persons in noncompliance with a child support
25 order:

26 (a) Name;

27 (b) Address of record;

28 (c) Federal employer identification number or social security
29 number;

30 (d) Type of license;

31 (e) Effective date of license or renewal;

32 (f) Expiration date of license; and

33 (g) Active or inactive status.

34 **Sec. 504.** RCW 74.20A.020 and 1990 1st ex.s. c 2 s 15 are each
35 amended to read as follows:

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

4 (1) "Department" means the state department of social and health
5 services.

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

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

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

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

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

17 (5) "Child support order" means superior court order or
18 administrative order.

19 (6) "Superior court order" means any judgment, decree, or order of
20 the superior court of the state of Washington, or a court of comparable
21 jurisdiction of another state, establishing the existence of a support
22 obligation and ordering payment of a set or determinable amount of
23 support moneys to satisfy the support obligation. For purposes of RCW
24 74.20A.055, orders for support which were entered under the uniform
25 reciprocal enforcement of support act by a state where the responsible
26 parent no longer resides shall not preclude the department from
27 establishing an amount to be paid as current and future support.

28 ((+6)) (7) "Administrative order" means any determination,
29 finding, decree, or order for support pursuant to RCW 74.20A.055, or by
30 an agency of another state pursuant to a substantially similar
31 administrative process, establishing the existence of a support
32 obligation and ordering the payment of a set or determinable amount of
33 support moneys to satisfy the support obligation.

34 ((+7)) (8) "Responsible parent" means a natural parent, adoptive
35 parent, or stepparent of a dependent child or a person who has signed
36 an affidavit acknowledging paternity which has been filed with the
37 state office of vital statistics.

38 ((+8)) (9) "Stepparent" means the present spouse of the person who
39 is either the mother, father, or adoptive parent of a dependent child,

1 and such status shall exist until terminated as provided for in RCW
2 26.16.205.

3 ~~((+9))~~ (10) "Support moneys" means any moneys or in-kind
4 providings paid to satisfy a support obligation whether denominated as
5 child support, spouse support, alimony, maintenance, or any other such
6 moneys intended to satisfy an obligation for support of any person or
7 satisfaction in whole or in part of arrears or delinquency on such an
8 obligation.

9 ~~((+10))~~ (11) "Support debt" means any delinquent amount of support
10 moneys which is due, owing, and unpaid under a superior court order or
11 an administrative order, a debt for the payment of expenses for the
12 reasonable or necessary care, support, and maintenance, including
13 medical expenses, of a dependent child or other person for whom a
14 support obligation is owed; or a debt under RCW 74.20A.100 or
15 74.20A.270. Support debt also includes any accrued interest, fees, or
16 penalties charged on a support debt, and attorneys fees and other costs
17 of litigation awarded in an action to establish and enforce a support
18 obligation or debt.

19 ~~((+11))~~ (12) "State" means any state or political subdivision,
20 territory, or possession of the United States, the District of
21 Columbia, and the Commonwealth of Puerto Rico.

22 **Sec. 505.** RCW 74.20A.280 and 1987 c 441 s 2 are each amended to
23 read as follows:

24 (1) While discharging its responsibilities to enforce the support
25 obligations of responsible parents, the department shall respect the
26 right of privacy of recipients of public assistance and of other
27 persons. Any inquiry about sexual activity shall be limited to that
28 necessary to identify and locate possible fathers and to gather facts
29 needed in the adjudication of parentage.

30 (2) The department shall, as a precondition for the payment of
31 public assistance benefits, require the custodial parent to inform he
32 division of child support of the identity of the alleged father or
33 fathers of the minors living in the assistance unit, for purposes of
34 legal determination of paternity and establishment of an order of child
35 support.

36 NEW SECTION. **Sec. 506.** A new section is added to chapter 74.20A
37 RCW to read as follows:

1 In furtherance of the public policy of increasing collection of
2 child support and to assist in evaluation of the program established in
3 section 502 of this act, the department shall report the following to
4 the legislature and the governor on December 1, 1996, and annually
5 thereafter:

6 (1) The number of responsible parents identified as licensees
7 subject to section 502 of this act;

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

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

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

14 (5) The number of adjudicative proceedings held, and the results of
15 the adjudicative proceedings;

16 (6) The number of responsible parents certified to the department
17 of licensing or licensing entities for noncompliance with a child
18 support order, and the type of license the parents held;

19 (7) The costs incurred in the implementation and enforcement of
20 section 502 of this act and an estimate of the amount of child support
21 collected due to the departments under section 502 of this act;

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

24 (9) Recommendations for the addition of specific licenses in the
25 program or exclusion of specific licenses from the program, and reasons
26 for such recommendations; and

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

29 **Sec. 507.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to
30 read as follows:

31 The department is authorized to suspend the license of a driver
32 upon a showing by its records or other sufficient evidence that the
33 licensee:

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

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

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

6 (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);
7 ((or))

8 (5) Has failed to respond to a notice of traffic infraction, failed
9 to appear at a requested hearing, violated a written promise to appear
10 in court, or has failed to comply with the terms of a notice of traffic
11 infraction or citation, as provided in RCW 46.20.289; ((or))

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

14 (7) Has been certified by the department of social and health
15 services as a person who is not in compliance with a child support
16 order as provided in section 502 of this act.

17 **Sec. 508.** RCW 46.20.311 and 1994 c 275 s 27 are each amended to
18 read as follows:

19 (1) The department shall not suspend a driver's license or
20 privilege to drive a motor vehicle on the public highways for a fixed
21 period of more than one year, except as specifically permitted under
22 RCW 46.20.342 or other provision of law. Except for a suspension under
23 RCW 46.20.289 and 46.20.291(5), whenever the license or driving
24 privilege of any person is suspended by reason of a conviction, a
25 finding that a traffic infraction has been committed, pursuant to
26 chapter 46.29 RCW, or pursuant to RCW 46.20.291, the suspension shall
27 remain in effect until the person gives and thereafter maintains proof
28 of financial responsibility for the future as provided in chapter 46.29
29 RCW. Whenever the license or driving privilege of any person is
30 suspended as a result of certification of noncompliance with a child
31 support order under chapter 74.20A RCW, the suspension shall remain in
32 effect until the person provides a written release issued by the
33 department of social and health services stating that the person is in
34 compliance with the order. The department shall not issue to the
35 person a new, duplicate, or renewal license until the person pays a
36 reissue fee of twenty dollars. If the suspension is the result of a
37 violation of RCW 46.61.502 or 46.61.504, the reissue fee shall be fifty
38 dollars.

1 (2) Any person whose license or privilege to drive a motor vehicle
2 on the public highways has been revoked, unless the revocation was for
3 a cause which has been removed, is not entitled to have the license or
4 privilege renewed or restored until: (a) After the expiration of one
5 year from the date the license or privilege to drive was revoked; (b)
6 after the expiration of the applicable revocation period provided by
7 RCW 46.20.308 or 46.61.5052, 46.61.5053, or 46.20.365; (c) after the
8 expiration of two years for persons convicted of vehicular homicide; or
9 (d) after the expiration of the applicable revocation period provided
10 by RCW 46.20.265. After the expiration of the appropriate period, the
11 person may make application for a new license as provided by law
12 together with a reissue fee in the amount of twenty dollars, but if the
13 revocation is the result of a violation of RCW 46.20.308, 46.61.502, or
14 46.61.504 or is the result of administrative action under RCW
15 46.20.365, the reissue fee shall be fifty dollars. Except for a
16 revocation under RCW 46.20.265, the department shall not then issue a
17 new license unless it is satisfied after investigation of the driving
18 ability of the person that it will be safe to grant the privilege of
19 driving a motor vehicle on the public highways, and until the person
20 gives and thereafter maintains proof of financial responsibility for
21 the future as provided in chapter 46.29 RCW. For a revocation under
22 RCW 46.20.265, the department shall not issue a new license unless it
23 is satisfied after investigation of the driving ability of the person
24 that it will be safe to grant that person the privilege of driving a
25 motor vehicle on the public highways.

26 (3) Whenever the driver's license of any person is suspended
27 pursuant to Article IV of the nonresident violators compact or RCW
28 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
29 to the person any new or renewal license until the person pays a
30 reissue fee of twenty dollars. If the suspension is the result of a
31 violation of the laws of this or any other state, province, or other
32 jurisdiction involving (a) the operation or physical control of a motor
33 vehicle upon the public highways while under the influence of
34 intoxicating liquor or drugs, or (b) the refusal to submit to a
35 chemical test of the driver's blood alcohol content, the reissue fee
36 shall be fifty dollars.

37 NEW SECTION. **Sec. 509.** A new section is added to chapter 48.22
38 RCW to read as follows:

1 A motor vehicle liability insurance policy that contains any
2 provision excluding insurance coverage for an unlicensed driver shall
3 not apply for ninety days from the date of suspension in the event that
4 the department of licensing suspends a driver's license solely for the
5 nonpayment of child support as provided in chapter 74.20A RCW.

6 NEW SECTION. **Sec. 510.** A new section is added to chapter 2.48 RCW
7 to read as follows:

8 ATTORNEYS. Any member of the Washington state bar association who
9 has been certified by the department of social and health services as
10 a person who is not in compliance with a child support order as
11 provided in section 502 of this act shall be immediately suspended from
12 membership. Membership shall not be reinstated until the person
13 provides the Washington state bar association a written release issued
14 by the department of social and health services stating that the person
15 is in compliance with the order. If the person has continued to meet
16 all other requirements for membership during the suspension,
17 reinstatement shall be automatic upon receipt of the notice and payment
18 of any reinstatement fee the association may impose.

19 NEW SECTION. **Sec. 511.** A new section is added to chapter 18.04
20 RCW to read as follows:

21 ACCOUNTANTS. The board shall immediately suspend the certificate
22 or license of a person who has been certified pursuant to section 502
23 of this act by the department of social and health services as a person
24 who is not in compliance with a child support order.

25 **Sec. 512.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
26 read as follows:

27 ACCOUNTANTS. (1) Upon application in writing and after hearing
28 pursuant to notice, the board may:

29 ~~((1))~~ (a) Modify the suspension of, or reissue a certificate or
30 license to, an individual whose certificate has been revoked or
31 suspended; or

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

35 (2) In the case of suspension for failure to comply with a child
36 support order under chapter 74.20A RCW, if the person has continued to

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

6 NEW SECTION. **Sec. 513.** A new section is added to chapter 18.08
7 RCW to read as follows:

8 ARCHITECTS. The board shall immediately suspend the certificate of
9 registration or certificate of authorization to practice architecture
10 of a person who has been certified pursuant to section 502 of this act
11 by the department of social and health services as a person who is not
12 in compliance with a child support order. If the person has continued
13 to meet other requirements for reinstatement during the suspension,
14 reissuance of the certificate shall be automatic upon the board's
15 receipt of a written release issued by the department of social and
16 health services stating that the individual is in compliance with the
17 child support order.

18 **Sec. 514.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
19 read as follows:

20 AUCTIONEERS. (1) No license shall be issued by the department to
21 any person who has been convicted of forgery, embezzlement, obtaining
22 money under false pretenses, extortion, criminal conspiracy, fraud,
23 theft, receiving stolen goods, unlawful issuance of checks or drafts,
24 or other similar offense, or to any partnership of which the person is
25 a member, or to any association or corporation of which the person is
26 an officer or in which as a stockholder the person has or exercises a
27 controlling interest either directly or indirectly.

28 (2) The following shall be grounds for denial, suspension, or
29 revocation of a license, or imposition of an administrative fine by the
30 department:

31 (a) Misrepresentation or concealment of material facts in obtaining
32 a license;

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

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

37 (d) Misleading or false advertising;

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

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

5 (g) Nonpayment of an administrative fine prior to renewal of a
6 license;

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

9 (i) Any other violations of this chapter.

10 (3) The department shall immediately suspend the license of a
11 person who has been certified pursuant to section 502 of this act by
12 the department of social and health services as a person who is not in
13 compliance with a child support order. If the person has continued to
14 meet all other requirements for reinstatement during the suspension,
15 reissuance of the license shall be automatic upon the department's
16 receipt of a written release issued by the department of social and
17 health services stating that the licensee is in compliance with the
18 child support order.

19 NEW SECTION. Sec. 515. A new section is added to chapter 18.16
20 RCW to read as follows:

21 COSMETOLOGISTS, BARBERS, AND MANICURISTS. The department shall
22 immediately suspend the license of a person who has been certified
23 pursuant to section 502 of this act by the department of social and
24 health services as a person who is not in compliance with a child
25 support order. If the person has continued to meet all other
26 requirements for reinstatement during the suspension, reissuance of the
27 license shall be automatic upon the department's receipt of a written
28 release issued by the department of social and health services stating
29 that the licensee is in compliance with the child support order.

30 NEW SECTION. Sec. 516. A new section is added to chapter 18.20
31 RCW to read as follows:

32 BOARDING HOMES. The department shall immediately suspend the
33 license of a person who has been certified pursuant to section 502 of
34 this act by the department of social and health services as a person
35 who is not in compliance with a child support order. If the person has
36 continued to meet all other requirements for reinstatement during the
37 suspension, reissuance of the license shall be automatic upon the

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

4 **Sec. 517.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
5 amended to read as follows:

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

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

13 (a) One year;

14 (b) Until the bond expires; or

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

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

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

25 (5) The department shall immediately suspend the certificate of
26 registration of a contractor who has been certified by the department
27 of social and health services as a person who is not in compliance with
28 a child support order as provided in section 502 of this act. The
29 certificate of registration shall not be reissued or renewed unless the
30 person provides to the department a written release from the department
31 of social and health services stating that he or she is in compliance
32 with the child support order and the person has continued to meet all
33 other requirements for certification during the suspension.

34 NEW SECTION. **Sec. 518.** A new section is added to chapter 18.28
35 RCW to read as follows:

36 DEBT ADJUSTERS. The department shall immediately suspend the
37 license of a person who has been certified pursuant to section 502 of

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

8 **Sec. 519.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
9 read as follows:

10 EMBALMERS AND FUNERAL DIRECTORS. The director shall have the
11 following powers and duties:

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

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

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

15 ((and))

16 (4) To immediately suspend the license of a person who has been
17 certified pursuant to section 502 of this act by the department of
18 social and health services as a person who is not in compliance with a
19 child support order; and

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

23 NEW SECTION. **Sec. 520.** A new section is added to chapter 18.39
24 RCW to read as follows:

25 EMBALMERS AND FUNERAL DIRECTORS. In the case of suspension for
26 failure to comply with a child support order under chapter 74.20A RCW,
27 if the person has continued to meet all other requirements for
28 reinstatement during the suspension, reissuance of a license shall be
29 automatic upon the director's receipt of a written release issued by
30 the department of social and health services stating that the
31 individual is in compliance with the child support order.

32 NEW SECTION. **Sec. 521.** A new section is added to chapter 18.43
33 RCW to read as follows:

34 ENGINEERS AND LAND SURVEYORS. The board shall immediately suspend
35 the registration of a person who has been certified pursuant to section
36 502 of this act by the department of social and health services as a

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

7 NEW SECTION. **Sec. 522.** A new section is added to chapter 18.44
8 RCW to read as follows:

9 ESCROW AGENTS. The department shall immediately suspend the
10 certificate of registration of a person who has been certified pursuant
11 to section 502 of this act by the department of social and health
12 services as a person who is not in compliance with a child support
13 order. If the person has continued to meet all other requirements for
14 certification during the suspension, reissuance of the certificate
15 shall be automatic upon the department's receipt of a written release
16 issued by the department of social and health services stating that the
17 person is in compliance with the child support order.

18 **Sec. 523.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to
19 read as follows:

20 MATERNITY HOMES. The department may deny, suspend, or revoke a
21 license in any case in which it finds that there has been failure or
22 refusal to comply with the requirements established under this chapter
23 or the rules adopted under it.

24 The department shall immediately suspend the license of a person
25 who has been certified pursuant to section 502 of this act by the
26 department of social and health services as a person who is not in
27 compliance with a child support order. If the person has continued to
28 meet all other requirements for reinstatement during the suspension,
29 reissuance of the license shall be automatic upon the department's
30 receipt of a written release issued by the department of social and
31 health services stating that the person is in compliance with the child
32 support order.

33 RCW 43.70.115 governs notice of a license denial, revocation,
34 suspension, or modification and provides the right to an adjudicative
35 proceeding.

1 NEW SECTION. **Sec. 524.** A new section is added to chapter 18.51
2 RCW to read as follows:

3 NURSING HOME OPERATORS. The department shall immediately suspend
4 the license of a person who has been certified pursuant to section 502
5 of this act by the department of social and health services, division
6 of child support, as a person who is not in compliance with a child
7 support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license shall be automatic upon the department's receipt of a written
10 release issued by the division of child support stating that the person
11 is in compliance with the child support order.

12 NEW SECTION. **Sec. 525.** A new section is added to chapter 18.76
13 RCW to read as follows:

14 POISON CENTER MEDICAL DIRECTOR/POISON INFORMATION SPECIALISTS. The
15 department shall immediately suspend the certification of a poison
16 center medical director or a poison information specialist who has been
17 certified pursuant to section 502 of this act by the department of
18 social and health services as a person who is not in compliance with a
19 child support order. If the person has continued to meet all other
20 requirements for certification during the suspension, reissuance of the
21 certification shall be automatic upon the department's receipt of a
22 written release issued by the department of social and health services
23 stating that the person is in compliance with the child support order.

24 NEW SECTION. **Sec. 526.** A new section is added to chapter 18.85
25 RCW to read as follows:

26 REAL ESTATE BROKERS AND SALESPERSONS. The director shall
27 immediately suspend the license of a broker or salesperson who has been
28 certified pursuant to section 502 of this act by the department of
29 social and health services as a person who is not in compliance with a
30 child support order. If the person has continued to meet all other
31 requirements for reinstatement during the suspension, reissuance of the
32 license shall be automatic upon the director's receipt of a written
33 release issued by the department of social and health services stating
34 that the person is in compliance with the child support order.

35 **Sec. 527.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
36 to read as follows:

1 LANDSCAPE ARCHITECTS. (1) The director may refuse to renew, or may
2 suspend or revoke, a certificate of registration to use the titles
3 landscape architect, landscape architecture, or landscape architectural
4 in this state upon the following grounds:

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

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

10 ((+3)) (c) The holder of the certificate of registration permits
11 his seal to be affixed to any plans, specifications or drawings that
12 were not prepared by him or under his personal supervision by employees
13 subject to his direction and control.

14 ((+4)) (d) The holder of the certificate has committed fraud in
15 applying for or obtaining a certificate.

16 (2) The director shall immediately suspend the certificate of
17 registration of a landscape architect who has been certified pursuant
18 to section 502 of this act by the department of social and health
19 services as a person who is not in compliance with a child support
20 order. If the person has continued to meet all other requirements for
21 certification during the suspension, reissuance of the certificate of
22 registration shall be automatic upon the director's receipt of a
23 written release issued by the department of social and health services
24 stating that the person is in compliance with the child support order.

25 **Sec. 528.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
26 read as follows:

27 WATER WELL CONSTRUCTION. (1) In cases other than those relating to
28 the failure of a licensee to renew a license, the director may suspend
29 or revoke a license issued pursuant to this chapter for any of the
30 following reasons:

31 ((+1)) (a) For fraud or deception in obtaining the license;

32 ((+2)) (b) For fraud or deception in reporting under RCW
33 18.104.050;

34 ((+3)) (c) For violating the provisions of this chapter, or of any
35 lawful rule or regulation of the department or the department of
36 health.

37 (2) The director shall immediately suspend any license issued under
38 this chapter if the holder of the license has been certified pursuant

1 to section 502 of this act by the department of social and health
2 services as a person who is not in compliance with a child support
3 order. If the person has continued to meet all other requirements for
4 reinstatement during the suspension, reissuance of the license shall be
5 automatic upon the director's receipt of a written release issued by
6 the department of social and health services stating that the person is
7 in compliance with the child support order.

8 (3) No license shall be suspended for more than six months, except
9 that a suspension under section 502 of this act shall continue until
10 the department receives a written release issued by the department of
11 social and health services stating that the person is in compliance
12 with the order.

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

16 NEW SECTION. Sec. 529. A new section is added to chapter 18.106
17 RCW to read as follows:

18 PLUMBERS. The department shall immediately suspend any certificate
19 of competency issued under this chapter if the holder of the
20 certificate has been certified pursuant to section 502 of this act by
21 the department of social and health services as a person who is not in
22 compliance with a child support order. If the person has continued to
23 meet all other requirements for certification during the suspension,
24 reissuance of the certificate of competency shall be automatic upon the
25 department's receipt of a written release issued by the department of
26 social and health services stating that the person is in compliance
27 with the child support order.

28 NEW SECTION. Sec. 530. A new section is added to chapter 18.130
29 RCW to read as follows:

30 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
31 authority shall immediately suspend the license of any person subject
32 to this chapter who has been certified by the department of social and
33 health services as a person who is not in compliance with a child
34 support order as provided in section 502 of this act.

35 **Sec. 531.** RCW 18.130.050 and 1993 c 367 s 21 and 1993 c 367 s 5
36 are each reenacted and amended to read as follows:

1 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
2 authority has the following authority:

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

5 (2) To investigate all complaints or reports of unprofessional
6 conduct as defined in this chapter and to hold hearings as provided in
7 this chapter;

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

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

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

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

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

19 (8) To use the office of administrative hearings as authorized in
20 chapter 34.12 RCW to conduct hearings. However, the disciplining
21 authority shall make the final decision regarding disposition of the
22 license;

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

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

28 (11) To contract with licensees or other persons or organizations
29 to provide services necessary for the monitoring and supervision of
30 licensees who are placed on probation, whose professional activities
31 are restricted, or who are for any authorized purpose subject to
32 monitoring by the disciplining authority;

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

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

38 (14) To designate individuals authorized to sign subpoenas and
39 statements of charges;

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

4 (16) To review and audit the records of licensed health facilities'
5 or services' quality assurance committee decisions in which a
6 licensee's practice privilege or employment is terminated or
7 restricted. Each health facility or service shall produce and make
8 accessible to the disciplining authority the appropriate records and
9 otherwise facilitate the review and audit. Information so gained shall
10 not be subject to discovery or introduction into evidence in any civil
11 action pursuant to RCW 70.41.200(3);

12 (17) To immediately suspend licenses of persons who have been
13 certified by the department of social and health services as not in
14 compliance with a child support order as provided in section 502 of
15 this act.

16 **Sec. 532.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
17 read as follows:

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

27 A person whose license has been suspended for noncompliance with a
28 child support order under section 502 of this act may petition for
29 reinstatement at any time by providing the disciplining authority a
30 written release issued by the department of social and health services
31 stating that the person is in compliance with the child support order.
32 If the person has continued to meet all other requirements for
33 reinstatement during the suspension, the disciplining authority shall
34 automatically reissue the person's license upon receipt of the release,
35 and payment of a reinstatement fee, if any.

36 NEW SECTION. **Sec. 533.** A new section is added to chapter 18.140
37 RCW to read as follows:

1 CERTIFIED REAL ESTATE APPRAISERS. The department shall immediately
2 suspend any license or certificate issued under this chapter if the
3 holder has been certified pursuant to section 502 of this act by the
4 department of social and health services as a person who is not in
5 compliance with a child support order. If the person has continued to
6 meet all other requirements for reinstatement during the suspension,
7 reissuance of the license or certificate shall be automatic upon the
8 department's receipt of a written release issued by the department of
9 social and health services stating that the person is in compliance
10 with the child support order.

11 NEW SECTION. **Sec. 534.** A new section is added to chapter 18.145
12 RCW to read as follows:

13 SHORTHAND REPORTERS. The director shall immediately suspend any
14 certificate issued under this chapter if the holder has been certified
15 pursuant to section 502 of this act by the department of social and
16 health services as a person who is not in compliance with a child
17 support order. If the person has continued to meet all other
18 requirements for certification during the suspension, reissuance of the
19 certificate shall be automatic upon the director's receipt of a written
20 release issued by the department of social and health services stating
21 that the person is in compliance with the child support order.

22 **Sec. 535.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
23 read as follows:

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

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

34 (b) Conviction of a felony;

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

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

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

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

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

14 (3) The state director of fire protection shall immediately suspend
15 any license or certificate issued under this chapter if the holder has
16 been certified pursuant to section 502 of this act by the department of
17 social and health services as a person who is not in compliance with a
18 child support order. If the person has continued to meet all other
19 requirements for reinstatement during the suspension, reissuance of the
20 license or certificate shall be automatic upon the director's receipt
21 of a written release issued by the department of social and health
22 services stating that the person is in compliance with the child
23 support order.

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

28 NEW SECTION. Sec. 536. A new section is added to chapter 18.165
29 RCW to read as follows:

30 PRIVATE DETECTIVES. The department shall immediately suspend a
31 license issued under this chapter if the holder has been certified
32 pursuant to section 502 of this act by the department of social and
33 health services as a person who is not in compliance with a child
34 support order. If the person has continued to meet all other
35 requirements for reinstatement during the suspension, reissuance of the
36 license shall be automatic upon the department's receipt of a written
37 release issued by the department of social and health services stating
38 that the person is in compliance with the child support order.

1 NEW SECTION. **Sec. 537.** A new section is added to chapter 18.170
2 RCW to read as follows:

3 SECURITY GUARDS. The director shall immediately suspend any
4 license issued under this chapter if the holder has been certified
5 pursuant to section 502 of this act by the department of social and
6 health services as a person who is not in compliance with a child
7 support order. If the person has continued to meet all other
8 requirements for reinstatement during the suspension, reissuance of the
9 license shall be automatic upon the director's receipt of a written
10 release issued by the department of social and health services stating
11 that the person is in compliance with the child support order.

12 NEW SECTION. **Sec. 538.** A new section is added to chapter 18.175
13 RCW to read as follows:

14 ATHLETE AGENTS. The director shall immediately suspend a
15 certificate of registration issued under this chapter if the holder has
16 been certified pursuant to section 502 of this act by the department of
17 social and health services as a person who is not in compliance with a
18 child support order. If the person has continued to meet all other
19 requirements for certification during the suspension, reissuance of the
20 certificate shall be automatic upon the director's receipt of a written
21 release issued by the department of social and health services stating
22 that the person is in compliance with the child support order.

23 NEW SECTION. **Sec. 539.** A new section is added to chapter 18.185
24 RCW to read as follows:

25 BAIL BOND AGENTS. The director shall immediately suspend any
26 license issued under this chapter if the holder has been certified
27 pursuant to section 502 of this act by the department of social and
28 health services as a person who is not in compliance with a child
29 support order. If the person has continued to meet all other
30 requirements for reinstatement during the suspension, reissuance of the
31 license shall be automatic upon the director's receipt of a written
32 release issued by the department of social and health services stating
33 that the person is in compliance with the child support order.

34 **Sec. 540.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
35 read as follows:

1 This section governs the denial of an application for a license or
2 the suspension, revocation, or modification of a license by the
3 department.

4 (1) The department shall give written notice of the denial of an
5 application for a license to the applicant or his or her agent. The
6 department shall give written notice of revocation, suspension, or
7 modification of a license to the licensee or his or her agent. The
8 notice shall state the reasons for the action. The notice shall be
9 personally served in the manner of service of a summons in a civil
10 action or shall be given in ((an other)) another manner that shows
11 proof of receipt.

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

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

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

25 (c) When the department has received certification pursuant to
26 chapter 74.20A RCW from the division of child support that the licensee
27 is a person who is not in compliance with a child support order, the
28 department shall provide that the suspension is effective immediately
29 upon receipt of the suspension notice by the licensee.

30 (3) Except for licensees suspended for noncompliance with a child
31 support order under chapter 74.20A RCW, a license applicant or licensee
32 who is aggrieved by a department denial, revocation, suspension, or
33 modification has the right to an adjudicative proceeding. The
34 proceeding is governed by the Administrative Procedure Act, chapter
35 34.05 RCW. The application must be in writing, state the basis for
36 contesting the adverse action, include a copy of the adverse notice, be
37 served on and received by the department within twenty-eight days of
38 the license applicant's or licensee's receiving the adverse notice, and
39 be served in a manner that shows proof of receipt.

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

10 (b) If the department gives a licensee less than twenty-eight days
11 notice of revocation, suspension, or modification and the licensee
12 timely files a sufficient appeal, the department may implement the
13 adverse action on the effective date stated in the notice. The
14 presiding or reviewing officer may order the department to stay
15 implementation of part or all of the adverse action while the
16 proceedings are pending if staying implementation is in the public
17 interest or for other good cause.

18 **Sec. 541.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to
19 read as follows:

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

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

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

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

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

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

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

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

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

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

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

3 **B. PARENTAL RESPONSIBILITY ENFORCEMENT PROGRAM**

4 NEW SECTION. **Sec. 542.** A new section is added to chapter 26.18
5 RCW to read as follows:

6 (1) If an obligor fails to comply with an order of support, the
7 court shall order the obligor to:

8 (a) Arrange a payment schedule and maintain support payments;

9 (b) Participate in community service work at a minimum of one
10 hundred hours per month; or

11 (c) Imprisonment of up to six months.

12 (2) Persons ordered to comply with subsection (1) (b) or (c) of
13 this section shall have their names and the fact of their failure to
14 comply with an order of support published in a newspaper of general
15 circulation in the county in which the court order is obtained under
16 this section.

17 **C. AFDC-RELATED GROUP HOME ZONING**

18 NEW SECTION. **Sec. 543.** A new section is added to chapter 36.70
19 RCW to read as follows:

20 No county may enact, enforce, or maintain an ordinance, development
21 regulation, zoning regulation, or official control, policy, or
22 administrative practice which prohibits the use of a residential
23 dwelling, located in an area zoned for residential or commercial use,
24 as an AFDC-related group home or a family day-care provider's home
25 facility.

26 A county may require that the facility: (1) Comply with all
27 building, fire, safety, health code, and business licensing
28 requirements; (2) conform to lot size, building size, setbacks, and lot
29 coverage standards applicable to the zoning district except if the
30 structure is a legal nonconforming structure; (3) is certified by the
31 state office of child care policy licenser as providing a safe
32 passenger loading area; (4) include signage, if any, that conforms to
33 applicable regulations; and (5) limit hours of operations to facilitate
34 neighborhood compatibility, while also providing appropriate

1 opportunity for persons who use family day-care and who work a
2 nonstandard work shift.

3 A county may also require that the AFDC-related group home or
4 family day-care provider, before state licensing, require proof of
5 written notification by the provider that the immediately adjoining
6 property owners have been informed of the intent to locate and maintain
7 such a facility. If a dispute arises between neighbors and the family
8 day-care provider over licensing requirements, the licensor may provide
9 a forum to resolve the dispute.

10 Nothing in this section shall be construed to prohibit a county
11 from imposing zoning conditions on the establishment and maintenance of
12 an AFDC-related group home or a family day-care provider's home in an
13 area zoned for residential or commercial use, so long as such
14 conditions are no more restrictive than conditions imposed on other
15 residential dwellings in the same zone and the establishment of such
16 facilities is not precluded. As used in this section, "family day-care
17 provider" is as defined in RCW 74.15.020. The number of AFDC-related
18 group homes may be limited.

19 **Sec. 544.** RCW 36.70A.450 and 1994 c 273 s 17 are each amended to
20 read as follows:

21 No city or county that plans or elects to plan under this chapter
22 may enact, enforce, or maintain an ordinance, development regulation,
23 zoning regulation, or official control, policy, or administrative
24 practice which prohibits the use of a residential dwelling, located in
25 an area zoned for residential or commercial use, as a family day-care
26 provider's home facility.

27 A city or county may require that the facility: (1) Comply with
28 all building, fire, safety, health code, and business licensing
29 requirements; (2) conform to lot size, building size, setbacks, and lot
30 coverage standards applicable to the zoning district except if the
31 structure is a legal nonconforming structure; (3) is certified by the
32 state (~~(department of licensing)~~) office of child care policy licensor
33 as providing a safe passenger loading area; (4) include signage, if
34 any, that conforms to applicable regulations; and (5) limit hours of
35 operations to facilitate neighborhood compatibility, while also
36 providing appropriate opportunity for persons who use family day-care
37 and who work a nonstandard work shift.

1 A city or county may also require that the family day-care
2 provider, before state licensing, require proof of written notification
3 by the provider that the immediately adjoining property owners have
4 been informed of the intent to locate and maintain such a facility. If
5 a dispute arises between neighbors and the AFDC-related group home or
6 family day-care provider over licensing requirements, the licensor may
7 provide a forum to resolve the dispute.

8 Nothing in this section shall be construed to prohibit a city or
9 county that plans or elects to plan under this chapter from imposing
10 zoning conditions on the establishment and maintenance of a family day-
11 care provider's home in an area zoned for residential or commercial
12 use, so long as such conditions are no more restrictive than conditions
13 imposed on other residential dwellings in the same zone and the
14 establishment of such facilities is not precluded. As used in this
15 section, "family day-care provider" is as defined in RCW 74.15.020.

16 **Sec. 545.** RCW 35.63.185 and 1994 c 273 s 14 are each amended to
17 read as follows:

18 No city may enact, enforce, or maintain an ordinance, development
19 regulation, zoning regulation, or official control, policy, or
20 administrative practice which prohibits the use of a residential
21 dwelling, located in an area zoned for residential or commercial use,
22 as an AFDC-related group home or a family day-care provider's home
23 facility.

24 A city may require that the facility: (1) Comply with all
25 building, fire, safety, health code, and business licensing
26 requirements; (2) conform to lot size, building size, setbacks, and lot
27 coverage standards applicable to the zoning district except if the
28 structure is a legal nonconforming structure; (3) is certified by the
29 (~~state department of licensing~~) office of child care policy licensor
30 as providing a safe passenger loading area; (4) include signage, if
31 any, that conforms to applicable regulations; and (5) limit hours of
32 operations to facilitate neighborhood compatibility, while also
33 providing appropriate opportunity for persons who use family day-care
34 and who work a nonstandard work shift.

35 A city may also require that the family day-care provider, before
36 state licensing, require proof of written notification by the provider
37 that the immediately adjoining property owners have been informed of
38 the intent to locate and maintain such a facility. If a dispute arises

1 between neighbors and the family day-care provider over licensing
2 requirements, the licensor may provide a forum to resolve the dispute.

3 Nothing in this section shall be construed to prohibit a city from
4 imposing zoning conditions on the establishment and maintenance of a
5 family day-care provider's home in an area zoned for residential or
6 commercial use, so long as such conditions are no more restrictive than
7 conditions imposed on other residential dwellings in the same zone and
8 the establishment of such facilities is not precluded. As used in this
9 section, "family day-care provider" is as defined in RCW 74.15.020.

10 **Sec. 546.** RCW 35A.63.215 and 1994 c 273 s 16 are each amended to
11 read as follows:

12 No city may enact, enforce, or maintain an ordinance, development
13 regulation, zoning regulation, or official control, policy, or
14 administrative practice which prohibits the use of a residential
15 dwelling, located in an area zoned for residential or commercial use,
16 as a family day-care provider's home facility.

17 A city may require that the facility: (1) Comply with all
18 building, fire, safety, health code, and business licensing
19 requirements; (2) conform to lot size, building size, setbacks, and lot
20 coverage standards applicable to the zoning district except if the
21 structure is a legal nonconforming structure; (3) is certified by the
22 (~~state department of licensing~~) office of child care policy licensor
23 as providing a safe passenger loading area; (4) include signage, if
24 any, that conforms to applicable regulations; and (5) limit hours of
25 operations to facilitate neighborhood compatibility, while also
26 providing appropriate opportunity for persons who use family day-care
27 and who work a nonstandard work shift.

28 A city may also require that the family day-care provider, before
29 state licensing, require proof of written notification by the provider
30 that the immediately adjoining property owners have been informed of
31 the intent to locate and maintain such a facility. If a dispute arises
32 between neighbors and the family day-care provider over licensing
33 requirements, the licensor may provide a forum to resolve the dispute.

34 Nothing in this section shall be construed to prohibit a city from
35 imposing zoning conditions on the establishment and maintenance of an
36 AFDC-related group home or a family day-care provider's home in an area
37 zoned for residential or commercial use, so long as such conditions are
38 no more restrictive than conditions imposed on other residential

1 dwellings in the same zone and the establishment of such facilities is
2 not precluded. As used in this section, "family day-care provider" is
3 as defined in RCW 74.15.020. The number of AFDC-related group homes
4 may be limited.

5 **Sec. 547.** RCW 74.15.020 and 1994 c 273 s 21 are each amended to
6 read as follows:

7 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless
8 otherwise clearly indicated by the context thereof, the following terms
9 shall mean:

10 (1) "Department" means the state department of social and health
11 services;

12 (2) "Secretary" means the secretary of social and health services;

13 (3) "Agency" means any person, firm, partnership, association,
14 corporation, or facility which receives children, expectant mothers, or
15 persons with developmental disabilities for control, care, or
16 maintenance outside their own homes, or which places, arranges the
17 placement of, or assists in the placement of children, expectant
18 mothers, or persons with developmental disabilities for foster care or
19 placement of children for adoption, and shall include the following
20 irrespective of whether there is compensation to the agency or to the
21 children, expectant mothers or persons with developmental disabilities
22 for services rendered:

23 (a) "Group-care facility" means an agency, other than a foster-
24 family home, which is maintained and operated for the care of a group
25 of children on a twenty-four hour basis;

26 (b) "Child-placing agency" means an agency which places a child or
27 children for temporary care, continued care, or for adoption;

28 (c) "Maternity service" means an agency which provides or arranges
29 for care or services to expectant mothers, before or during
30 confinement, or which provides care as needed to mothers and their
31 infants after confinement;

32 (d) "Day-care center" means an agency which regularly provides care
33 for a group of children for periods of less than twenty-four hours;

34 (e) "Family day-care provider" means a licensed day-care provider
35 who regularly provides day care for not more than twelve children in
36 the provider's home in the family living quarters;

37 (f) "Foster-family home" means an agency which regularly provides
38 care on a twenty-four hour basis to one or more children, expectant

1 mothers, or persons with developmental disabilities in the family abode
2 of the person or persons under whose direct care and supervision the
3 child, expectant mother, or person with a developmental disability is
4 placed;

5 (g) "Crisis residential center" means an agency which is a
6 temporary protective residential facility operated to perform the
7 duties specified in chapter 13.32A RCW, in the manner provided in RCW
8 74.13.032 through 74.13.036;

9 (h) "AFDC-related group home" means an agency that provides care
10 for teen mothers on public assistance with their children.

11 (4) "Agency" shall not include the following:

12 (a) Persons related by blood or marriage to the child, expectant
13 mother, or persons with developmental disabilities in the following
14 degrees: Parent, grandparent, brother, sister, stepparent,
15 stepbrother, stepsister, uncle, aunt, and/or first cousin;

16 (b) Persons who are legal guardians of the child, expectant mother,
17 or persons with developmental disabilities;

18 (c) Persons who care for a neighbor's or friend's child or
19 children, with or without compensation, where the person does not
20 engage in such activity on a regular basis, or where parents on a
21 mutually cooperative basis exchange care of one another's children, or
22 persons who have the care of an exchange student in their own home;

23 (d) A person, partnership, corporation, or other entity that
24 provides placement or similar services to exchange students or
25 international student exchange visitors;

26 (e) Nursery schools or kindergartens which are engaged primarily in
27 educational work with preschool children and in which no child is
28 enrolled on a regular basis for more than four hours per day;

29 (f) Schools, including boarding schools, which are engaged
30 primarily in education, operate on a definite school year schedule,
31 follow a stated academic curriculum, accept only school-age children
32 and do not accept custody of children;

33 (g) Seasonal camps of three months' or less duration engaged
34 primarily in recreational or educational activities;

35 (h) Hospitals licensed pursuant to chapter 70.41 RCW when
36 performing functions defined in chapter 70.41 RCW, nursing homes
37 licensed under chapter 18.51 RCW and boarding homes licensed under
38 chapter 18.20 RCW;

39 (i) Licensed physicians or lawyers;

1 (j) Facilities providing care to children for periods of less than
2 twenty-four hours whose parents remain on the premises to participate
3 in activities other than employment;

4 (k) Facilities approved and certified under chapter 71A.22 RCW;

5 (l) Any agency having been in operation in this state ten years
6 prior to June 8, 1967, and not seeking or accepting moneys or
7 assistance from any state or federal agency, and is supported in part
8 by an endowment or trust fund;

9 (m) Persons who have a child in their home for purposes of
10 adoption, if the child was placed in such home by a licensed child-
11 placing agency, an authorized public or tribal agency or court or if a
12 replacement report has been filed under chapter 26.33 RCW and the
13 placement has been approved by the court;

14 (n) An agency operated by any unit of local, state, or federal
15 government or an agency, located within the boundaries of a federally
16 recognized Indian reservation, licensed by the Indian tribe;

17 (o) An agency located on a federal military reservation, except
18 where the military authorities request that such agency be subject to
19 the licensing requirements of this chapter((~~-~~));

20 (5) "Family day-care provider" means a licensed day-care provider
21 who regularly provides day care for not more than twelve children in
22 the provider's home in the family living quarters;

23 (6) "Requirement" means any rule, regulation or standard of care to
24 be maintained by an agency.

25 NEW SECTION. **Sec. 548.** A new section is added to chapter 74.15
26 RCW to read as follows:

27 (1) A family day-care provider's home or AFDC-related group home
28 shall be a permitted use in all areas zoned for residential or
29 commercial purposes, including areas zoned for single-family dwellings.
30 No town, city, or county shall enact or enforce zoning ordinances
31 prohibiting the use of a residential dwelling, located in an area zoned
32 for residential or commercial use, as a family day-care provider's home
33 facility.

34 (2) A town, city, or county may impose zoning conditions on the
35 establishment and maintenance of a family day-care provider's home in
36 an area zoned for residential or commercial use, provided that such
37 conditions are no more restrictive than conditions imposed on other
38 residential dwellings in the same zone.

1 **PART VI. WELFARE-TO-WORK EFFECTIVENESS STUDIES**

2 NEW SECTION. **Sec. 601.** TAX INCENTIVE PROGRAM STUDY. The
3 department of revenue and the department of social and health services
4 shall perform an assessment of the results of the tax incentive program
5 created by this act and deliver a report on the assessment to the
6 governor and the legislature by December 1, 1999. The assessment shall
7 measure the effect of the tax incentive program on increasing self-
8 sufficiency of public assistance recipients, and other factors the
9 department of revenue and the department of social and health services
10 may select.

11 NEW SECTION. **Sec. 602.** JOBS STUDY. The legislative budget
12 committee shall conduct an evaluation of the effectiveness of the
13 welfare-to-work programs, including the tax incentive program under
14 chapter 82.-- RCW (sections 203 through 205 of this act), the
15 Washington full employment act under sections 210 through 217 of this
16 act, and job opportunities and basic skills (JOBS) training program in
17 assisting clients to become employed and to reduce their use of aid to
18 families with dependent children. The study shall include but not be
19 limited to the following:

20 (1) A random assignment of job opportunities and basic skills
21 training program clients to public agencies and private contractors to
22 assess the effectiveness of job opportunities and basic skills training
23 program services provided by public and private contractors;

24 (2) An assessment of employment outcomes (hourly wages, hours
25 worked, and total earnings) for clients served by public and private
26 contractors;

27 (3) A comparison of aid to families with dependent children
28 outcomes (grant amounts and program exits) for clients served by public
29 and private contractors;

30 (4) An analysis of the costs of job opportunities and basic skills
31 training program services by public agencies and private contractors;

32 (5) Administrative data shall be provided by the department of
33 social and health services, the employment security department, the
34 state board for community and technical colleges, and private
35 contractors;

36 (6) Additional data may be collected directly from clients if not
37 available from administrative records.

1 The legislative budget committee shall report its findings to the
2 governor and the appropriate standing committees of the legislature by
3 October 30, 1998.

4 NEW SECTION. **Sec. 603.** FULL EMPLOYMENT ACT STUDY. (1) Six months
5 before the completion date of the five-year test period of the pilot
6 program in sections 210 through 217 of this act, the department of
7 social and health services shall submit a written report to the
8 legislature and the governor containing a full and complete analysis of
9 the pilot program. The report shall include recommendations from the
10 department and the implementation boards regarding appropriate
11 revisions to the pilot program and the potential for its permanent
12 implementation for the entire state.

13 (2) The evaluation of the pilot program shall be conducted by an
14 independent evaluator using a combination of group comparison, survey
15 and individualized event and attitude recording techniques.
16 Performance in attaining pilot program goals in each pilot county shall
17 be matched against performance using the traditional welfare and
18 employment characteristics. In addition, the composite performance of
19 the pilot counties shall be compared to the rest of the state. The
20 evaluation shall include measurements of whether program participation
21 has improved the quality of life of program participants. In addition,
22 as a part of the evaluation of the Washington full employment act, the
23 employment security department shall determine whether the pilot
24 program has displaced unsubsidized employment opportunities that would
25 otherwise have been available and whether the pilot program has had any
26 discernible impact on the economies or wage levels in individual pilot
27 counties.

28 (3) The target goals for the program are to reduce the Washington
29 full employment act eligible aid to families with dependent children in
30 the pilot counties by twenty-five percent by the end of the fifth year
31 of the pilot program, and to reduce the costs associated with these
32 caseloads by twenty-five percent over the five-year pilot period.

33 (4) Twelve months after the beginning of the Washington full
34 employment act, the department shall present to the legislature a
35 report on the cost neutrality projections of the pilot program under
36 sections 210 through 217 of this act. If it appears that the pilot
37 program is not likely to achieve cost neutrality over the course of the

1 five-year pilot period, the department shall also present a plan to
2 modify the pilot program.

3 NEW SECTION. **Sec. 604.** The performance-based contract for each
4 private nonprofit contractor for job opportunities and basic skills
5 training program services and the general operation and budget for the
6 department of social and health services shall be audited by the
7 legislative budget committee for the period between June 30, 1993, and
8 July 1, 1997, to determine the effectiveness of programs and services
9 for aid to families with dependent children, food stamp, and general
10 assistance programs to assess eligible recipients in returning to work.
11 The audit shall provide the following information about the
12 effectiveness of the program and about the job opportunities and basic
13 skills training program-eligible participants, in addition to any other
14 information the auditors may provide: The number of participants
15 participating in at least one hundred twenty hours of job readiness
16 training per month; the number of job placements in full-time jobs as
17 a percent of program graduates; the average number of hours worked upon
18 hire; the number as a percent of recipients who held jobs for thirty
19 days, ninety days, and twelve months; wages of graduates on hourly,
20 weekly, and monthly basis and number earning more than one hundred
21 twenty-five percent of the federal poverty level; the number as a
22 percent receiving earned income tax credit; length of time on welfare
23 for each stay and over a five-year period, benefits levels of the aid
24 to families with dependent children, general assistance, and food stamp
25 recipients; total earnings as compared to welfare benefits while on
26 public assistance and working and at the time of ineligibility as a
27 result of excess income; net tax improvement; any additional state and
28 federal government savings; savings to employers in reduction in hiring
29 and turnover costs; adult placement characteristics, such as age,
30 gender, number of children, children under three years of age; criminal
31 record; education; an estimate of the total number of welfare
32 recipients who no longer depend on public assistance and who left
33 public assistance by means of employment; and an estimate of the cost
34 to the state as compared to private contracts for each job
35 opportunities and basic skills training program completion, job
36 placement, ninety-day job retention costs, and the monthly
37 reimbursement in job opportunities and basic skills program funds.

1 The legislative budget committee shall report its findings to the
2 governor and the appropriate standing committees of the legislature by
3 July 1, 1998.

4 **PART VII. RENT VOUCHERS**

5 NEW SECTION. **Sec. 701.** A new section is added to chapter 74.04
6 RCW to read as follows:

7 (1) At the request of a recipient of aid under this section, the
8 department shall provide the portion of the grant equal to the amount
9 of the recipient's rent to the recipient's landlord in the form of a
10 rent voucher or by an alternative payment method.

11 (2) A two-party payment shall be made whenever a recipient of aid
12 under this section has failed to pay rent to the landlord for two
13 months or more, unless the failure to pay rent is authorized by law.
14 In this subsection, "two-party payment" means a check drawn in favor of
15 a recipient of aid under this section and the recipient's landlord,
16 jointly.

17 (3) If a landlord reports to the department, under department rule,
18 that a recipient has failed to pay rent for two or more months, the
19 department shall do all of the following:

20 (a) Inform the recipient of the report;

21 (b) Investigate the report;

22 (c) If it determines that the conditions for issuing a two-party
23 payment under subsection (2) of this section are met, inform the
24 recipient of the right to a fair hearing on the issue of whether two-
25 party payment of rent should be made;

26 (d) If it determines that two-party payments should not be made,
27 inform the recipient and the landlord of that determination.

28 (4) When it has been determined that a two-party payment of rent
29 should be made, the department shall issue the recipient's monthly
30 grant in two checks, a two-party payment for the amount of the rent,
31 and a check drawn in favor of the recipient for the balance of the
32 grant amount.

33 (5) The department shall review each case in which a two-party
34 payment is being made at least once every twelve months and whenever a
35 recipient reports that a condition for the cessation of two-party
36 payments exists.

1 (6) The department shall cease making a two-party payment, when the
2 department determines that any of the following conditions exists:

3 (a) A two-party payment has been made for twenty-four consecutive
4 months;

5 (b) The recipient has reimbursed the landlord for all back rent
6 owed;

7 (c) The recipient has moved and has a different landlord.

8 **PART VIII. MISCELLANEOUS**

9 NEW SECTION. **Sec. 801.** The following acts or parts of acts are
10 each repealed:

11 (1) RCW 74.08.120 and 1992 c 108 s 2, 1987 c 75 s 39, 1981 1st ex.
12 s. c 6 s 15, 1981 c 8 s 12, 1979 c 141 s 326, 1969 ex.s. c 259 s 1,
13 1969 ex.s. c 159 s 1, 1965 ex.s. c 102 s 1, & 1959 c 26 s 74.08.120;

14 (2) RCW 74.08.125 and 1993 c 22 s 1 & 1992 c 108 s 3;

15 (3) RCW 74.12.420 and 1994 c 299 s 9; and

16 (4) RCW 74.12.425 and 1994 c 299 s 10.

17 NEW SECTION. **Sec. 802.** Part headings, captions, and the table of
18 contents used in this act do not constitute any part of the law.

19 NEW SECTION. **Sec. 803.** Sections 203 through 205 of this act shall
20 constitute a new chapter in Title 82 RCW.

21 NEW SECTION. **Sec. 804.** Sections 206 through 209 of this act shall
22 constitute a new chapter in Title 74 RCW.

23 NEW SECTION. **Sec. 805.** Sections 202 and 210 through 217 of this
24 act are each added to chapter 74.25 RCW.

25 NEW SECTION. **Sec. 806.** **WAIVERS--RENT VOUCHERS.** The governor and
26 the department of social and health services shall seek all necessary
27 exemptions and waivers from and amendments to federal statutes, rules,
28 and regulations and shall report to the appropriate committees in the
29 house of representatives and senate quarterly on the efforts to secure
30 the federal changes to permit full implementation of section 701 of
31 this act at the earliest possible date.

1 NEW SECTION. **Sec. 807.** In the event that the department of
2 social and health services is not able to obtain the necessary
3 exemptions, waivers, or amendments referred to in section 806 of this
4 act before January 1, 1998, sections 701 and 806 of this act shall
5 expire on that date and shall have no further force or effect.

6 NEW SECTION. **Sec. 808.** WAIVERS--WASHINGTON FULL EMPLOYMENT ACT.
7 The governor and the department of social and health services shall,
8 within three months, seek all necessary exemptions and waivers from and
9 amendments to federal statutes, rules, and regulations and shall report
10 to the appropriate committees in the house of representatives and
11 senate quarterly on the efforts to secure the federal changes to permit
12 full implementation of the program in sections 210 through 217 of this
13 act at the earliest possible date.

14 NEW SECTION. **Sec. 809.** (1) Upon obtaining all such exemptions,
15 waivers, and amendments referred to in section 808 of this act, the
16 department of social and health services, with the advice of the
17 implementation boards, shall adopt changes to current rules as may be
18 required to implement the program.

19 (2) The department, with the advice of the implementation boards,
20 shall amend the state plans for the aid to families with dependent
21 children program, the job opportunities and basic skills training
22 program, and the food stamp program to incorporate the programs into
23 the Washington full employment act program for the pilot counties, and
24 shall obtain federal approval of plan amendments.

25 (3) The department, with the advice of the implementation boards,
26 shall obtain any exemptions and waivers from federal statutes and
27 regulations necessary to qualify the program as a federally approved
28 demonstration project under section 1115 (42 U.S.C. Sec. 1315) of the
29 Social Security Act and section 17 (7 U.S.C. Sec. 2026) of the Food
30 Stamp Act.

31 (4) The purpose of this section is to facilitate implementation of
32 the pilot program at the earliest possible date and with maximum
33 federal financial participation. Therefore, the department is directed
34 to expedite the acquisition of federal waiver and amendment approvals,
35 and the adoption of necessary statute amendments in close and
36 continuous coordination with appropriate federal officials, and to
37 prepare and submit completely and in a timely manner all forms and data

1 required by those officials. The department, with the advice of the
2 implementation boards, is authorized to make such changes to the
3 program as are necessary to achieve federal waiver approval. Any such
4 changes should be, in the judgment of the secretary of the department,
5 the fewest necessary to achieve federal approval for the program. Such
6 changes must maintain the general purpose and effect of the program
7 described in section 210 of this act. If changes to the program
8 required to gain waiver approval would be too extensive to maintain the
9 general purpose and effect of the program, the department, with the
10 advice of the implementation boards, shall seek the amendments to
11 federal statutes that are required for implementation of the pilot
12 program.

13 NEW SECTION. **Sec. 810.** In the event that the department of social
14 and health services is not able to obtain the necessary exemptions,
15 waivers, or amendments referred to in section 808 of this act before
16 January 1, 1998, sections 210 through 217 of this act shall expire on
17 that date and shall have no further force or effect. Any unexpended
18 and unobligated moneys remaining in the Washington full employment act
19 special fund on that date may not be spent and are subject to
20 legislative appropriation.

21 NEW SECTION. **Sec. 811.** If any part of this act is found to be in
22 conflict with federal requirements that are a prescribed condition to
23 the allocation of federal funds to the state, the conflicting part of
24 this act is inoperative solely to the extent of the conflict and with
25 respect to the agencies directly affected, and this finding does not
26 affect the operation of the remainder of this act in its application to
27 the agencies concerned. The rules under this act shall meet federal
28 requirements that are a necessary condition to the receipt of federal
29 funds by the state.

30 NEW SECTION. **Sec. 812.** The sum of twenty million dollars, or as
31 much thereof as may be necessary, is appropriated for the biennium
32 ending June 30, 1997, from the general fund to the department of social
33 and health services for the purposes of section 401(6) of this act.

34 NEW SECTION. **Sec. 813.** If any provision of this act or its
35 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 814.** Sections 201 through 217 of this act are
4 necessary for the immediate preservation of the public peace, health,
5 or safety, or support of the state government and its existing public
6 institutions, and shall take effect July 1, 1995.

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