
SUBSTITUTE SENATE BILL 6062

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

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Quigley, Moyer, Fairley, Wood, Wojahn and Winsley)

Read first time 03/31/95.

1 AN ACT Relating to making welfare work; amending RCW 74.12.255,
2 74.25.010, 75.25.020, 74.20A.020, 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 new sections to chapter
2 44.28 RCW; adding a new section to chapter 74.04 RCW; adding a new
3 chapter to Title 82 RCW; adding a new chapter to Title 74 RCW; creating
4 new sections; repealing RCW 74.08.120, 74.08.125, 74.12.420, and
5 74.12.425; prescribing penalties; making an appropriation; providing an
6 effective date; providing a contingent expiration date; and declaring
7 an emergency.

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

9 **MAKING WELFARE WORK**

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

17 **B. JOB PREPARATION TARGET GROUP**

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

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

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

31 (2) The tax incentive partnership program under chapters 74.-- and
32 82.-- RCW (sections 207 through 209 and 204 through 206 of this act,
33 respectively);

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

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

37 (5) An approved local government welfare-to-work program; or

1 (6) An approved county welfare-to-work program. The department
2 shall contract with counties not participating in the full employment
3 act pilot program that desire to establish their own job opportunities
4 and basic skills training program. Such programs must comply with the
5 job opportunities and basic skills training program requirements as set
6 forth in this chapter and chapter 74.25 RCW. Counties must be able to
7 demonstrate welfare recipients are successfully placed in paid
8 employment at the same rate as recipients state-wide, at a minimum,
9 over a period not less than four years. The department shall adopt
10 only such rules as are necessary to determine whether county job
11 opportunities and basic skills training programs comply with applicable
12 state and federal laws.

13 **C. TEEN PARENT TARGET GROUP**

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

16 TEEN PARENT TARGET GROUP. All applicants under the age of eighteen
17 years and, within twelve months of the effective date of this section,
18 all recipients who are under the age of eighteen and are unmarried
19 shall, as a condition of receiving benefits, actively progress toward
20 the completion of a high school diploma or a GED, and live in a
21 supervised setting, as provided in RCW 74.12.255 or section 301 of this
22 act.

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

25 (1) The department shall determine, after consideration of all
26 relevant factors and in consultation with the applicant, and within
27 twelve months of the effective date of this section in consultation
28 with the recipient, the most appropriate living situation for
29 ~~((applicants))~~ those under eighteen years of age, unmarried, and either
30 pregnant or having a dependent child in the applicant's or recipient's
31 care. Appropriate living ~~((situations shall include a))~~ situation
32 means the place of residence maintained by the applicant's, and within
33 twelve months of the effective date of this section, the recipient's
34 parent, legal guardian, or other adult relative as their own home, or
35 ~~((other))~~ if the department determines that living situation to be
36 unsafe, another appropriate supportive living arrangement supervised by

1 an adult (~~(where feasible)~~), with first preference to an approved group
2 home where available, and consistent with federal regulations under 45
3 C.F.R. chapter II, section 233.107.

4 (2) An applicant, and within twelve months of the effective date of
5 this section, a recipient, under eighteen years of age who is either
6 pregnant or has a dependent child (~~(and is not living in a situation~~
7 ~~described in subsection (1) of this section)~~) shall be presumed to be
8 unable to manage adequately the funds paid on behalf of the dependent
9 child and(~~(, unless the teenage custodial parent demonstrates~~
10 ~~otherwise,)~~) shall be subject to the protective payee requirements
11 provided for under RCW 74.12.250 and 74.08.280.

12 (3) The department shall consider any statements or opinions by
13 either parent of the teen (~~(recipient)~~) as to an appropriate living
14 situation for the teen, whether in the parental home or other
15 situation. If the parents of the teen (~~(head of household applicant~~
16 ~~for assistance)~~) request, they shall be entitled to a hearing in
17 juvenile court regarding the fitness and suitability of their home as
18 the top priority choice for the pregnant or parenting teen (~~(applicant~~
19 ~~for assistance)~~).

20 The parents of the teen shall have the opportunity to make a
21 showing, based on the preponderance of the evidence, that (~~(the~~
22 ~~parental)~~) their home is the most appropriate living situation.

23 (4) To encourage adoption, in cases in which the (~~(head of~~
24 ~~household)~~) teen parent is under eighteen years of age(~~(,)~~) and
25 unmarried, (~~(unemployed, and requests information on adoption,)~~) the
26 department shall(~~(, as part of the determination of the appropriate~~
27 ~~living situation,)~~) provide information about adoption including
28 referral to community-based organizations for counseling.

29 (5) As a condition of receiving public assistance, an unmarried
30 applicant and, within twelve months of the effective date of this
31 section, an unmarried recipient under the age of eighteen shall be
32 required to reside in an appropriate living situation as determined
33 according to this section and to actively progress toward a high school
34 diploma or a GED unless certified by a health care provider licensed
35 under chapter 18.71 or 18.83 RCW to be unable to complete such
36 education, whereupon the department shall facilitate his or her
37 application for supplemental security income.

38 **D. DISABLED PARENT TARGET GROUP**

1 NEW SECTION. **Sec. 106.** A new section is added to chapter 74.12
2 RCW to read as follows:

3 **DISABLED PARENT TARGET GROUP.** The department shall, in accordance
4 with RCW 74.12.361, assess all recipients and applicants for assistance
5 to determine which of them may be eligible for federal supplemental
6 security income. Upon identification of individuals who are likely to
7 qualify for supplemental security income, the department shall assist
8 and facilitate their application for such income, and shall provide
9 other assistance for which the applicant or recipient qualifies until
10 payment of supplemental security income begins. Head of household
11 applicants or recipients who are placed on this supplemental security
12 income diversion track shall not, during the term of their facilitated
13 application for supplemental security income, be required to
14 participate in any of the target groups under sections 102 through 104
15 of this act.

16 In the event that supplemental security income is denied to a head
17 of household, that head of household shall be assigned to the job
18 preparation target group or other appropriate job placement as a
19 condition of continued benefit receipt.

20 **PART II. WELFARE-TO-WORK PROGRAMS**

21 **A. GENERAL REQUIREMENTS AND MANDATORY JOBS**

22 **Sec. 201.** RCW 74.25.010 and 1994 c 299 s 6 are each amended to
23 read as follows:

24 The legislature establishes as state policy the goal of economic
25 self-sufficiency for employable recipients of public assistance,
26 through employment, training, and education. In furtherance of this
27 policy, the legislature intends to comply with the requirements of the
28 federal social security act, as amended, by creating a job
29 opportunities and basic skills training program for applicants and
30 recipients of aid to families with dependent children. ~~((The purpose
31 of this program is to provide recipients of aid to families with
32 dependent children the opportunity to obtain appropriate education,
33 training, skills, and supportive services, including child care,
34 consistent with their needs, that will help them enter or reenter
35 gainful employment, thereby avoiding long term welfare dependence and
36 achieving economic self-sufficiency.))~~ The job opportunities and basic

1 skills training program shall provide employment and training and
2 education support services to assist recipients under chapter 74.04 RCW
3 to obtain employment. The program shall be operated by the department
4 of social and health services in conformance with federal law (~~and~~
5 ~~consistent with the following legislative findings:~~)).

6 (1) The legislature finds that the well-being of children depends
7 (~~not only on meeting their material needs, but also~~) on the ability
8 of parents to become economically self-sufficient. It is in this way
9 that the material needs of children can best be met. The job
10 opportunities and basic skills training program is specifically
11 directed at increasing the labor force participation and household
12 earnings of aid to families with dependent children recipients, through
13 the removal of barriers preventing them from achieving self-
14 sufficiency. (~~These barriers include, but are not limited to, the~~
15 ~~lack of recent work experience, supportive services such as affordable~~
16 ~~and reliable child care, adequate transportation, appropriate~~
17 ~~counseling, and necessary job-related tools, equipment, books,~~
18 ~~clothing, and supplies, the absence of basic literacy skills, the lack~~
19 ~~of educational attainment sufficient to meet labor market demands for~~
20 ~~career employees, and the nonavailability of useful labor market~~
21 ~~assessments.~~))

22 (2) The legislature (~~also~~) recognizes that aid to families with
23 dependent children recipients (~~must be acknowledged as active~~) are
24 participants in self-sufficiency planning under the program. The
25 legislature finds that the department of social and health services
26 should clearly communicate (~~concepts of the importance~~) a requirement
27 of work and how performance and effort directly affect future career
28 and educational opportunities and economic well-being, as well as
29 personal empowerment, self-motivation, and self-esteem to program
30 participants. The legislature further recognizes that informed choice
31 is consistent with individual responsibility, and that parents should
32 be given a range of options for available child care while
33 participating in the program.

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

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

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

11 (6) The legislature finds that a critical component for successful
12 reductions in the aid to families with dependent children caseloads is
13 through employment. Employment opportunities must be increased through
14 public-private partnerships. The department shall work with the
15 private sector to meet market needs, increase employability through on-
16 the-job training opportunities, and develop financial incentives for
17 employers to hire recipients.

18 (7) All participants in the job opportunities and basic skills
19 training program, including those participants in the full employment
20 act, shall, within thirty days of application for aid to families with
21 dependent children, sign a written employment development contract of
22 mutual responsibility with the department, or be ineligible for
23 financial assistance from the department until the contract which shall
24 be developed with the full involvement of the participant, is signed.

25 (a) The contract shall set forth the responsibilities of and
26 expectations for the program participants and responsibilities and
27 obligation of the department, including services to be provided to the
28 participating family. The contract shall identify specific employment,
29 training, education, community volunteer experiences, including
30 participation in the community volunteer program set forth in section
31 218 of this act, or support activities that will direct a participant
32 toward gainful employment and eventually self-sufficiency. The
33 contract shall be in a format developed for state-wide use and shall
34 clearly state each of the requirements and responsibilities set forth
35 in section 401 of this act.

36 (b) The department shall review the employment development contract
37 of mutual responsibility every six months and assess the participant's
38 progress. Except for sanctions in situations specified in section 401
39 of this act, the department shall reduce aid to families with dependent

1 children benefits by thirty-three percent every month for which the
2 recipient is found to be out of compliance with the contract.

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

7 **Sec. 202.** RCW 74.25.020 and 1993 c 312 s 7 are each amended to
8 read as follows:

9 (1) The department of social and health services is authorized to
10 contract with public and private employment and training agencies and
11 other public service entities to provide services prescribed or allowed
12 under the federal social security act, as amended, to carry out the
13 purposes of the jobs training program. The department of social and
14 health services has sole authority and responsibility to carry out the
15 job opportunities and basic skills training program. No contracting
16 entity shall have the authority to review, change, or disapprove any
17 administrative decision, or otherwise substitute its judgment for that
18 of the department of social and health services as to the application
19 of policies and rules adopted by the department of social and health
20 services.

21 ~~(2) ((To the extent feasible under federal law, the department of~~
22 ~~social and health services and all entities contracting with it shall~~
23 ~~give first priority of service to individuals volunteering for program~~
24 ~~participation.~~

25 ~~(3) The department of social and health services shall adopt rules~~
26 ~~under chapter 34.05 RCW establishing criteria constituting~~
27 ~~circumstances of good cause for an individual failing or refusing to~~
28 ~~participate in an assigned program component, or failing or refusing to~~
29 ~~accept or retain employment. These criteria shall include, but not be~~
30 ~~limited to, the following circumstances: (a) If the individual is a~~
31 ~~parent or other relative personally providing care for a child under~~
32 ~~age six years, and the employment would require the individual to work~~
33 ~~more than twenty hours per week; (b) if child care, or day care for an~~
34 ~~incapacitated individual living in the same home as a dependent child,~~
35 ~~is necessary for an individual to participate or continue participation~~
36 ~~in the program or accept employment, and such care is not available,~~
37 ~~and the department of social and health services fails to provide such~~
38 ~~care; (c) the employment would result in the family of the participant~~

1 ~~experiencing a net loss of cash income; or (d) circumstances that are~~
2 ~~beyond the control of the individual's household, either on a short-~~
3 ~~term or on an ongoing basis.~~

4 (4)) The department of social and health services shall adopt
5 rules under chapter 34.05 RCW as necessary to effectuate the intent and
6 purpose of this chapter.

7 NEW SECTION. Sec. 203. (1) In administering the job opportunities
8 and basic skills training program, the department shall ensure that
9 delivery and coordination of all services are provided through
10 intensive case management. All program participants shall be referred
11 to a case manager. The case manager shall fully explain the program to
12 the participant, shall provide the participant with written materials
13 explaining the program, and shall assist in developing the employment
14 development contract of mutual responsibility.

15 (2) Each program participant shall sign a written employment
16 development contract of mutual responsibility for up to two years
17 duration, consistent with the participant's program. The contract
18 shall be developed with the approval of the department and in
19 accordance with RCW 74.25.010.

20 (3) The secretary, assisted by the director of community, trade,
21 and economic development, the commissioner of employment security, and
22 the higher education coordinating board, shall prepare and maintain an
23 annual plan for coordinating and integrating all appropriate services
24 in order to promote successful outcomes. The plan shall encourage the
25 use of local and regional public and nonprofit service providers and
26 permit a variety of methods of providing services. Emphasis shall be
27 placed on coordinating and integrating career counseling, job
28 development, job training and skills, job placement, the child care
29 partnership under RCW 74.13.0901, the child care partnership employer
30 liaison under RCW 74.13.0902, and academic and technical education.
31 Public and private institutions of higher education and other agencies
32 that offer similar or related services shall be invited to participate
33 as fully as possible in developing, implementing, and updating the
34 annual coordination plan.

35 (4) The secretary shall:

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

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

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

6 (d) Work with community providers to develop adoption, education,
7 family planning, parenting, and training options for program
8 participants; and

9 (e) Provide technical assistance to local departments of social
10 services to assist them in working with local nonprofit community
11 action agencies and nonprofit community organizations with experience
12 in job training for public assistance recipients in the community to
13 develop job and community work experience opportunities for
14 participants.

15 **B. TAX INCENTIVE PROGRAM**

16 NEW SECTION. **Sec. 204.** (1) An employer shall be allowed a credit
17 against tax due under chapter 82.04 or 82.16 RCW of an amount equal to
18 one hundred twenty percent of the payment made by the employer, to a
19 qualified training institution under a training plan for training a
20 qualified employee, subject to the limitations set forth in this
21 section. An employer may not receive a credit for the same amounts
22 under both chapters 82.04 and 82.16 RCW.

23 (2) A person claiming the credit shall file an affidavit form
24 prescribed by the department, which shall include the amount of the
25 credit claimed and additional information as the department may
26 require.

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

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

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

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

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

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

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

15 (b) For more than two years of training in the case of a category
16 2 or category 3 qualified employee.

17 (5) The credit shall be taken against taxes due for the same
18 calendar year in which the payment is made to the qualified training
19 institution and must be claimed by the due date of the last tax return
20 for the calendar year in which the payment is made to the qualified
21 training institution.

22 (6) If the business, firm, or entity having a right to the tax
23 credit is sold, assigned, conveyed, or otherwise transferred, the
24 successor employer shall be allowed the credit. Unless the training
25 plan provides to the contrary, the successor employer shall be allowed
26 tax credits to the same extent as the previous employer.

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

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

30 NEW SECTION. **Sec. 205.** The definitions in this section apply
31 throughout this chapter and sections 207 through 209 of this act,
32 unless the context indicates otherwise.

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

37 (2) "Qualified employee" and "category 1, 2, or 3 qualified
38 employee" means an applicant for or recipient of aid to families with

1 dependent children certified as such by the department of social and
2 health services who is hired before June 30, 2000. "Qualified
3 employee" does not include any person hired by an employer to replace
4 strikers or locked-out workers.

5 (3) "Qualified training institution" means a community or technical
6 college, four-year college or university, a private vocational school
7 licensed by the work force training and education coordinating board or
8 approved by the higher education coordinating board, apprenticeship
9 programs recognized by the Washington state apprenticeship and training
10 council, or a private industry council that has entered into a training
11 plan that provides for the training of a qualified employee of a person
12 claiming the credit under this section.

13 (4) "Employer" means person or business as defined by RCW
14 82.04.030.

15 (5) "Training plan" means a written agreement, signed by a
16 qualified employee, a union or other employee bargaining representative
17 if the position is covered by a collective bargaining agreement, a
18 qualified training institution, the department of social and health
19 services or a designee of the department, and an employer, which
20 specifies the amount that the employer will pay the qualified training
21 institution for training and related costs for the qualified employee,
22 the learning objectives intended to be achieved by the training, and a
23 statement of progressively increasing scale of wages to be paid to the
24 employee during the training plan period, ending in a wage scale that
25 exceeds federal poverty levels for a family of three.

26 NEW SECTION. **Sec. 206.** Chapter 82.32 RCW applies to the
27 administration of this chapter.

28 NEW SECTION. **Sec. 207.** (1) The tax incentive program is hereby
29 established. The department of social and health services is
30 authorized to enter into training plans. The department of social and
31 health services shall adopt rules for the tax incentive program. The
32 rules shall include, but are not limited to:

33 (a) Designation of three categories of eligible aid to families
34 with dependent children recipients from within the job preparation
35 target group in chapter 74.12 RCW. The department of social and health
36 services shall by rule establish criteria for assigning recipients into
37 categories 1, 2, and 3. In establishing the criteria, the department

1 shall consider the degree of work experience, training, wage and
2 employment history, and education, category 1 representing recipients
3 with the highest degree of job readiness.

4 (b) Selection criteria that the department can use to establish a
5 pool of prospective aid to families with dependent children
6 participants.

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

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

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

17 (2) The department of social and health services may contract with
18 a public or private entity to carry out the department's duties under
19 this chapter. The department of social and health services reserves
20 the right to withdraw designation of authority to this entity without
21 showing cause.

22 (3) The department of social and health services shall manage the
23 program so that the total amount of credits by all employers claiming
24 tax credits under sections 204 through 206 of this act does not exceed
25 fifteen million dollars in any biennium. The department shall enter
26 into contracts with employers on a first-come, first-serve basis. The
27 department shall maintain an up-to-date tabulation of the potential
28 total amount of all credits that may be claimed during each biennium
29 under all training plans and shall not enter into any additional
30 training plan agreement if to do so would result in such amount
31 exceeding fifteen million dollars during a biennium.

32 (4) Employers who agree to accept a one hundred percent tax credit
33 instead of the one hundred twenty percent available under section
34 204(1) of this act shall be given priority in selection and placement
35 of qualified employees.

36 NEW SECTION. **Sec. 208.** The department of social and health
37 services, the employment security department, the department of
38 community, trade, and economic development, and the community and

1 technical colleges shall cooperate and coordinate among the existing
2 state and federal assistance and training programs to focus the efforts
3 of enrollees and programs to most effectively achieve results from the
4 various programs.

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

8 (2) If the program under chapter . . ., Laws of 1995 (this act) is
9 terminated before June 30, 2000, persons eligible for tax credits at
10 the time of program termination under sections 204 through 206 of this
11 act shall receive such credits, subject to the limitations in section
12 204(7) of this act.

13 **C. FULL EMPLOYMENT ACT**

14 NEW SECTION. **Sec. 210.** Unless the context clearly requires
15 otherwise, the definitions in this section apply throughout sections
16 210 through 217 of this act.

17 (1) "Department" means the department of social and health
18 services.

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

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

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

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

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

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

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

3 (d) Ensuring that participants improve their work skills,
4 education, and employability through worksite training, mentoring, job
5 placement, and necessary support services that include child care,
6 transportation, and health care; and

7 (e) Guaranteeing that participation in the Washington full
8 employment act does not result in reductions of net income to
9 participants.

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

16 NEW SECTION. **Sec. 212.** PILOT COUNTIES. The Washington full
17 employment act shall be piloted in four locations, to be chosen by the
18 department based upon the following criteria: One in an urban county
19 of eastern Washington, one in an urban county of western Washington,
20 one in a rural county of eastern Washington, and one in a rural county
21 of western Washington. None of the pilot areas may have an
22 unemployment rate exceeding one hundred fifty percent of the state's
23 average unemployment rate at commencement of the pilot. The department
24 shall give preference to counties demonstrating a desire to
25 participate, and shall attempt to select counties with a reasonable
26 chance to fully implement the Washington full employment act.

27 NEW SECTION. **Sec. 213.** The department shall contract at least
28 fifty percent of the job training, job funding, and job matching
29 leading to independent employment, with private nonprofit community
30 action agencies, nonprofit local community organizations, and other
31 organizations with experience and ability to meet the employment needs
32 of individuals on public assistance. Such contracts shall be
33 performance and outcome based.

34 NEW SECTION. **Sec. 214.** A Washington full employment act
35 implementation board shall be established in each pilot county as a
36 liaison to the business community and shall work with the department to

1 address particular needs of participants in the county. The board
2 shall be comprised of not fewer than two representatives from the local
3 programs contracted with the department to provide mentoring, on-the-
4 job training, and job placement; two members currently participating in
5 the program who are aid to families with dependent children recipients;
6 five representatives from the local business community; one
7 representative from the labor community; one representative from the
8 department; and one representative from the department of community,
9 trade, and economic development. Each board shall be responsible for
10 recruiting employment opportunities and encouraging participation in
11 the county.

12 NEW SECTION. **Sec. 215.** (1) The Washington full employment act
13 special fund is created in the state treasury separate and distinct
14 from the general fund. Moneys in the fund may be spent only after
15 appropriation and shall be used exclusively to meet the necessary
16 expenses of the program. The fund shall be held and administered by
17 the state treasurer.

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

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

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

29 (5) Expenditures from the fund shall include pilot program wage
30 reimbursements to participating employers, aid to families with
31 dependent children cash grants, food stamp allotments, Washington full
32 employment act payments to eligible participants of the pilot counties,
33 and administrative costs directly associated with the operation of the
34 pilot program. At the end of the five-year pilot program, expenditures
35 from the fund shall not exceed accruals to the fund.

36 (6) No less than quarterly, the department shall meet with the
37 implementation boards to review the cost-effectiveness of the program

1 and shall take any necessary action to modify or suspend the program to
2 maintain cost neutrality.

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

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

12 NEW SECTION. **Sec. 216.** (1)(a) The department shall adopt by rule
13 a method to determine which employers, including public and private
14 sector employers, within this state shall have the opportunity to
15 utilize pilot program participants. In the event that openings exceed
16 the number of participants, the department shall give priority in the
17 hiring of participants to those employers willing to accept a ninety
18 percent reimbursement rate or to extend the initial term of employment
19 for an additional three months without requiring an additional subsidy.
20 No employer is required to participate in the Washington full
21 employment act. In the event that there are unassigned participants
22 whom no employer desires to utilize, they may be assigned to work for
23 a public agency.

24 (b) The department by rule shall:

25 (i) Establish criteria for excluding employers from participation
26 for failure to abide by pilot program requirements or other
27 demonstrated unwillingness to comply with the stated intent of the
28 program;

29 (ii) Provide that employers that have terminated two participants
30 before completion of training without cause shall be ineligible to
31 receive additional participants.

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

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

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

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

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

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

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

8 (4)(a) With the assistance of the local full employment act
9 implementation boards, the employment security department, and the
10 department of community, trade, and economic development, the
11 department shall develop a job inventory of sufficient size to
12 accommodate all of the participants in the program. In consultation
13 with the participant, the department shall try to match the profile of
14 a participant with the needs of an employer when assigning a
15 participant to work with the employer.

16 (b) Either the employer or the participant may terminate the
17 assignment by contacting the appropriate department office. In such
18 event, the department shall evaluate the termination and reassess the
19 needs of the participant and assign the participant to another
20 Washington full employment act placement or another Washington full
21 employment act component and, at the employer's request, provide the
22 employer with another participant.

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

28 (ii) If after nine months in a placement, a participant has not
29 been hired for an unsubsidized position, the placement shall be
30 terminated, and the case worker shall reassess the participant's
31 employment development contract. Based on the assessment, the
32 department may either reassign the participant to another on-the-job
33 training assignment or refer the individual to another appropriate
34 component of the program.

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

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

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

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

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

11 (7) In the event that the net monthly full-time wage paid to a
12 participant would be less than the level of income from the aid to
13 families with dependent children program and the food stamp benefit
14 amount equivalent that the participant would otherwise receive, the
15 department shall determine and pay a supplemental payment as necessary
16 to provide the participant with that level of net income. The
17 department by rule shall adopt an equivalency scale to be adjusted for
18 household size and other factors. The purpose of this equivalency
19 scale is to ensure that participants are not economically
20 disadvantaged, in terms of net income, by accepting a job under the
21 pilot program. The department shall determine and pay in advance
22 supplemental payments to participants on a monthly basis as necessary
23 to ensure equivalent net pilot program wages. Participants shall be
24 compensated only for time worked.

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

31 (9) Washington full employment act employers shall:

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

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

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

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

3 (e) Sign an agreement between the department and the recipient for
4 each placement outlining the specific job offered to the participant
5 and agreeing to abide by all requirements of the pilot program,
6 including the requirement that the pilot program not supplant existing
7 jobs. All agreements shall include provisions noting the employer's
8 responsibility to repay reimbursements in the event the employer
9 violates pilot program rules; and

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

12 (10) Pilot program participant wages shall be subject to federal
13 tax, social security taxes, and unemployment insurance tax or
14 reimbursement as applicable, which shall be withheld and paid in
15 accordance with state and federal law. Supplemental payments made
16 pursuant to subsection (7) of this section, to the extent allowed by
17 federal law, shall not be subject to federal income taxes and social
18 security taxes.

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

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

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

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

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

33 **D. COMMUNITY SERVICE**

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

1 COMMUNITY VOLUNTEER PROGRAM. The recipient in a community
2 volunteer program shall locate a community volunteer experience with
3 any willing public or private organization and provide documentation to
4 the department of his or her participation on forms established in rule
5 by the department and signed by the recipient under penalty of perjury.
6 Compliance shall be subject to random checks by the department.

7 **PART III. TEEN PARENT PROGRAM**

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

10 TEEN GROUP HOMES. (1) The department shall contract with public or
11 private providers to establish teen group homes as an alternative
12 living situation for recipients under eighteen years of age who cannot
13 safely live with their parent or parents. The department shall contact
14 the appropriate local prosecutor to pursue any appropriate charges upon
15 a determination that the parental home is unsafe for the teen.

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

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

28 (4) Teen parents living in teen group homes shall, as a condition
29 of receiving benefits, progress toward completion of educational
30 requirements, help with household tasks at the home, attend and
31 participate in instruction provided for teen parents in residence, and
32 abide by house rules.

33 (5) House rules shall be established by each teen group home, and
34 may include a requirement that no unsupervised male visitors be
35 allowed, that a curfew be established, and that an equitable system of
36 shared child care responsibilities be provided to accommodate school
37 and work attendance for teen parents.

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

6 **PART IV. REQUIREMENTS AND RESPONSIBILITIES**

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

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

13 (a) Time limits shall be tolled in the event of:

14 (i) A medically certified temporary illness or disability of the
15 recipient, including temporary mental or physical disability occurring
16 as a result of domestic violence against the recipient;

17 (ii) The unavailability of appropriate care for a chronically ill
18 or disabled family member living in the home of the recipient; or

19 (iii) If child care is not available for a period of time.

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

24 (c) A recipient may extend full benefits including child care and
25 medical assistance for a period of an additional two years by
26 participating at least one hundred hours per month in the community
27 volunteer work program under section 218 of this act.

28 (2) Except where otherwise specified, persons receiving public
29 assistance shall be exempt from participation in a job-ready or job
30 preparation target group or a welfare-to-work program:

31 (a) If there is a child under three years of age within ten months
32 of application, living in the home;

33 (b) For a period of twelve weeks after the birth of any child born
34 more than ten months from the date of application; or

35 (c) If the recipient is a caretaker of a dependent child and is
36 disabled.

1 (3) If an additional child is born after ten months from the date
2 of application, the benefit increase shall be limited to fifty percent
3 of the full amount for that child. The birth of subsequent additional
4 children does not entitle the recipient to any additional financial
5 assistance.

6 (4) The department, working with the department of revenue, shall
7 encourage employers of recipients to use a month-to-month pass through
8 of the federal earned income tax credit. The department shall
9 facilitate application for such tax credit in all cases where
10 recipients report earned income.

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

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

18 (7) If necessary federal approval is obtained to implement this
19 subsection, when the participant is no longer eligible for a cash grant
20 due to increased earnings through employment, the department shall
21 enroll the participant in the basic health plan under chapter 70.47
22 RCW, pay any unsubsidized portion of the participant's premium, and
23 enroll the participant's eligible children in medicaid.

24 (8) The department shall seek any waivers needed from the federal
25 government to implement this section.

26 **PART V. CHILD SUPPORT ENHANCEMENT**

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

28 NEW SECTION. **Sec. 501.** The legislature recognizes that the
29 current statutory procedures for the collection of child support do not
30 apply to all persons owing child support. In order to further insure
31 that child support obligations are met, this act establishes a program
32 by which certain licenses may be suspended if a person is one hundred
33 eighty days or more in arrears on child support payments. With this
34 program, it is the intent of the legislature to provide a strong
35 incentive for persons owing support to make timely payments, and to
36 cooperate with the department of social and health services to
37 establish an appropriate schedule for the payment of any arrears.

1 In the implementation and management of this program, it is the
2 legislature's intent that the objective of the department of social and
3 health services be to obtain payment in full of arrears, or where that
4 is not possible, to enter into agreements with delinquent obligors to
5 make timely support payments and make reasonable payments towards the
6 arrears. The legislature intends that if the obligor refuses to
7 cooperate in establishing a fair and reasonable payment schedule for
8 arrears, or refuses to make timely support payments, the department
9 shall proceed with certification to a licensing entity or the
10 department of licensing that the person is not in compliance with a
11 child support order.

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

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

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

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

23 (i) Accumulated arrears totaling more than six months of child
24 support payments;

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

28 (iii) Failed to make payments required by a superior court order or
29 administrative order towards a support arrearage in an amount that
30 exceeds six months of payments.

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

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

1 (2) The department may serve upon a responsible parent a notice
2 informing the responsible parent of the department's intent to submit
3 the parent's name to the department of licensing and any appropriate
4 licensing entity as a licensee who is not in compliance with a child
5 support order. The department shall attach a copy of the responsible
6 parent's child support order to the notice. Service of the notice must
7 be made by certified mail, return receipt requested, or by personal
8 service.

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

12 (a) The parent may request an adjudicative proceeding to contest
13 the issue of compliance. The only issues that may be considered at the
14 adjudicative proceeding are whether the parent is required to pay child
15 support under a child support order and whether the parent is in
16 compliance with that order;

17 (b) A request for an adjudicative proceeding shall be in writing
18 and must be received by the department within twenty days of the date
19 of service of the notice;

20 (c) If the parent requests an adjudicative proceeding within twenty
21 days of service, the department will stay action to certify the parent
22 to the department of licensing and any licensing entity for
23 noncompliance with a child support order pending entry of a written
24 decision after the adjudicative proceeding;

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

30 (e) The department will stay action to certify the parent to the
31 department of licensing and any licensing entity for noncompliance if
32 the parent agrees to make timely payments of current support and agrees
33 to a reasonable payment schedule for payment of the arrears. It is the
34 parent's responsibility to contact in person or by mail the
35 department's division of child support office indicated on the notice
36 within twenty days of service of the notice to arrange for a payment
37 schedule. The department may stay certification for up to thirty days
38 after contact from a parent to arrange for a payment schedule;

1 (f) If the department certifies the responsible parent to the
2 department of licensing and a licensing entity for noncompliance with
3 a child support order, the licensing entity will suspend the parent's
4 license and the department of licensing will suspend any driver's
5 license that the parent holds until the parent provides the department
6 of licensing and the licensing entity with a written release from the
7 department stating that the responsible parent is in compliance with
8 the child support order;

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

12 (h) If after receiving the notice of noncompliance with a child
13 support order, the responsible parent files a motion to modify support
14 with the court or requests the department to amend a support obligation
15 established by an administrative decision, the department or the court
16 may, for up to one hundred eighty days, stay action to certify the
17 parent to the department of licensing and any licensing entity for
18 noncompliance with a child support order. If a motion for modification
19 of a court or administrative order for child support is pending prior
20 to service of the notice, any action to certify the parent to a
21 licensing entity for noncompliance with a child support order shall be
22 automatically stayed until entry of a final order or decision in the
23 modification proceedings. The responsible parent has the obligation to
24 notify the department that a modification proceeding is pending and
25 provide a copy of the motion or request for modification; and

26 (i) If the responsible parent subsequently becomes in compliance
27 with the child support order, the department will promptly provide the
28 parent with a written release stating that the parent is in compliance
29 with the order, and the parent may request that the licensing entity or
30 the department of licensing reinstate the suspended license.

31 (4) A responsible parent may request an adjudicative proceeding
32 upon service of the notice described in subsection (2) of this section.
33 The request for an adjudicative proceeding must be received by the
34 department within twenty days of service. The request must be in
35 writing and indicate the current mailing address and daytime phone
36 number, if available, of the responsible parent. The proceedings under
37 this subsection shall be conducted in accordance with the requirements
38 of chapter 34.05 RCW. The issues that may be considered at the
39 adjudicative proceeding are limited to whether the responsible parent

1 is required to pay child support under a child support order and
2 whether the responsible parent is in compliance with the order.

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

7 (6) If a responsible parent contacts the department's division of
8 child support office indicated on the notice of noncompliance within
9 twenty days of service of the notice and requests arrangement of a
10 payment schedule, the department shall stay the certification of
11 noncompliance during negotiation of the schedule for payment of
12 arrears. In no event shall the stay continue for more than thirty days
13 from the date of contact by the parent. The department shall make good
14 faith efforts to establish a schedule for payment of arrears that is
15 fair and reasonable, and that considers the financial situation of the
16 responsible parent and the needs of all children who rely on the
17 responsible parent for support. At the end of the thirty days, if no
18 payment schedule has been agreed to in writing, the department shall
19 proceed with certification of noncompliance.

20 (7) If a responsible parent timely requests an adjudicative
21 proceeding to contest the issue of compliance, the department may not
22 certify the name of the parent to the department of licensing or a
23 licensing entity for noncompliance with a child support order unless
24 the adjudicative proceeding results in a finding that the responsible
25 parent is not in compliance with the order.

26 (8) The department may certify in writing to the department of
27 licensing and any appropriate licensing entity the name of a
28 responsible parent who is not in compliance with a child support order
29 if:

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

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

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

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

4 The department shall send by regular mail a copy of any
5 certification of noncompliance filed with the department of licensing
6 or a licensing entity to the responsible parent at the responsible
7 parent's most recent address of record.

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

14 (10) When a responsible parent who is served notice under
15 subsection (2) of this section subsequently complies with the child
16 support order, the department shall promptly provide the parent with a
17 written release stating that the responsible parent is in compliance
18 with the order.

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

21 (12) Nothing in this section prohibits a responsible parent from
22 filing a motion to modify support with the court or from requesting the
23 department to amend a support obligation established by an
24 administrative decision. If there is a reasonable likelihood that the
25 motion or request will significantly change the amount of the arrears,
26 the department or the court may, for up to one hundred eighty days,
27 stay action to certify the responsible parent to the department of
28 licensing and any licensing entity for noncompliance with a child
29 support order. If a motion for modification of a court or
30 administrative order for child support is pending prior to service of
31 the notice, any action to certify the parent to a licensing entity for
32 noncompliance with a child support order shall be automatically stayed
33 until entry of a final order or decision in the modification
34 proceedings. The responsible parent has the obligation to notify the
35 department that a modification proceeding is pending and provide a copy
36 of the motion or request for modification.

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

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

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

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

16 (2) On or before January 1, 1996, and quarterly thereafter, the
17 department of social and health services and all licensing entities
18 subject to section 502 of this act shall perform a comparison of
19 responsible parents who are not in compliance with a child support
20 order, as defined in section 502 of this act, with all licensees
21 subject to chapter . . . , Laws of 1995 (this act). The comparison may
22 be conducted electronically, or by any other means that is jointly
23 agreeable between the department and the particular licensing entity.
24 The data shared shall be limited to those items necessary to
25 implementation of chapter . . . , Laws of 1995 (this act). The purpose
26 of the comparison shall be to identify current licensees who are not in
27 compliance with a child support order, and to provide to the department
28 of social and health services the following information regarding those
29 licensees:

- 30 (a) Name;
- 31 (b) Date of birth;
- 32 (c) Address of record;
- 33 (d) Federal employer identification number or social security
34 number;
- 35 (e) Type of license;
- 36 (f) Effective date of license or renewal;
- 37 (g) Expiration date of license; and
- 38 (h) Active or inactive status.

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

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

6 (1) "Department" means the state department of social and health
7 services.

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

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

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

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

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

19 (5) "Child support order" means a superior court order or an
20 administrative order.

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

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

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

1 (~~(8)~~) (9) "Stepparent" means the present spouse of the person who
2 is either the mother, father, or adoptive parent of a dependent child,
3 and such status shall exist until terminated as provided for in RCW
4 26.16.205.

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

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

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

24 NEW SECTION. Sec. 505. A new section is added to chapter 74.20A
25 RCW to read as follows:

26 In furtherance of the public policy of increasing collection of
27 child support and to assist in evaluation of the program established in
28 section 502 of this act, the department shall report the following to
29 the legislature and the governor on December 1, 1996, and annually
30 thereafter:

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

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

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

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

1 (5) The number of adjudicative proceedings held, and the results of
2 the adjudicative proceedings;

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

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

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

11 (9) Recommendations for the addition of specific licenses in the
12 program or exclusion of specific licenses from the program, and reasons
13 for such recommendations; and

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

16 **Sec. 506.** RCW 46.20.291 and 1993 c 501 s 4 are each amended to
17 read as follows:

18 The department is authorized to suspend the license of a driver
19 upon a showing by its records or other sufficient evidence that the
20 licensee:

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

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

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

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

33 (5) Has failed to respond to a notice of traffic infraction, failed
34 to appear at a requested hearing, violated a written promise to appear
35 in court, or has failed to comply with the terms of a notice of traffic
36 infraction or citation, as provided in RCW 46.20.289; ((~~or~~))

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

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

4 **Sec. 507.** RCW 46.20.311 and 1994 c 275 s 27 are each amended to
5 read as follows:

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

26 (2) Any person whose license or privilege to drive a motor vehicle
27 on the public highways has been revoked, unless the revocation was for
28 a cause which has been removed, is not entitled to have the license or
29 privilege renewed or restored until: (a) After the expiration of one
30 year from the date the license or privilege to drive was revoked; (b)
31 after the expiration of the applicable revocation period provided by
32 RCW 46.20.308 or 46.61.5052, 46.61.5053, or 46.20.365; (c) after the
33 expiration of two years for persons convicted of vehicular homicide; or
34 (d) after the expiration of the applicable revocation period provided
35 by RCW 46.20.265. After the expiration of the appropriate period, the
36 person may make application for a new license as provided by law
37 together with a reissue fee in the amount of twenty dollars, but if the
38 revocation is the result of a violation of RCW 46.20.308, 46.61.502, or

1 46.61.504 or is the result of administrative action under RCW
2 46.20.365, the reissue fee shall be fifty dollars. Except for a
3 revocation under RCW 46.20.265, the department shall not then issue a
4 new license unless it is satisfied after investigation of the driving
5 ability of the person that it will be safe to grant the privilege of
6 driving a motor vehicle on the public highways, and until the person
7 gives and thereafter maintains proof of financial responsibility for
8 the future as provided in chapter 46.29 RCW. For a revocation under
9 RCW 46.20.265, the department shall not issue a new license unless it
10 is satisfied after investigation of the driving ability of the person
11 that it will be safe to grant that person the privilege of driving a
12 motor vehicle on the public highways.

13 (3) Whenever the driver's license of any person is suspended
14 pursuant to Article IV of the nonresident violators compact or RCW
15 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
16 to the person any new or renewal license until the person pays a
17 reissue fee of twenty dollars. If the suspension is the result of a
18 violation of the laws of this or any other state, province, or other
19 jurisdiction involving (a) the operation or physical control of a motor
20 vehicle upon the public highways while under the influence of
21 intoxicating liquor or drugs, or (b) the refusal to submit to a
22 chemical test of the driver's blood alcohol content, the reissue fee
23 shall be fifty dollars.

24 NEW SECTION. **Sec. 508.** A new section is added to chapter 48.22
25 RCW to read as follows:

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

31 NEW SECTION. **Sec. 509.** A new section is added to chapter 2.48 RCW
32 to read as follows:

33 ATTORNEYS. Any member of the Washington state bar association who
34 has been certified by the department of social and health services as
35 a person who is not in compliance with a child support order as
36 provided in section 502 of this act shall be immediately suspended from
37 membership. Membership shall not be reinstated until the person

1 provides the Washington state bar association a written release issued
2 by the department of social and health services stating that the person
3 is in compliance with the order. If the person has continued to meet
4 all other requirements for membership during the suspension,
5 reinstatement shall be automatic upon receipt of the notice and payment
6 of any reinstatement fee the association may impose.

7 NEW SECTION. **Sec. 510.** A new section is added to chapter 18.04
8 RCW to read as follows:

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

13 **Sec. 511.** RCW 18.04.335 and 1992 c 103 s 13 are each amended to
14 read as follows:

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

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

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

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

30 NEW SECTION. **Sec. 512.** A new section is added to chapter 18.08
31 RCW to read as follows:

32 ARCHITECTS. The board shall immediately suspend the certificate of
33 registration or certificate of authorization to practice architecture
34 of a person who has been certified pursuant to section 502 of this act
35 by the department of social and health services as a person who is not
36 in compliance with a child support order. If the person has continued

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

6 **Sec. 513.** RCW 18.11.160 and 1986 c 324 s 12 are each amended to
7 read as follows:

8 AUCTIONEERS. (1) No license shall be issued by the department to
9 any person who has been convicted of forgery, embezzlement, obtaining
10 money under false pretenses, extortion, criminal conspiracy, fraud,
11 theft, receiving stolen goods, unlawful issuance of checks or drafts,
12 or other similar offense, or to any partnership of which the person is
13 a member, or to any association or corporation of which the person is
14 an officer or in which as a stockholder the person has or exercises a
15 controlling interest either directly or indirectly.

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

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

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

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

25 (d) Misleading or false advertising;

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

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

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

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

34 (i) Any other violations of this chapter.

35 (3) The department shall immediately suspend the license of a
36 person who has been certified pursuant to section 502 of this act by
37 the department of social and health services as a person who is not in
38 compliance with a child support order. If the person has continued to

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

6 NEW SECTION. Sec. 514. A new section is added to chapter 18.16
7 RCW to read as follows:

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

17 NEW SECTION. Sec. 515. A new section is added to chapter 18.20
18 RCW to read as follows:

19 BOARDING HOMES. The department shall immediately suspend the
20 license of a person who has been certified pursuant to section 502 of
21 this act by the department of social and health services as a person
22 who is not in compliance with a child support order. If the person has
23 continued to meet all other requirements for reinstatement during the
24 suspension, reissuance of the license 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 licensee is in compliance
27 with the child support order.

28 **Sec. 516.** RCW 18.27.060 and 1983 1st ex.s. c 2 s 19 are each
29 amended to read as follows:

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

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

1 (a) One year;
2 (b) Until the bond expires; or
3 (c) Until the insurance expires, whichever comes first. The
4 department shall place the expiration date on the certificate.

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

7 (4) If a contractor's surety bond or other security has an
8 unsatisfied judgment against it or is canceled, or if the contractor's
9 insurance policy is canceled, the contractor's registration shall be
10 automatically suspended on the effective date of the impairment or
11 cancellation. The department shall give notice of the suspension to
12 the contractor.

13 (5) The department shall immediately suspend the certificate of
14 registration of a contractor who has been certified by the department
15 of social and health services as a person who is not in compliance with
16 a child support order as provided in section 502 of this act. The
17 certificate of registration shall not be reissued or renewed unless the
18 person provides to the department a written release from the department
19 of social and health services stating that he or she is in compliance
20 with the child support order and the person has continued to meet all
21 other requirements for certification during the suspension.

22 NEW SECTION. Sec. 517. A new section is added to chapter 18.28
23 RCW to read as follows:

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

33 **Sec. 518.** RCW 18.39.181 and 1986 c 259 s 65 are each amended to
34 read as follows:

35 EMBALMERS AND FUNERAL DIRECTORS. The director shall have the
36 following powers and duties:

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

- 1 (2) To annually renew licenses under this chapter;
- 2 (3) To collect all fees prescribed and required under this chapter;
- 3 ((and))
- 4 (4) To immediately suspend the license of a person who has been
5 certified pursuant to section 502 of this act by the department of
6 social and health services as a person who is not in compliance with a
7 child support order; and
- 8 (5) To keep general books of record of all official acts,
9 proceedings, and transactions of the department of licensing while
10 acting under this chapter.

11 NEW SECTION. Sec. 519. A new section is added to chapter 18.39
12 RCW to read as follows:

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

20 NEW SECTION. Sec. 520. A new section is added to chapter 18.43
21 RCW to read as follows:

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

31 NEW SECTION. Sec. 521. A new section is added to chapter 18.44
32 RCW to read as follows:

33 ESCROW AGENTS. The department shall immediately suspend the
34 certificate of registration of a person who has been certified pursuant
35 to section 502 of this act by the department of social and health
36 services as a person who is not in compliance with a child support

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

6 **Sec. 522.** RCW 18.46.050 and 1991 c 3 s 101 are each amended to
7 read as follows:

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

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

21 RCW 43.70.115 governs notice of a license denial, revocation,
22 suspension, or modification and provides the right to an adjudicative
23 proceeding.

24 NEW SECTION. **Sec. 523.** A new section is added to chapter 18.51
25 RCW to read as follows:

26 NURSING HOME OPERATORS. The department shall immediately suspend
27 the license of a person who has been certified pursuant to section 502
28 of this act by the department of social and health services, division
29 of child support, as a person who is not in compliance with a child
30 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 department's receipt of a written
33 release issued by the division of child support stating that the person
34 is in compliance with the child support order.

35 NEW SECTION. **Sec. 524.** A new section is added to chapter 18.76
36 RCW to read as follows:

1 POISON CENTER MEDICAL DIRECTOR/POISON INFORMATION SPECIALISTS. The
2 department shall immediately suspend the certification of a poison
3 center medical director or a poison information specialist who has been
4 certified pursuant to section 502 of this act by the department of
5 social and health services as a person who is not in compliance with a
6 child support order. If the person has continued to meet all other
7 requirements for certification during the suspension, reissuance of the
8 certification shall be automatic upon the department's receipt of a
9 written release issued by the department of social and health services
10 stating that the person is in compliance with the child support order.

11 NEW SECTION. **Sec. 525.** A new section is added to chapter 18.85
12 RCW to read as follows:

13 REAL ESTATE BROKERS AND SALESPERSONS. The director shall
14 immediately suspend the license of a broker or salesperson who has been
15 certified pursuant to section 502 of this act by the department of
16 social and health services as a person who is not in compliance with a
17 child support order. If the person has continued to meet all other
18 requirements for reinstatement during the suspension, reissuance of the
19 license 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. 526.** RCW 18.96.120 and 1969 ex.s. c 158 s 12 are each amended
23 to read as follows:

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

28 ~~((1))~~ (a) The holder of the certificate of registration is
29 impersonating a practitioner or former practitioner.

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

33 ~~((3))~~ (c) The holder of the certificate of registration permits
34 his seal to be affixed to any plans, specifications or drawings that
35 were not prepared by him or under his personal supervision by employees
36 subject to his direction and control.

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

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

12 **Sec. 527.** RCW 18.104.110 and 1993 c 387 s 18 are each amended to
13 read as follows:

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

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

19 (~~(2)~~) (b) For fraud or deception in reporting under RCW
20 18.104.050;

21 (~~(3)~~) (c) For violating the provisions of this chapter, or of any
22 lawful rule or regulation of the department or the department of
23 health.

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

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

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

4 NEW SECTION. **Sec. 528.** A new section is added to chapter 18.106
5 RCW to read as follows:

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

16 NEW SECTION. **Sec. 529.** A new section is added to chapter 18.130
17 RCW to read as follows:

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

23 **Sec. 530.** RCW 18.130.050 and 1993 c 367 s 21 and 1993 c 367 s 5
24 are each reenacted and amended to read as follows:

25 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. The disciplining
26 authority has the following authority:

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

29 (2) To investigate all complaints or reports of unprofessional
30 conduct as defined in this chapter and to hold hearings as provided in
31 this chapter;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 **Sec. 531.** RCW 18.130.150 and 1984 c 279 s 15 are each amended to
6 read as follows:

7 UNIFORM DISCIPLINARY ACT--HEALTH PROFESSIONS. A person whose
8 license has been suspended or revoked under this chapter may petition
9 the disciplining authority for reinstatement after an interval as
10 determined by the disciplining authority in the order. The
11 disciplining authority shall hold hearings on the petition and may deny
12 the petition or may order reinstatement and impose terms and conditions
13 as provided in RCW 18.130.160 and issue an order of reinstatement. The
14 disciplining authority may require successful completion of an
15 examination as a condition of reinstatement.

16 A person whose license has been suspended for noncompliance with a
17 child support order under section 502 of this act may petition for
18 reinstatement at any time by providing the disciplining authority a
19 written release issued by the department of social and health services
20 stating that the person is in compliance with the child support order.
21 If the person has continued to meet all other requirements for
22 reinstatement during the suspension, the disciplining authority shall
23 automatically reissue the person's license upon receipt of the release,
24 and payment of a reinstatement fee, if any.

25 NEW SECTION. **Sec. 532.** A new section is added to chapter 18.140
26 RCW to read as follows:

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

1 NEW SECTION. **Sec. 533.** A new section is added to chapter 18.145
2 RCW to read as follows:

3 **SHORTHAND REPORTERS.** The director shall immediately suspend any
4 certificate 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 certification during the suspension, reissuance of the
9 certificate 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 **Sec. 534.** RCW 18.160.080 and 1990 c 177 s 10 are each amended to
13 read as follows:

14 **FIRE SPRINKLER SYSTEM CONTRACTORS.** (1) The state director of fire
15 protection may refuse to issue or renew or may suspend or revoke the
16 privilege of a licensed fire protection sprinkler system contractor or
17 the certificate of a certificate of competency holder to engage in the
18 fire protection sprinkler system business or in lieu thereof, establish
19 penalties as prescribed by Washington state law, for any of the
20 following reasons:

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

24 (b) Conviction of a felony;

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

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

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

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

35 (2) The state director of fire protection shall revoke the license
36 of a licensed fire protection sprinkler system contractor or the
37 certificate of a certificate of competency holder who engages in the

1 fire protection sprinkler system business while the license or
2 certificate of competency is suspended.

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

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

17 NEW SECTION. Sec. 535. A new section is added to chapter 18.165
18 RCW to read as follows:

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

28 NEW SECTION. Sec. 536. A new section is added to chapter 18.170
29 RCW to read as follows:

30 SECURITY GUARDS. The director shall immediately suspend any
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 director's receipt of a written

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

3 NEW SECTION. **Sec. 537.** A new section is added to chapter 18.175
4 RCW to read as follows:

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

14 NEW SECTION. **Sec. 538.** A new section is added to chapter 18.185
15 RCW to read as follows:

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

25 **Sec. 539.** RCW 43.20A.205 and 1989 c 175 s 95 are each amended to
26 read as follows:

27 This section governs the denial of an application for a license or
28 the suspension, revocation, or modification of a license by the
29 department.

30 (1) The department shall give written notice of the denial of an
31 application for a license to the applicant or his or her agent. The
32 department shall give written notice of revocation, suspension, or
33 modification of a license to the licensee or his or her agent. The
34 notice shall state the reasons for the action. The notice shall be
35 personally served in the manner of service of a summons in a civil

1 action or shall be given in ((an other)) another manner that shows
2 proof of receipt.

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

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

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

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

21 (3) Except for licensees suspended for noncompliance with a child
22 support order under chapter 74.20A RCW, a license applicant or licensee
23 who is aggrieved by a department denial, revocation, suspension, or
24 modification has the right to an adjudicative proceeding. The
25 proceeding is governed by the Administrative Procedure Act, chapter
26 34.05 RCW. The application must be in writing, state the basis for
27 contesting the adverse action, include a copy of the adverse notice, be
28 served on and received by the department within twenty-eight days of
29 the license applicant's or licensee's receiving the adverse notice, and
30 be served in a manner that shows proof of receipt.

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

1 (b) If the department gives a licensee less than twenty-eight days
2 notice of revocation, suspension, or modification and the licensee
3 timely files a sufficient appeal, the department may implement the
4 adverse action on the effective date stated in the notice. The
5 presiding or reviewing officer may order the department to stay
6 implementation of part or all of the adverse action while the
7 proceedings are pending if staying implementation is in the public
8 interest or for other good cause.

9 **Sec. 540.** RCW 43.70.115 and 1991 c 3 s 377 are each amended to
10 read as follows:

11 This section governs the denial of an application for a license or
12 the suspension, revocation, or modification of a license by the
13 department. This section does not govern actions taken under chapter
14 18.130 RCW.

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

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

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

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

36 (c) When the department has received certification pursuant to
37 chapter 74.20A RCW from the department of social and health services
38 that the licensee is a person who is not in compliance with a child

1 support order, the department shall provide that the suspension is
2 effective immediately upon receipt of the suspension notice by the
3 licensee.

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

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

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

31 **B. PARENTAL RESPONSIBILITY ENFORCEMENT PROGRAM**

32 NEW SECTION. Sec. 541. A new section is added to chapter 26.18
33 RCW to read as follows:

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

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

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

3 (c) Imprisonment for the crime of family nonsupport under RCW
4 26.20.035.

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

10 **C. AFDC-RELATED GROUP HOME AND CHILD CARE ZONING**

11 NEW SECTION. **Sec. 542.** A new section is added to chapter 36.70
12 RCW to read as follows:

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

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

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

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

10 **Sec. 543.** RCW 36.70A.450 and 1994 c 273 s 17 are each amended to
11 read as follows:

12 No city or county that plans or elects to plan under this chapter
13 may enact, enforce, or maintain an ordinance, development regulation,
14 zoning regulation, or official control, policy, or administrative
15 practice which prohibits the use of a residential dwelling, located in
16 an area zoned for residential or commercial use, as a family day-care
17 provider's home facility or as an AFDC-related group home.

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

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

37 Nothing in this section shall be construed to prohibit a city or
38 county that plans or elects to plan under this chapter from imposing

1 zoning conditions on the establishment and maintenance of a family day-
2 care provider's home or AFDC-related group home in an area zoned for
3 residential or commercial use, so long as such conditions are no more
4 restrictive than conditions imposed on other residential dwellings in
5 the same zone and the establishment of such facilities is not
6 precluded. As used in this section, "family day-care provider" (~~is~~)
7 and "AFDC-related group home" are each as defined in RCW 74.15.020.

8 **Sec. 544.** RCW 35.63.185 and 1994 c 273 s 14 are each amended to
9 read as follows:

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

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

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

35 Nothing in this section shall be construed to prohibit a city from
36 imposing zoning conditions on the establishment and maintenance of a
37 family day-care provider's home or an AFDC-related group home in an
38 area zoned for residential or commercial use, so long as such

1 conditions are no more restrictive than conditions imposed on other
2 residential dwellings in the same zone and the establishment of such
3 facilities is not precluded. As used in this section, "family day-care
4 provider" (~~is~~) and "AFDC-related group home" are each as defined in
5 RCW 74.15.020.

6 **Sec. 545.** RCW 35A.63.215 and 1994 c 273 s 16 are each amended to
7 read as follows:

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

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

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

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

1 not precluded. As used in this section, "family day-care provider"
2 (~~is~~) or "AFDC-related group home" are each as defined in RCW
3 74.15.020. The number of AFDC-related group homes may be limited.

4 **Sec. 546.** RCW 74.15.020 and 1994 c 273 s 21 are each amended to
5 read as follows:

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

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

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

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

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

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

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

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

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

36 (f) "Foster-family home" means an agency which regularly provides
37 care on a twenty-four hour basis to one or more children, expectant
38 mothers, or persons with developmental disabilities in the family abode

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

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

8 (h) "AFDC-related teen parent home" or "AFDC-related group home"
9 means an agency that provides care for teen mothers on public
10 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) "Requirement" means any rule, regulation or standard of care to
21 be maintained by an agency.

22 NEW SECTION. **Sec. 547.** A new section is added to chapter 74.15
23 RCW to read as follows:

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

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

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

1 NEW SECTION. **Sec. 601.** A new section is added to chapter 44.28
2 RCW to read as follows:

3 JOBS STUDY. The legislative budget committee shall conduct an
4 evaluation of the effectiveness of the welfare-to-work programs,
5 including the tax incentive program, any contracted county job
6 opportunities and basic skills training program, under chapter 82.--
7 RCW (sections 204 through 206 of this act), and the job opportunities
8 and basic skills (JOBS) training program in assisting clients to become
9 employed and to reduce their use of aid to families with dependent
10 children. The study shall include but not be limited to the following:

11 (1) A random assignment of job opportunities and basic skills
12 training program clients to public agencies and private contractors to
13 assess the effectiveness of job opportunities and basic skills training
14 program services provided by public and private contractors;

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

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

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

23 (5) Administrative data shall be provided by the department of
24 social and health services, the employment security department, the
25 state board for community and technical colleges, and private
26 contractors;

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

29 The legislative budget committee shall report its findings to the
30 governor and the appropriate standing committees of the legislature by
31 October 30, 1998, and shall provide annual reports until October 30,
32 2001.

33 NEW SECTION. **Sec. 602.** A new section is added to chapter 44.28
34 RCW to read as follows:

35 FULL EMPLOYMENT ACT STUDY. (1) Six months before the completion
36 date of the five-year test period of the pilot program in sections 210
37 through 217 of this act, the legislative budget committee shall submit
38 a written report to the legislature and the governor containing a full

1 and complete analysis of the pilot program. The report shall include
2 recommendations from the legislative budget committee and the
3 implementation boards regarding appropriate revisions to the pilot
4 program and the potential for its permanent implementation for the
5 entire state.

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

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

26 (4) Twelve months after the beginning of the Washington full
27 employment act, the legislative budget committee shall present to the
28 legislature a report on the cost neutrality projections of the pilot
29 program under sections 210 through 217 of this act. If it appears that
30 the pilot program is not likely to achieve cost neutrality over the
31 course of the five-year pilot period, the legislative budget committee
32 shall consult with the department of social and health services to
33 present a plan to modify the pilot program.

34 (5) No longer than twelve months before the completion of the pilot
35 project, the legislative budget committee shall report to the
36 legislature on the results of the study required in this section.

37 NEW SECTION. **Sec. 603.** The performance-based contract for each
38 private nonprofit contractor for job opportunities and basic skills

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

31 The legislative budget committee shall report its findings on the
32 information required in this section to the governor and the
33 appropriate standing committees of the legislature by July 1, 1998.

34 **PART VII. RENT VOUCHERS**

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

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

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

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

14 (a) Inform the recipient of the report;

15 (b) Investigate the report;

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

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

22 (4) When it has been determined that a two-party payment of rent
23 should be made, the department shall issue the recipient's monthly
24 grant in two checks, a two-party payment for the amount of the rent,
25 and a check drawn in favor of the recipient for the balance of the
26 grant amount.

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

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

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

35 (b) The recipient has reimbursed the landlord for all back rent
36 owed;

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

38

PART VIII. MISCELLANEOUS

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

3 (1) RCW 74.08.120 and 1992 c 108 s 2, 1987 c 75 s 39, 1981 1st ex.
4 s. c 6 s 15, 1981 c 8 s 12, 1979 c 141 s 326, 1969 ex.s. c 259 s 1,
5 1969 ex.s. c 159 s 1, 1965 ex.s. c 102 s 1, & 1959 c 26 s 74.08.120;

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

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

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

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

11 NEW SECTION. **Sec. 803.** Sections 204 through 206 of this act shall
12 constitute a new chapter in Title 82 RCW.

13 NEW SECTION. **Sec. 804.** Sections 207 through 209 of this act shall
14 constitute a new chapter in Title 74 RCW.

15 NEW SECTION. **Sec. 805.** Sections 203 and 210 through 217 of this
16 act are each added to chapter 74.25 RCW.

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

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

29 NEW SECTION. **Sec. 808.** WAIVERS--WASHINGTON FULL EMPLOYMENT ACT.
30 The governor and the department of social and health services shall,
31 within three months, seek all necessary exemptions and waivers from and
32 amendments to federal statutes, rules, and regulations and shall report

1 to the appropriate committees in the house of representatives and
2 senate quarterly on the efforts to secure the federal changes to permit
3 full implementation of the program in sections 210 through 217 of this
4 act at the earliest possible date.

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

10 (2) The department, with the advice of the implementation boards,
11 shall amend the state plans for the aid to families with dependent
12 children program, the job opportunities and basic skills training
13 program, and the food stamp program to incorporate the programs into
14 the Washington full employment act program for the pilot counties, and
15 shall obtain federal approval of plan amendments.

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

22 (4) The purpose of this section is to facilitate implementation of
23 the pilot program at the earliest possible date and with maximum
24 federal financial participation. Therefore, the department is directed
25 to expedite the acquisition of federal waiver and amendment approvals,
26 and the adoption of necessary statute amendments in close and
27 continuous coordination with appropriate federal officials, and to
28 prepare and submit completely and in a timely manner all forms and data
29 required by those officials. The department, with the advice of the
30 implementation boards, is authorized to make such changes to the
31 program as are necessary to achieve federal waiver approval. Any such
32 changes should be, in the judgment of the secretary of the department,
33 the fewest necessary to achieve federal approval for the program. Such
34 changes must maintain the general purpose and effect of the program
35 described in section 210 of this act. If changes to the program
36 required to gain waiver approval would be too extensive to maintain the
37 general purpose and effect of the program, the department, with the
38 advice of the implementation boards, shall seek the amendments to

1 federal statutes that are required for implementation of the pilot
2 program.

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

11 NEW SECTION. **Sec. 811.** If any part of this act is found to be in
12 conflict with federal requirements that are a prescribed condition to
13 the allocation of federal funds to the state, the conflicting part of
14 this act is inoperative solely to the extent of the conflict and with
15 respect to the agencies directly affected, and this finding does not
16 affect the operation of the remainder of this act in its application to
17 the agencies concerned. The rules under this act shall meet federal
18 requirements that are a necessary condition to the receipt of federal
19 funds by the state.

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

24 NEW SECTION. **Sec. 813.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

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

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