
HOUSE BILL 2118

State of Washington 60th Legislature 2007 Regular Session

By Representatives Conway, Wood and Ormsby

Read first time 02/08/2007. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to transferring responsibilities related to mobile
2 and manufactured home installation from the department of community,
3 trade, and economic development to the department of labor and
4 industries; amending RCW 43.63B.010, 43.63A.460, and 46.70.136; adding
5 a new chapter to Title 43 RCW; creating a new section; recodifying RCW
6 43.63B.005, 43.63B.010, 43.63B.020, 43.63B.030, 43.63B.035, 43.63B.040,
7 43.63B.050, 43.63B.060, 43.63B.070, 43.63B.080, 43.63B.090, 43.63B.100,
8 43.63B.110, 43.63B.120, 43.63B.130, 43.63B.140, 43.63B.150, 43.63B.160,
9 43.63B.170, 43.63B.800, 43.63B.900, 43.63B.901, 43.63A.460, and
10 46.70.136; providing an effective date; and declaring an emergency.

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

12 **Sec. 1.** RCW 43.63B.010 and 1998 c 124 s 6 are each amended to read
13 as follows:

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

16 (1) "Authorized representative" means an employee of a state
17 agency, city, or county acting on behalf of the department.

18 (2) "Certified manufactured home installer" means a person who is

1 in the business of installing mobile or manufactured homes and who has
2 been issued a certificate by the department as provided in this
3 chapter.

4 (3) "Department" means the department of (~~community, trade, and~~
5 ~~economic development~~) labor and industries.

6 (4) "Director" means the director of (~~community, trade, and~~
7 ~~economic development~~) the department.

8 (5) "Manufactured home" means a single-family dwelling built in
9 accordance with the department of housing and urban development
10 manufactured home construction and safety standards act, which is a
11 national, preemptive building code.

12 (6) "Mobile or manufactured home installation" means all on-site
13 work necessary for the installation of a manufactured home, including:

- 14 (a) Construction of the foundation system;
- 15 (b) Installation of the support piers and earthquake resistant
16 bracing system;
- 17 (c) Required connection to foundation system and support piers;
- 18 (d) Skirting;
- 19 (e) Connections to the on-site water and sewer systems that are
20 necessary for the normal operation of the home; and
- 21 (f) Extension of the pressure relief valve for the water heater.

22 (7) "Manufactured home standards" means the manufactured home
23 construction and safety standards as promulgated by the United States
24 department of housing and urban development (HUD).

25 (8) "Mobile home" means a factory-built dwelling built prior to
26 June 15, 1976, to standards other than the HUD code, and acceptable
27 under applicable state codes in effect at the time of construction or
28 introduction of the home into the state. Mobile homes have not been
29 built since introduction of the HUD manufactured home construction and
30 safety standards act.

31 (9) "Training course" means the education program administered by
32 the department, or the education course administered by an approved
33 educational provider, as a prerequisite to taking the examination for
34 certification.

35 (10) "Approved educational provider" means an organization approved
36 by the department to provide education and training of manufactured
37 home installers and local inspectors.

1 **Sec. 2.** RCW 43.63A.460 and 1993 c 280 s 76 are each amended to
2 read as follows:

3 Beginning on July 1, (~~(1991)~~) 2007, the department (~~(of community,~~
4 ~~trade, and economic development)~~) shall (~~(be responsible for~~
5 ~~performing)~~) perform all the consumer complaint and related functions
6 of the state administrative agency that are required for purposes of
7 complying with the regulations established by the federal department of
8 housing and urban development for manufactured housing, including the
9 preparation and submission of the state administrative plan.

10 The department (~~(of community, trade, and economic development)~~)
11 may enter into state or local interagency agreements to coordinate site
12 inspection activities with record monitoring and complaint handling.
13 The interagency agreement may also provide for the reimbursement for
14 cost of work that an agency performs. The department may include other
15 related areas in any interagency agreements which are necessary for the
16 efficient provision of services.

17 The department of (~~(labor and industries)~~) community, trade, and
18 economic development shall transfer all records, files, books, and
19 documents necessary for the department (~~(of community, trade, and~~
20 ~~economic development)~~) to assume these new functions.

21 The directors of (~~(community, trade, and economic development)~~) the
22 department of labor and industries and the department of (~~(labor and~~
23 ~~industries)~~) community, trade, and economic development shall
24 immediately take such steps as are necessary to ensure that (~~(chapter~~
25 ~~176, Laws of 1990)~~) this act is implemented on (~~(June 7, 1990)~~) July 1,
26 2007.

27 **Sec. 3.** RCW 46.70.136 and 1994 c 284 s 12 are each amended to read
28 as follows:

29 The department may mediate disputes that arise regarding any
30 warranty required in chapter 46.70 RCW pertaining to the purchase or
31 installation of a manufactured home. The department may charge
32 reasonable fees for this service and shall deposit the moneys collected
33 in accordance with RCW 43.63B.080 (as recodified by this act).

34 NEW SECTION. **Sec. 4.** (1) All powers, duties, and functions of the
35 department of community, trade, and economic development pertaining to

1 mobile and manufactured home installation are transferred to the
2 department of labor and industries.

3 (2)(a) All reports, documents, surveys, books, records, files,
4 papers, or written material in the possession of the department of
5 community, trade, and economic development pertaining to the powers,
6 functions, and duties transferred shall be delivered to the custody of
7 the department of labor and industries. All cabinets, furniture,
8 office equipment, motor vehicles, and other tangible property employed
9 by the department of community, trade, and economic development in
10 carrying out the powers, functions, and duties transferred shall be
11 made available to the department of labor and industries. All funds,
12 credits, or other assets held in connection with the powers, functions,
13 and duties transferred shall be assigned to the department of labor and
14 industries.

15 (b) Any appropriations made to the department of community, trade,
16 and economic development for carrying out the powers, functions, and
17 duties transferred shall, on the effective date of this section, be
18 transferred and credited to the department of labor and industries.

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

25 (3) All employees of the department of community, trade, and
26 economic development engaged in performing the powers, functions, and
27 duties transferred are transferred to the jurisdiction of the
28 department of labor and industries. All employees classified under
29 chapter 41.06 RCW, the state civil service law, are assigned to the
30 department of labor and industries to perform their usual duties upon
31 the same terms as formerly, without any loss of rights, subject to any
32 action that may be appropriate thereafter in accordance with the laws
33 and rules governing state civil service.

34 (4) All rules and all pending business before the department of
35 community, trade, and economic development pertaining to the powers,
36 functions, and duties transferred shall be continued and acted upon by
37 the department of labor and industries. All existing contracts and

1 obligations shall remain in full force and shall be performed by the
2 department of labor and industries.

3 (5) The transfer of the powers, duties, functions, and personnel of
4 the department of community, trade, and economic development shall not
5 affect the validity of any act performed before the effective date of
6 this section.

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

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

18 NEW SECTION. **Sec. 5.** The following sections are each recodified
19 as a new chapter in Title 43 RCW: RCW 43.63B.005, 43.63B.010,
20 43.63B.020, 43.63B.030, 43.63B.035, 43.63B.040, 43.63B.050, 43.63B.060,
21 43.63B.070, 43.63B.080, 43.63B.090, 43.63B.100, 43.63B.110, 43.63B.120,
22 43.63B.130, 43.63B.140, 43.63B.150, 43.63B.160, 43.63B.170, 43.63B.800,
23 43.63B.900, 43.63B.901, 43.63A.460, and 46.70.136.

24 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
25 preservation of the public peace, health, or safety, or support of the
26 state government and its existing public institutions, and takes effect
27 July 1, 2007.

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