
SUBSTITUTE HOUSE BILL 2098

State of Washington

63rd Legislature

2014 Regular Session

By House Government Accountability & Oversight (originally sponsored by Representatives Bergquist, Buys, S. Hunt, Manweller, Hudgins, Morrell, and Haigh)

READ FIRST TIME 01/29/14.

1 AN ACT Relating to conforming amendments made necessary by
2 reorganizing and streamlining central service functions, powers, and
3 duties of state government; amending RCW 2.36.054, 2.36.057, 2.36.0571,
4 2.68.060, 4.92.110, 4.96.020, 8.26.085, 15.24.086, 15.64.060,
5 15.65.285, 15.66.280, 15.88.070, 15.89.070, 15.100.080, 15.115.180,
6 17.15.020, 19.27.097, 19.27.150, 19.27A.020, 19.27A.190, 19.34.100,
7 19.285.060, 27.34.075, 27.34.410, 27.48.040, 28A.150.530, 28A.335.300,
8 28B.10.417, 35.21.779, 35.68.076, 35A.65.010, 36.28A.070, 39.04.155,
9 39.04.220, 39.04.290, 39.04.320, 39.04.330, 39.04.370, 39.04.380,
10 39.24.050, 39.30.050, 39.32.020, 39.32.040, 39.32.060, 39.35.060,
11 39.35A.050, 39.35B.040, 39.35C.050, 39.35C.090, 39.59.010, 41.04.017,
12 41.04.220, 41.04.375, 43.01.090, 43.01.091, 43.01.240, 43.01.250,
13 43.01.900, 43.15.020, 43.17.050, 43.17.100, 43.17.400, 43.19.647,
14 43.19.651, 43.19.670, 43.19.682, 43.19.691, 43.19.757, 43.19A.022,
15 43.19A.040, 43.21F.045, 43.34.090, 43.82.035, 43.82.055, 43.82.130,
16 43.83.116, 43.83.120, 43.83.136, 43.83.142, 43.83.156, 43.83.176,
17 43.83.188, 43.83.202, 43.88.090, 43.88.092, 43.88.350, 43.88.560,
18 43.96B.215, 43.101.080, 43.105.020, 43.105.052, 43.105.340, 43.105.905,
19 43.325.020, 43.325.030, 43.330.907, 43.331.040, 43.331.050, 44.68.065,
20 44.73.010, 46.08.065, 46.08.150, 46.08.172, 47.60.830, 49.74.040,
21 70.58.005, 70.94.537, 70.94.551, 70.95.265, 70.95C.110, 70.95H.030,

1 70.95M.060, 70.235.050, 71A.20.190, 72.01.430, 72.09.450, 77.12.177,
2 77.12.451, 79.19.080, 79.24.300, 79.24.530, 79.24.540, 79.24.560,
3 79.24.570, 79.24.664, 79.24.710, 79.24.720, 79.24.730, and 79A.15.010;
4 reenacting RCW 42.17A.110; adding a new section to chapter 43.19 RCW;
5 adding a new section to chapter 43.105 RCW; recodifying RCW 43.105.340
6 and 43.41A.900; decodifying RCW 37.14.010, 43.19.533, 43.320.012,
7 43.320.013, 43.320.014, 43.320.015, 43.320.901, and 70.120.210;
8 repealing RCW 43.105.041, 43.105.178, 43.105.330, 43.105.070, and
9 43.105.825; and providing an expiration date.

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

11 **Sec. 1.** RCW 2.36.054 and 2011 1st sp.s. c 43 s 812 are each
12 amended to read as follows:

13 Unless otherwise specified by rule of the supreme court, the jury
14 source list and master jury list for each county shall be created as
15 provided by this section.

16 (1) The superior court of each county, after consultation with the
17 county clerk and county auditor of that jurisdiction, shall annually
18 notify the (~~consolidated technology services agency~~) department of
19 enterprise services not later than March 1 of each year of its election
20 to use either a jury source list that is merged by the county or a jury
21 source list that is merged by the (~~consolidated technology services~~
22 ~~agency~~) department of enterprise services. The (~~consolidated~~
23 ~~technology services agency~~) department of enterprise services shall
24 annually furnish at no charge to the superior court of each county a
25 separate list of the registered voters residing in that county as
26 supplied annually by the secretary of state and a separate list of
27 driver's license and identicard holders residing in that county as
28 supplied annually by the department of licensing, or a merged list of
29 all such persons residing in that county, in accordance with the annual
30 notification required by this subsection. The lists provided by the
31 (~~consolidated technology services agency~~) department of enterprise
32 services shall be in an electronic format mutually agreed upon by the
33 superior court requesting it and the department of information
34 services. The annual merger of the list of registered voters residing
35 in each county with the list of licensed drivers and identicard holders
36 residing in each county to form a jury source list for each county

1 shall be in accordance with the standards and methodology established
2 in this chapter or by superseding court rule whether the merger is
3 accomplished by the ((~~consolidated technology services agency~~))
4 department of enterprise services or by a county.

5 (2) Persons on the lists of registered voters and driver's license
6 and identicard holders shall be identified by a minimum of last name,
7 first name, middle initial where available, date of birth, gender, and
8 county of residence. Identifying information shall be used when
9 merging the lists to ensure to the extent reasonably possible that
10 persons are only listed once on the merged list. Conflicts in
11 addresses are to be resolved by using the most recent record by date of
12 last vote in a general election, date of driver's license or identicard
13 address change or date of voter registration.

14 (3) The ((~~consolidated technology services agency~~)) department of
15 enterprise services shall provide counties that elect to receive a jury
16 source list merged by the ((~~consolidated technology services agency~~))
17 department of enterprise services with a list of names which are
18 possible duplicates that cannot be resolved based on the identifying
19 information required under subsection (2) of this section. If a
20 possible duplication cannot subsequently be resolved satisfactorily
21 through reasonable efforts by the county receiving the merged list, the
22 possible duplicate name shall be stricken from the jury source list
23 until the next annual jury source list is prepared.

24 **Sec. 2.** RCW 2.36.057 and 1993 c 408 s 1 are each amended to read
25 as follows:

26 The supreme court is requested to adopt court rules to be effective
27 by September 1, 1994, regarding methodology and standards for merging
28 the list of registered voters in Washington state with the list of
29 licensed drivers and identicard holders in Washington state for
30 purposes of creating an expanded jury source list. The rules should
31 specify the standard electronic format or formats in which the lists
32 will be provided to requesting superior courts by the department of
33 ((~~information services~~)) enterprise services. In the interim, and
34 until such court rules become effective, the methodology and standards
35 provided in RCW 2.36.054 shall apply. An expanded jury source list
36 shall be available to the courts for use by September 1, 1994.

1 **Sec. 3.** RCW 2.36.0571 and 1993 c 408 s 2 are each amended to read
2 as follows:

3 Not later than January 1, 1994, the secretary of state, the
4 department of licensing, and the department of (~~information services~~)
5 enterprise services shall adopt administrative rules as necessary to
6 provide for the implementation of the methodology and standards
7 established pursuant to RCW 2.36.057 and 2.36.054 or by supreme court
8 rule.

9 **Sec. 4.** RCW 2.68.060 and 2010 c 282 s 7 are each amended to read
10 as follows:

11 The administrative office of the courts, under the direction of the
12 judicial information system committee, shall:

13 (1) Develop a judicial information system information technology
14 portfolio consistent with the provisions of RCW (~~43.105.172~~)
15 43.41A.110;

16 (2) Participate in the development of an enterprise-based statewide
17 information technology strategy (~~as defined in RCW 43.105.019~~);

18 (3) Ensure the judicial information system information technology
19 portfolio is organized and structured to clearly indicate participation
20 in and use of enterprise-wide information technology strategies;

21 (4) As part of the biennial budget process, submit the judicial
22 information system information technology portfolio to the chair and
23 ranking member of the ways and means committees of the house of
24 representatives and the senate, the office of financial management, and
25 the (~~department of information services~~) office of the chief
26 information officer.

27 **Sec. 5.** RCW 4.92.110 and 2009 c 433 s 3 are each amended to read
28 as follows:

29 No action subject to the claim filing requirements of RCW 4.92.100
30 shall be commenced against the state, or against any state officer,
31 employee, or volunteer, acting in such capacity, for damages arising
32 out of tortious conduct until sixty calendar days have elapsed after
33 the claim is presented to the office of risk management (~~division~~) in
34 the department of enterprise services. The applicable period of
35 limitations within which an action must be commenced shall be tolled
36 during the sixty calendar day period. For the purposes of the

1 applicable period of limitations, an action commenced within five court
2 days after the sixty calendar day period has elapsed is deemed to have
3 been presented on the first day after the sixty calendar day period
4 elapsed.

5 **Sec. 6.** RCW 4.96.020 and 2012 c 250 s 2 are each amended to read
6 as follows:

7 (1) The provisions of this section apply to claims for damages
8 against all local governmental entities and their officers, employees,
9 or volunteers, acting in such capacity.

10 (2) The governing body of each local governmental entity shall
11 appoint an agent to receive any claim for damages made under this
12 chapter. The identity of the agent and the address where he or she may
13 be reached during the normal business hours of the local governmental
14 entity are public records and shall be recorded with the auditor of the
15 county in which the entity is located. All claims for damages against
16 a local governmental entity, or against any local governmental entity's
17 officers, employees, or volunteers, acting in such capacity, shall be
18 presented to the agent within the applicable period of limitations
19 within which an action must be commenced. A claim is deemed presented
20 when the claim form is delivered in person or is received by the agent
21 by regular mail, registered mail, or certified mail, with return
22 receipt requested, to the agent or other person designated to accept
23 delivery at the agent's office. The failure of a local governmental
24 entity to comply with the requirements of this section precludes that
25 local governmental entity from raising a defense under this chapter.

26 (3) For claims for damages presented after July 26, 2009, all
27 claims for damages must be presented on the standard tort claim form
28 that is maintained by the office of risk management (~~(division of the~~
29 ~~office of financial management)~~) in the department of enterprise
30 services, except as allowed under (c) of this subsection. The standard
31 tort claim form must be posted on the (~~office of financial~~
32 ~~management's~~) department of enterprise services' web site.

33 (a) The standard tort claim form must, at a minimum, require the
34 following information:

35 (i) The claimant's name, date of birth, and contact information;

36 (ii) A description of the conduct and the circumstances that
37 brought about the injury or damage;

1 (iii) A description of the injury or damage;
2 (iv) A statement of the time and place that the injury or damage
3 occurred;
4 (v) A listing of the names of all persons involved and contact
5 information, if known;
6 (vi) A statement of the amount of damages claimed; and
7 (vii) A statement of the actual residence of the claimant at the
8 time of presenting the claim and at the time the claim arose.
9 (b) The standard tort claim form must be signed either:
10 (i) By the claimant, verifying the claim;
11 (ii) Pursuant to a written power of attorney, by the attorney in
12 fact for the claimant;
13 (iii) By an attorney admitted to practice in Washington state on
14 the claimant's behalf; or
15 (iv) By a court-approved guardian or guardian ad litem on behalf of
16 the claimant.
17 (c) Local governmental entities shall make available the standard
18 tort claim form described in this section with instructions on how the
19 form is to be presented and the name, address, and business hours of
20 the agent of the local governmental entity. If a local governmental
21 entity chooses to also make available its own tort claim form in lieu
22 of the standard tort claim form, the form:
23 (i) May require additional information beyond what is specified
24 under this section, but the local governmental entity may not deny a
25 claim because of the claimant's failure to provide that additional
26 information;
27 (ii) Must not require the claimant's social security number; and
28 (iii) Must include instructions on how the form is to be presented
29 and the name, address, and business hours of the agent of the local
30 governmental entity appointed to receive the claim.
31 (d) If any claim form provided by the local governmental entity
32 fails to require the information specified in this section, or
33 incorrectly lists the agent with whom the claim is to be filed, the
34 local governmental entity is deemed to have waived any defense related
35 to the failure to provide that specific information or to present the
36 claim to the proper designated agent.
37 (e) Presenting either the standard tort claim form or the local
38 government tort claim form satisfies the requirements of this chapter.

1 (f) The amount of damages stated on the claim form is not
2 admissible at trial.

3 (4) No action subject to the claim filing requirements of this
4 section shall be commenced against any local governmental entity, or
5 against any local governmental entity's officers, employees, or
6 volunteers, acting in such capacity, for damages arising out of
7 tortious conduct until sixty calendar days have elapsed after the claim
8 has first been presented to the agent of the governing body thereof.
9 The applicable period of limitations within which an action must be
10 commenced shall be tolled during the sixty calendar day period. For
11 the purposes of the applicable period of limitations, an action
12 commenced within five court days after the sixty calendar day period
13 has elapsed is deemed to have been presented on the first day after the
14 sixty calendar day period elapsed.

15 (5) With respect to the content of claims under this section and
16 all procedural requirements in this section, this section must be
17 liberally construed so that substantial compliance will be deemed
18 satisfactory.

19 **Sec. 7.** RCW 8.26.085 and 2011 c 336 s 281 are each amended to read
20 as follows:

21 (1) The lead agency, after full consultation with the department of
22 (~~general administration~~) enterprise services, shall adopt rules and
23 establish such procedures as the lead agency may determine to be
24 necessary to assure:

25 (a) That the payments and assistance authorized by this chapter are
26 administered in a manner that is fair and reasonable and as uniform as
27 practicable;

28 (b) That a displaced person who makes proper application for a
29 payment authorized for that person by this chapter is paid promptly
30 after a move or, in hardship cases, is paid in advance; and

31 (c) That a displaced person who is aggrieved by a program or
32 project that is under the authority of a state agency or local public
33 agency may have his or her application reviewed by the state agency or
34 local public agency.

35 (2) The lead agency, after full consultation with the department of
36 (~~general administration~~) enterprise services, may adopt such other

1 rules and procedures, consistent with the provisions of this chapter,
2 as the lead agency deems necessary or appropriate to carry out this
3 chapter.

4 (3) State agencies and local public agencies shall comply with the
5 rules adopted pursuant to this section by April 2, 1989.

6 **Sec. 8.** RCW 15.24.086 and 1994 c 164 s 1 are each amended to read
7 as follows:

8 All such printing contracts provided for in this section (~~and RCW~~
9 ~~15.24.085~~) shall be executed and performed under conditions of
10 employment which shall substantially conform to the laws of this state
11 respecting hours of labor, the minimum wage scale, and the rules and
12 regulations of the department of labor and industries regarding
13 conditions of employment, hours of labor, and minimum wages, and the
14 violation of such provision of any contract shall be ground for
15 cancellation thereof.

16 **Sec. 9.** RCW 15.64.060 and 2008 c 215 s 2 are each amended to read
17 as follows:

18 (1) A farm-to-school program is created within the department to
19 facilitate increased procurement of Washington grown food by schools.

20 (2) The department, in consultation with the department of health,
21 the office of the superintendent of public instruction, the department
22 of (~~general administration~~) enterprise services, and Washington State
23 University, shall, in order of priority:

24 (a) Identify and develop policies and procedures to implement and
25 evaluate the farm-to-school program, including coordinating with school
26 procurement officials, buying cooperatives, and other appropriate
27 organizations to develop uniform procurement procedures and materials,
28 and practical recommendations to facilitate the purchase of Washington
29 grown food by the common schools. These policies, procedures, and
30 recommendations shall be made available to school districts to adopt at
31 their discretion;

32 (b) Assist food producers, distributors, and food brokers to market
33 Washington grown food to schools by informing them of food procurement
34 opportunities, bid procedures, school purchasing criteria, and other
35 requirements;

1 (c) Assist schools in connecting with local producers by informing
2 them of the sources and availability of Washington grown food as well
3 as the nutritional, environmental, and economic benefits of purchasing
4 Washington grown food;

5 (d) Identify and recommend mechanisms that will increase the
6 predictability of sales for producers and the adequacy of supply for
7 purchasers;

8 (e) Identify and make available existing curricula, programs and
9 publications that educate students on the nutritional, environmental,
10 and economic benefits of preparing and consuming locally grown food;

11 (f) Support efforts to advance other farm-to-school connections
12 such as school gardens or farms and farm visits; and

13 (g) As resources allow, seek additional funds to leverage state
14 expenditures.

15 (3) The department in cooperation with the office of the
16 superintendent of public instruction shall collect data on the
17 activities conducted pursuant to chapter 215, Laws of 2008 and
18 communicate such data biennially to the appropriate committees of the
19 legislature beginning November 15, 2009. Data collected may include
20 the numbers of schools and farms participating and any increases in the
21 procurement of Washington grown food by the common schools.

22 (4) As used in this section, RCW ((~~43.19.1905, 43.19.1906,~~))
23 28A.335.190, and 28A.235.170, "Washington grown" means grown and packed
24 or processed in Washington.

25 **Sec. 10.** RCW 15.65.285 and 1972 ex.s. c 112 s 2 are each amended
26 to read as follows:

27 The restrictive provisions of chapter ((~~43.78~~)) 43.19 RCW((~~, as now~~
28 ~~or hereafter amended,~~)) shall not apply to promotional printing and
29 literature for any commodity board.

30 **Sec. 11.** RCW 15.66.280 and 1972 ex.s. c 112 s 5 are each amended
31 to read as follows:

32 The restrictive provisions of chapter ((~~43.78~~)) 43.19 RCW ((~~as now~~
33 ~~or hereafter amended~~)) shall not apply to promotional printing and
34 literature for any commission formed under this chapter.

1 **Sec. 12.** RCW 15.88.070 and 2010 c 8 s 6114 are each amended to
2 read as follows:

3 The powers and duties of the commission include:

4 (1) To elect a chair and such officers as the commission deems
5 advisable. The officers shall include a treasurer who is responsible
6 for all receipts and disbursements by the commission and the faithful
7 discharge of whose duties shall be guaranteed by a bond at the sole
8 expense of the commission. The commission shall adopt rules for its
9 own governance, which shall provide for the holding of an annual
10 meeting for the election of officers and transaction of other business
11 and for such other meetings as the commission may direct;

12 (2) To do all things reasonably necessary to effect the purposes of
13 this chapter. However, the commission shall have no legislative power;

14 (3) At the pleasure of the commission, to employ and discharge
15 managers, secretaries, agents, attorneys, and employees and to engage
16 the services of independent contractors as the commission deems
17 necessary, to prescribe their duties, and to fix their compensation;

18 (4) To receive donations of wine from wineries for promotional
19 purposes;

20 (5) To engage directly or indirectly in the promotion of Washington
21 wine, including without limitation the acquisition in any lawful manner
22 and the dissemination without charge of wine, which dissemination shall
23 not be deemed a sale for any purpose and in which dissemination the
24 commission shall not be deemed a wine producer, supplier, or
25 manufacturer of any kind or the clerk, servant, or agent of a producer,
26 supplier, or manufacturer of any kind. Such dissemination shall be for
27 agricultural development or trade promotion, which may include
28 promotional hosting and shall in the good faith judgment of the
29 commission be in aid of the marketing, advertising, or sale of wine, or
30 of research related to such marketing, advertising, or sale;

31 (6) To acquire and transfer personal and real property, establish
32 offices, incur expense, enter into contracts (including contracts for
33 creation and printing of promotional literature, which contracts shall
34 not be subject to chapter ((43.78)) 43.19 RCW, but which shall be
35 cancelable by the commission unless performed under conditions of
36 employment which substantially conform to the laws of this state and
37 the rules of the department of labor and industries). The commission

1 may create such debt and other liabilities as may be reasonable for
2 proper discharge of its duties under this chapter;

3 (7) To maintain such account or accounts with one or more qualified
4 public depositaries as the commission may direct, to cause moneys to be
5 deposited therein, and to expend moneys for purposes authorized by this
6 chapter by drafts made by the commission upon such institutions or by
7 other means;

8 (8) To cause to be kept and annually closed, in accordance with
9 generally accepted accounting principles, accurate records of all
10 receipts, disbursements, and other financial transactions, available
11 for audit by the state auditor;

12 (9) To create and maintain a list of producers and to disseminate
13 information among and solicit the opinions of producers with respect to
14 the discharge of the duties of the commission, directly or by
15 arrangement with trade associations or other instrumentalities;

16 (10) To employ, designate as agent, act in concert with, and enter
17 into contracts with any person, council, commission or other entity for
18 the purpose of promoting the general welfare of the vinifera grape
19 industry and particularly for the purpose of assisting in the sale and
20 distribution of Washington wine in domestic and foreign commerce,
21 expending moneys as it may deem necessary or advisable for such purpose
22 and for the purpose of paying its proportionate share of the cost of
23 any program providing direct or indirect assistance to the sale and
24 distribution of Washington wine in domestic or foreign commerce,
25 employing and paying for vendors of professional services of all kinds;
26 and

27 (11) To sue and be sued as a commission, without individual
28 liability for acts of the commission within the scope of the powers
29 conferred upon it by this chapter.

30 **Sec. 13.** RCW 15.89.070 and 2011 c 103 s 16 are each amended to
31 read as follows:

32 The commission shall:

33 (1) Elect a chair and officers. The officers must include a
34 treasurer who is responsible for all receipts and disbursements by the
35 commission and the faithful discharge of whose duties shall be
36 guaranteed by a bond at the sole expense of the commission. The
37 commission must adopt rules for its own governance that provide for the

1 holding of an annual meeting for the election of officers and the
2 transaction of other business and for other meetings the commission may
3 direct;

4 (2) Do all things reasonably necessary to effect the purposes of
5 this chapter. However, the commission has no rule-making power except
6 as provided in this chapter;

7 (3) Employ and discharge managers, secretaries, agents, attorneys,
8 and employees and engage the services of independent contractors;

9 (4) Retain, as necessary, the services of private legal counsel to
10 conduct legal actions on behalf of the commission. The retention of a
11 private attorney is subject to review by the office of the attorney
12 general;

13 (5) Receive donations of beer from producers for promotional
14 purposes under subsections (6) and (7) of this section and for fund-
15 raising purposes under subsection (8) of this section. Donations of
16 beer for promotional purposes may only be disseminated without charge;

17 (6) Engage directly or indirectly in the promotion of Washington
18 beer, including, without limitation, the acquisition in any lawful
19 manner and the dissemination without charge of beer. This
20 dissemination is not deemed a sale for any purpose and the commission
21 is not deemed a producer, supplier, or manufacturer, or the clerk,
22 servant, or agent of a producer, supplier, distributor, or
23 manufacturer. This dissemination without charge shall be for
24 agricultural development or trade promotion, and not for fund-raising
25 purposes under subsection (8) of this section. Dissemination for
26 promotional purposes may include promotional hosting and must in the
27 good faith judgment of the commission be in the aid of the marketing,
28 advertising, sale of beer, or of research related to such marketing,
29 advertising, or sale;

30 (7) Promote Washington beer by conducting unique beer tastings
31 without charge;

32 (8) Beginning July 1, 2007, fund the Washington beer commission
33 through sponsorship of up to twelve beer festivals annually at which
34 beer may be sold to festival participants. For this purpose, the
35 commission would qualify for issue of a special occasion license as an
36 exception to WAC 314-05-020 but must comply with laws under Title 66
37 RCW and rules adopted by the liquor control board under which such
38 events may be conducted;

1 (9) Participate in international, federal, state, and local
2 hearings, meetings, and other proceedings relating to the production,
3 regulation, distribution, sale, or use of beer including activities
4 authorized under RCW 42.17A.635, including the reporting of those
5 activities to the public disclosure commission;

6 (10) Acquire and transfer personal and real property, establish
7 offices, incur expenses, and enter into contracts, including contracts
8 for the creation and printing of promotional literature. The contracts
9 are not subject to chapter ((43.78)) 43.19 RCW, and are cancelable by
10 the commission unless performed under conditions of employment that
11 substantially conform to the laws of this state and the rules of the
12 department of labor and industries. The commission may create debt and
13 other liabilities that are reasonable for proper discharge of its
14 duties under this chapter;

15 (11) Maintain accounts with one or more qualified public
16 depositories as the commission may direct, for the deposit of money,
17 and expend money for purposes authorized by this chapter by drafts made
18 by the commission upon such institutions or by other means;

19 (12) Cause to be kept and annually closed, in accordance with
20 generally accepted accounting principles, accurate records of all
21 receipts, disbursements, and other financial transactions, available
22 for audit by the state auditor;

23 (13) Create and maintain a list of producers and disseminate
24 information among and solicit the opinions of producers with respect to
25 the discharge of the duties of the commission, directly or by
26 arrangement with trade associations or other instrumentalities;

27 (14) Employ, designate as an agent, act in concert with, and enter
28 into contracts with any person, council, commission, or other entity to
29 promote the general welfare of the beer industry and particularly to
30 assist in the sale and distribution of Washington beer in domestic and
31 foreign commerce. The commission shall expend money necessary or
32 advisable for this purpose and to pay its proportionate share of the
33 cost of any program providing direct or indirect assistance to the sale
34 and distribution of Washington beer in domestic or foreign commerce,
35 employing and paying for vendors of professional services of all kinds;

36 (15) Sue and be sued as a commission, without individual liability
37 for acts of the commission within the scope of the powers conferred
38 upon it by this chapter;

1 (16) Serve as liaison with the liquor control board on behalf of
2 the commission and not for any individual producer;

3 (17) Receive such gifts, grants, and endowments from public or
4 private sources as may be made from time to time, in trust or
5 otherwise, for the use and benefit of the purposes of the commission
6 and expend the same or any income therefrom according to the terms of
7 the gifts, grants, or endowments.

8 **Sec. 14.** RCW 15.100.080 and 2010 c 8 s 6115 are each amended to
9 read as follows:

10 The powers and duties of the commission include:

11 (1) To elect a chair and such officers as the commission deems
12 advisable. The commission shall adopt rules for its own governance,
13 which provide for the holding of an annual meeting for the election of
14 officers and transaction of other business and for such other meetings
15 as the commission may direct;

16 (2) To adopt any rules necessary to carry out the purposes of this
17 chapter, in conformance with chapter 34.05 RCW;

18 (3) To administer and do all things reasonably necessary to carry
19 out the purposes of this chapter;

20 (4) At the pleasure of the commission, to employ a treasurer who is
21 responsible for all receipts and disbursements by the commission and
22 the faithful discharge of whose duties shall be guaranteed by a bond at
23 the sole expense of the commission;

24 (5) At the pleasure of the commission, to employ and discharge
25 managers, secretaries, agents, attorneys, and employees and to engage
26 the services of independent contractors as the commission deems
27 necessary, to prescribe their duties, and to fix their compensation;

28 (6) To engage directly or indirectly in the promotion of Washington
29 forest products and managed forests, and shall in the good faith
30 judgment of the commission be in aid of the marketing, advertising, or
31 sale of forest products, or of research related to such marketing,
32 advertising, or sale of forest products, or of research related to
33 managed forests;

34 (7) To enforce the provisions of this chapter, including
35 investigating and prosecuting violations of this chapter;

36 (8) To acquire and transfer personal and real property, establish
37 offices, incur expense, and enter into contracts. Contracts for

1 creation and printing of promotional literature are not subject to
2 chapter ((43.78)) 43.19 RCW, but such contracts may be canceled by the
3 commission unless performed under conditions of employment which
4 substantially conform to the laws of this state and the rules of the
5 department of labor and industries. The commission may create such
6 debt and other liabilities as may be reasonable for proper discharge of
7 its duties under this chapter;

8 (9) To maintain such account or accounts with one or more qualified
9 public depositaries as the commission may direct, to cause moneys to be
10 deposited therein, and to expend moneys for purposes authorized by this
11 chapter by drafts made by the commission upon such institutions or by
12 other means;

13 (10) To cause to be kept and annually closed, in accordance with
14 generally accepted accounting principles, accurate records of all
15 receipts, disbursements, and other financial transactions, available
16 for audit by the state auditor;

17 (11) To create and maintain a list of producers and to disseminate
18 information among and solicit the opinions of producers with respect to
19 the discharge of the duties of the commission, directly or by
20 arrangement with trade associations or other instrumentalities;

21 (12) To employ, designate as agent, act in concert with, and enter
22 into contracts with any person, council, commission, or other entity
23 for the purpose of promoting the general welfare of the forest products
24 industry and particularly for the purpose of assisting in the sale and
25 distribution of Washington forest products in domestic and foreign
26 commerce, expending moneys as it may deem necessary or advisable for
27 such purpose and for the purpose of paying its proportionate share of
28 the cost of any program providing direct or indirect assistance to the
29 sale and distribution of Washington forest products in domestic or
30 foreign commerce, and employing and paying for vendors of professional
31 services of all kinds;

32 (13) To sue and be sued as a commission, without individual
33 liability for acts of the commission within the scope of the powers
34 conferred upon it by this chapter;

35 (14) To propose assessment levels for producers subject to
36 referendum approval under RCW 15.100.110; and

37 (15) To participate in federal and state agency hearings, meetings,

1 and other proceedings relating to the regulation, production,
2 manufacture, distribution, sale, or use of forest products.

3 **Sec. 15.** RCW 15.115.180 and 2009 c 33 s 19 are each amended to
4 read as follows:

5 (1) The restrictive provisions of chapter ((43.78)) 43.19 RCW do
6 not apply to promotional printing and literature for the commission.

7 (2) All promotional printing contracts entered into by the
8 commission must be executed and performed under conditions of
9 employment that substantially conform to the laws of this state
10 respecting hours of labor, the minimum wage scale, and the rules and
11 regulations of the department of labor and industries regarding
12 conditions of employment, hours of labor, and minimum wages, and the
13 violation of such a provision of any contract is grounds for
14 cancellation of the contract.

15 **Sec. 16.** RCW 17.15.020 and 1997 c 357 s 3 are each amended to read
16 as follows:

17 Each of the following state agencies or institutions shall
18 implement integrated pest management practices when carrying out the
19 agency's or institution's duties related to pest control:

20 (1) The department of agriculture;

21 (2) The state noxious weed control board;

22 (3) The department of ecology;

23 (4) The department of fish and wildlife;

24 (5) The department of transportation;

25 (6) The parks and recreation commission;

26 (7) The department of natural resources;

27 (8) The department of corrections;

28 (9) The department of ((general—administration)) enterprise
29 services; and

30 (10) Each state institution of higher education, for the
31 institution's own building and grounds maintenance.

32 **Sec. 17.** RCW 19.27.097 and 2010 c 271 s 302 are each amended to
33 read as follows:

34 (1) Each applicant for a building permit of a building
35 necessitating potable water shall provide evidence of an adequate water

1 supply for the intended use of the building. Evidence may be in the
2 form of a water right permit from the department of ecology, a letter
3 from an approved water purveyor stating the ability to provide water,
4 or another form sufficient to verify the existence of an adequate water
5 supply. In addition to other authorities, the county or city may
6 impose conditions on building permits requiring connection to an
7 existing public water system where the existing system is willing and
8 able to provide safe and reliable potable water to the applicant with
9 reasonable economy and efficiency. An application for a water right
10 shall not be sufficient proof of an adequate water supply.

11 (2) Within counties not required or not choosing to plan pursuant
12 to RCW 36.70A.040, the county and the state may mutually determine
13 those areas in the county in which the requirements of subsection (1)
14 of this section shall not apply. The departments of health and ecology
15 shall coordinate on the implementation of this section. Should the
16 county and the state fail to mutually determine those areas to be
17 designated pursuant to this subsection, the county may petition the
18 department of (~~general administration~~) enterprise services to mediate
19 or, if necessary, make the determination.

20 (3) Buildings that do not need potable water facilities are exempt
21 from the provisions of this section. The department of ecology, after
22 consultation with local governments, may adopt rules to implement this
23 section, which may recognize differences between high-growth and low-
24 growth counties.

25 **Sec. 18.** RCW 19.27.150 and 2010 c 271 s 303 are each amended to
26 read as follows:

27 Every month a copy of the United States department of commerce,
28 bureau of the census' "report of building or zoning permits issued and
29 local public construction" or equivalent report shall be transmitted by
30 the governing bodies of counties and cities to the department of
31 (~~general administration~~) enterprise services.

32 **Sec. 19.** RCW 19.27A.020 and 2010 c 271 s 304 are each amended to
33 read as follows:

34 (1) The state building code council shall adopt rules to be known
35 as the Washington state energy code as part of the state building code.

1 (2) The council shall follow the legislature's standards set forth
2 in this section to adopt rules to be known as the Washington state
3 energy code. The Washington state energy code shall be designed to:

4 (a) Construct increasingly energy efficient homes and buildings
5 that help achieve the broader goal of building zero fossil-fuel
6 greenhouse gas emission homes and buildings by the year 2031;

7 (b) Require new buildings to meet a certain level of energy
8 efficiency, but allow flexibility in building design, construction, and
9 heating equipment efficiencies within that framework; and

10 (c) Allow space heating equipment efficiency to offset or
11 substitute for building envelope thermal performance.

12 (3) The Washington state energy code shall take into account
13 regional climatic conditions. Climate zone 1 shall include all
14 counties not included in climate zone 2. Climate zone 2 includes:
15 Adams, Chelan, Douglas, Ferry, Grant, Kittitas, Lincoln, Okanogan, Pend
16 Oreille, Spokane, Stevens, and Whitman counties.

17 (4) The Washington state energy code for residential buildings
18 shall be the 2006 edition of the Washington state energy code, or as
19 amended by rule by the council.

20 (5) The minimum state energy code for new nonresidential buildings
21 shall be the Washington state energy code, 2006 edition, or as amended
22 by the council by rule.

23 (6)(a) Except as provided in (b) of this subsection, the Washington
24 state energy code for residential structures shall preempt the
25 residential energy code of each city, town, and county in the state of
26 Washington.

27 (b) The state energy code for residential structures does not
28 preempt a city, town, or county's energy code for residential
29 structures which exceeds the requirements of the state energy code and
30 which was adopted by the city, town, or county prior to March 1, 1990.
31 Such cities, towns, or counties may not subsequently amend their energy
32 code for residential structures to exceed the requirements adopted
33 prior to March 1, 1990.

34 (7) The state building code council shall consult with the
35 department of ((~~general administration~~)) enterprise services as
36 provided in RCW 34.05.310 prior to publication of proposed rules. The
37 director of the department of ((~~general administration~~)) enterprise

1 services shall recommend to the state building code council any changes
2 necessary to conform the proposed rules to the requirements of this
3 section.

4 (8) The state building code council shall evaluate and consider
5 adoption of the international energy conservation code in Washington
6 state in place of the existing state energy code.

7 (9) The definitions in RCW 19.27A.140 apply throughout this
8 section.

9 **Sec. 20.** RCW 19.27A.190 and 2009 c 423 s 8 are each amended to
10 read as follows:

11 (1) The requirements of this section apply to the department of
12 (~~general administration~~) enterprise services and other qualifying
13 state agencies only to the extent that specific appropriations are
14 provided to those agencies referencing chapter 423, Laws of 2009 or
15 chapter number and this section.

16 (2) By July 1, 2010, each qualifying public agency shall:

17 (a) Create an energy benchmark for each reporting public facility
18 using a portfolio manager;

19 (b) Report to (~~general administration~~) the department of
20 enterprise services, the environmental protection agency national
21 energy performance rating for each reporting public facility included
22 in the technical requirements for this rating; and

23 (c) Link all portfolio manager accounts to the state portfolio
24 manager master account to facilitate public reporting.

25 (3) By January 1, 2010, (~~general administration~~) the department
26 of enterprise services shall establish a state portfolio manager master
27 account. The account must be designed to provide shared reporting for
28 all reporting public facilities.

29 (4) By July 1, 2010, (~~general administration~~) the department of
30 enterprise services shall select a standardized portfolio manager
31 report for reporting public facilities. (~~General administration~~) The
32 department of enterprise services, in collaboration with the United
33 States environmental protection agency, shall make the standard report
34 of each reporting public facility available to the public through the
35 portfolio manager web site.

36 (5) (~~General administration~~) The department of enterprise
37 services shall prepare a biennial report summarizing the statewide

1 portfolio manager master account reporting data. The first report must
2 be completed by December 1, 2012. Subsequent reporting shall be
3 completed every two years thereafter.

4 (6) By July 1, 2010, (~~general administration~~) the department of
5 enterprise services shall develop a technical assistance program to
6 facilitate the implementation of a preliminary audit and the investment
7 grade energy audit. (~~General administration~~) The department of
8 enterprise services shall design the technical assistance program to
9 utilize audit services provided by utilities or energy services
10 contracting companies when possible.

11 (7) For a reporting public facility that is leased by the state
12 with a national energy performance rating score below seventy-five, a
13 qualifying public agency may not enter into a new lease or lease
14 renewal on or after January 1, 2010, unless:

15 (a) A preliminary audit has been conducted within the last two
16 years; and

17 (b) The owner or lessor agrees to perform an investment grade audit
18 and implement any cost-effective energy conservation measures within
19 the first two years of the lease agreement if the preliminary audit has
20 identified potential cost-effective energy conservation measures.

21 (8)(a) Except as provided in (b) of this subsection, for each
22 reporting public facility with a national energy performance rating
23 score below fifty, the qualifying public agency, in consultation with
24 (~~general administration~~) the department of enterprise services, shall
25 undertake a preliminary energy audit by July 1, 2011. If potential
26 cost-effective energy savings are identified, an investment grade
27 energy audit must be completed by July 1, 2013. Implementation of
28 cost-effective energy conservation measures are required by July 1,
29 2016. For a major facility that is leased by a state agency, college,
30 or university, energy audits and implementation of cost-effective
31 energy conservation measures are required only for that portion of the
32 facility that is leased by the state agency, college, or university.

33 (b) A reporting public facility that is leased by the state is
34 deemed in compliance with (a) of this subsection if the qualifying
35 public agency has already complied with the requirements of subsection
36 (7) of this section.

37 (9) Schools are strongly encouraged to follow the provisions in
38 subsections (2) through (8) of this section.

1 (10) The director of the department of (~~general administration~~)
2 enterprise services, in consultation with the affected state agencies
3 and the office of financial management, shall review the cost and
4 delivery of agency programs to determine the viability of relocation
5 when a facility leased by the state has a national energy performance
6 rating score below fifty. The department of (~~general administration~~)
7 enterprise services shall establish a process to determine viability.

8 (11) (~~General administration~~) The department of enterprise
9 services, in consultation with the office of financial management,
10 shall develop a waiver process for the requirements in subsection (7)
11 of this section. The director of the office of financial management,
12 in consultation with (~~general administration~~) the department of
13 enterprise services, may waive the requirements in subsection (7) of
14 this section if the director determines that compliance is not cost-
15 effective or feasible. The director of the office of financial
16 management shall consider the review conducted by the department of
17 (~~general administration~~) enterprise services on the viability of
18 relocation as established in subsection (10) of this section, if
19 applicable, prior to waiving the requirements in subsection (7) of this
20 section.

21 (12) By July 1, 2011, (~~general administration~~) the department of
22 enterprise services shall conduct a review of facilities not covered by
23 the national energy performance rating. Based on this review,
24 (~~general administration~~) the department of enterprise services shall
25 develop a portfolio of additional facilities that require preliminary
26 energy audits. For these facilities, the qualifying public agency, in
27 consultation with (~~general administration~~) the department of
28 enterprise services, shall undertake a preliminary energy audit by July
29 1, 2012. If potential cost-effective energy savings are identified, an
30 investment grade energy audit must be completed by July 1, 2013.

31 **Sec. 21.** RCW 19.34.100 and 1999 c 287 s 5 are each amended to read
32 as follows:

33 (1) To obtain or retain a license, a certification authority must:

34 (a) Provide proof of identity to the secretary;

35 (b) Employ only certified operative personnel in appropriate
36 positions;

1 (c) File with the secretary an appropriate, suitable guaranty,
2 unless the certification authority is a city or county that is self-
3 insured or the department of (~~information services~~) enterprise
4 services;

5 (d) Use a trustworthy system;

6 (e) Maintain an office in this state or have established a
7 registered agent for service of process in this state; and

8 (f) Comply with all further licensing and practice requirements
9 established by rule by the secretary.

10 (2) The secretary may by rule create license classifications
11 according to specified limitations, and the secretary may issue
12 licenses restricted according to the limits of each classification.

13 (3) The secretary may impose license restrictions specific to the
14 practices of an individual certification authority. The secretary
15 shall set forth in writing and maintain as part of the certification
16 authority's license application file the basis for such license
17 restrictions.

18 (4) The secretary may revoke or suspend a certification authority's
19 license, in accordance with the administrative procedure act, chapter
20 34.05 RCW, for failure to comply with this chapter or for failure to
21 remain qualified under subsection (1) of this section. The secretary
22 may order the summary suspension of a license pending proceedings for
23 revocation or other action, which must be promptly instituted and
24 determined, if the secretary includes within a written order a finding
25 that the certification authority has either:

26 (a) Utilized its license in the commission of a violation of a
27 state or federal criminal statute or of chapter 19.86 RCW; or

28 (b) Engaged in conduct giving rise to a serious risk of loss to
29 public or private parties if the license is not immediately suspended.

30 (5) The secretary may recognize by rule the licensing or
31 authorization of certification authorities by other governmental
32 entities, in whole or in part, provided that those licensing or
33 authorization requirements are substantially similar to those of this
34 state. If licensing by another government is so recognized:

35 (a) RCW 19.34.300 through 19.34.350 apply to certificates issued by
36 the certification authorities licensed or authorized by that government
37 in the same manner as it applies to licensed certification authorities
38 of this state; and

1 (b) The liability limits of RCW 19.34.280 apply to the
2 certification authorities licensed or authorized by that government in
3 the same manner as they apply to licensed certification authorities of
4 this state.

5 (6) A certification authority that has not obtained a license is
6 not subject to the provisions of this chapter, except as specifically
7 provided.

8 **Sec. 22.** RCW 19.285.060 and 2007 c 1 s 6 are each amended to read
9 as follows:

10 (1) Except as provided in subsection (2) of this section, a
11 qualifying utility that fails to comply with the energy conservation or
12 renewable energy targets established in RCW 19.285.040 shall pay an
13 administrative penalty to the state of Washington in the amount of
14 fifty dollars for each megawatt-hour of shortfall. Beginning in 2007,
15 this penalty shall be adjusted annually according to the rate of change
16 of the inflation indicator, gross domestic product-implicit price
17 deflator, as published by the bureau of economic analysis of the United
18 States department of commerce or its successor.

19 (2) A qualifying utility that does not meet an annual renewable
20 energy target established in RCW 19.285.040(2) is exempt from the
21 administrative penalty in subsection (1) of this section for that year
22 if the commission for investor-owned utilities or the auditor for all
23 other qualifying utilities determines that the utility complied with
24 RCW 19.285.040(2) (d) or (i) or 19.285.050(1).

25 (3) A qualifying utility must notify its retail electric customers
26 in published form within three months of incurring a penalty regarding
27 the size of the penalty and the reason it was incurred.

28 (4) The commission shall determine if an investor-owned utility may
29 recover the cost of this administrative penalty in electric rates, and
30 may consider providing positive incentives for an investor-owned
31 utility to exceed the targets established in RCW 19.285.040.

32 (5) Administrative penalties collected under this chapter shall be
33 deposited into the energy independence act special account which is
34 hereby created. All receipts from administrative penalties collected
35 under this chapter must be deposited into the account. Expenditures
36 from the account may be used only for the purchase of renewable energy
37 credits or for energy conservation projects at public facilities, local

1 government facilities, community colleges, or state universities. The
2 state shall own and retire any renewable energy credits purchased using
3 moneys from the account. Only the director of (~~general~~
4 ~~administration~~) enterprise services or the director's designee may
5 authorize expenditures from the account. The account is subject to
6 allotment procedures under chapter 43.88 RCW, but an appropriation is
7 not required for expenditures.

8 (6) For a qualifying utility that is an investor-owned utility, the
9 commission shall determine compliance with the provisions of this
10 chapter and assess penalties for noncompliance as provided in
11 subsection (1) of this section.

12 (7) For qualifying utilities that are not investor-owned utilities,
13 the auditor is responsible for auditing compliance with this chapter
14 and rules adopted under this chapter that apply to those utilities and
15 the attorney general is responsible for enforcing that compliance.

16 **Sec. 23.** RCW 27.34.075 and 1994 c 82 s 2 are each amended to read
17 as follows:

18 The provisions of chapter (~~43.78~~) 43.19 RCW shall not apply to
19 the printing of educational publications of the state historical
20 societies.

21 **Sec. 24.** RCW 27.34.410 and 2007 c 333 s 4 are each amended to read
22 as follows:

23 (1) The heritage barn preservation fund is created as an account in
24 the state treasury. All receipts from appropriations and private
25 sources must be deposited into the account. Moneys in the account may
26 be spent only after appropriation. Expenditures from the account may
27 be used only to provide assistance to owners of heritage barns in
28 Washington state in the stabilization and restoration of their barns so
29 that these historic properties may continue to serve the community.

30 (2) The department shall minimize the amount of funds that are used
31 for program administration, which shall include consultation with the
32 department of (~~general administration's~~) enterprise services'
33 barrier-free facilities program for input regarding accessibility for
34 people with disabilities where public access to historic barns is
35 permitted.

1 (3) The primary public benefit of funding through the heritage barn
2 preservation program is the preservation and enhancement of significant
3 historic properties that provide economic benefit to the state's
4 citizens and enrich communities throughout the state.

5 **Sec. 25.** RCW 27.48.040 and 1999 c 343 s 2 are each amended to read
6 as follows:

7 (1) Unless the context clearly requires otherwise, the definitions
8 in this section apply throughout this section.

9 (a) "State capitol group" includes the legislative building, the
10 insurance building, the Cherberg building, the John L. O'Brien
11 building, the Newhouse building, and the temple of justice building.

12 (b) "Historic furnishings" means furniture, fixtures, and artwork
13 fifty years of age or older.

14 (2) The capitol furnishings preservation committee is established
15 to promote and encourage the recovery and preservation of the original
16 and historic furnishings of the state capitol group, prevent future
17 loss of historic furnishings, and review and advise future remodeling
18 and restoration projects as they pertain to historic furnishings. The
19 committee's authority does not extend to the placement of any historic
20 furnishings within the state capitol group.

21 (3) The capitol furnishings preservation committee account is
22 created in the custody of the state treasurer. All receipts designated
23 for the account from appropriations and from other sources must be
24 deposited into the account. Expenditures from the account may be used
25 only to finance the activities of the capitol furnishings preservation
26 committee. Only the director of the Washington state historical
27 society or the director's designee may authorize expenditures from the
28 account when authorized to do so by the committee. The account is
29 subject to allotment procedures under chapter 43.88 RCW, but an
30 appropriation is not required for expenditures.

31 (4) The committee may:

32 (a) Authorize the director of the Washington state historical
33 society or the director's designee to expend funds from the capitol
34 furnishings preservation committee account for limited purposes of
35 purchasing and preserving historic furnishings of the state capitol
36 group;

1 (b) Accept monetary donations, grants, and donations of historic
2 furnishings from, but not limited to, (i) current and former
3 legislators, state officials, and lobbyists; (ii) the families of
4 former legislators, state officials, and lobbyists; and (iii) the
5 general public. Moneys received under this section must be deposited
6 in the capitol furnishings preservation committee account; and

7 (c) Engage in or encourage fund-raising activities including the
8 solicitation of charitable gifts, grants, or donations specifically for
9 the limited purpose of the recovery of the original and historic
10 furnishings.

11 (5) The membership of the committee shall include: Two members of
12 the house of representatives, one from each major caucus, appointed by
13 the speaker of the house of representatives; two members of the senate,
14 one from each major caucus, appointed by the president of the senate;
15 the chief clerk of the house of representatives; the secretary of the
16 senate; the governor or the governor's designee; the lieutenant
17 governor or the lieutenant governor's designee; a representative from
18 the office of the secretary of state, the office of the state
19 treasurer, the office of the state auditor, and the office of the
20 insurance commissioner; a representative from the supreme court; a
21 representative from the Washington state historical society, the
22 department of (~~general administration~~) enterprise services, and the
23 Thurston county planning council, each appointed by the governor; and
24 three private citizens, appointed by the governor.

25 (6) Original or historic furnishings from the state capitol group
26 are not surplus property under chapter 43.19 RCW or other authority
27 unless designated as such by the committee.

28 **Sec. 26.** RCW 28A.150.530 and 2006 c 263 s 326 are each amended to
29 read as follows:

30 (1) In adopting implementation rules, the superintendent of public
31 instruction, in consultation with the department of (~~general
32 administration~~) enterprise services, shall review and modify the
33 current requirement for an energy conservation report review by the
34 department of (~~general administration as provided in WAC 180-27-075~~)
35 enterprise services.

36 (2) In adopting implementation rules, the superintendent of public
37 instruction shall:

1 (a) Review and modify the current requirements for value
2 engineering, constructibility review, and building commissioning (~~as~~
3 ~~provided in WAC 180-27-080~~));

4 (b) Review private and public utility providers' capacity and
5 financial/technical assistance programs for affected public school
6 districts to monitor and report utility consumption for purposes of
7 reporting to the superintendent of public instruction as provided in
8 RCW 39.35D.040;

9 (c) Coordinate with the department of (~~general administration~~)
10 enterprise services, the state board of health, the department of
11 ecology, federal agencies, and other affected agencies as appropriate
12 in their consideration of rules to implement this section.

13 **Sec. 27.** RCW 28A.335.300 and 1991 c 297 s 18 are each amended to
14 read as follows:

15 Every school board of directors shall consider the purchase of
16 playground matting manufactured from shredded waste tires in
17 undertaking construction or maintenance of playgrounds. The department
18 of (~~general administration~~) enterprise services shall upon request
19 assist in the development of product specifications and vendor
20 identification.

21 **Sec. 28.** RCW 28B.10.417 and 2011 1st sp.s. c 47 s 6 are each
22 amended to read as follows:

23 (1) This section applies only to those persons who are first
24 employed by a higher education institution in a position eligible for
25 participation in an annuity or retirement program under RCW 28B.10.400
26 prior to July 1, 2011.

27 (2) A faculty member or other employee exempt from civil service
28 pursuant to RCW 41.06.070 (1)(~~ee~~) (z) and (2) designated by the
29 board of trustees of the applicable regional university or of The
30 Evergreen State College as being subject to an annuity or retirement
31 income plan and who, at the time of such designation, is a member of
32 the Washington state teachers' retirement system, shall retain credit
33 for such service in the Washington state teachers' retirement system
34 and, except as provided in subsection (3) of this section, shall leave
35 his or her accumulated contributions in the teachers' retirement fund.
36 Upon his or her attaining eligibility for retirement under the

1 Washington state teachers' retirement system, such faculty member or
2 other employee shall receive from the Washington state teachers'
3 retirement system a retirement allowance consisting of an annuity which
4 shall be the actuarial equivalent of his or her accumulated
5 contributions at his or her age when becoming eligible for such
6 retirement and a pension for each year of creditable service
7 established and retained at the time of said designation as provided in
8 RCW 41.32.497. Anyone who on July 1, 1967, was receiving pension
9 payments from the teachers' retirement system based on thirty-five
10 years of creditable service shall thereafter receive a pension based on
11 the total years of creditable service established with the retirement
12 system: PROVIDED, HOWEVER, That any such faculty member or other
13 employee exempt from civil service pursuant to RCW 41.06.070
14 (1)((+ee+)) (z) and (2) who, upon attainment of eligibility for
15 retirement under the Washington state teachers' retirement system, is
16 still engaged in public educational employment, shall not be eligible
17 to receive benefits under the Washington state teachers' retirement
18 system until he or she ceases such public educational employment. Any
19 retired faculty member or other employee who enters service in any
20 public educational institution shall cease to receive pension payments
21 while engaged in such service: PROVIDED FURTHER, That such service may
22 be rendered up to seventy-five days in a school year without reduction
23 of pension.

24 (3) A faculty member or other exempt employee designated by the
25 board of trustees of the applicable regional university or of The
26 Evergreen State College as being subject to the annuity and retirement
27 income plan and who, at the time of such designation, is a member of
28 the Washington state teachers' retirement system may, at his or her
29 election and at any time, on and after midnight June 10, 1959,
30 terminate his or her membership in the Washington state teachers'
31 retirement system and withdraw his or her accumulated contributions and
32 interest in the teachers' retirement fund upon written application to
33 the board of trustees of the Washington state teachers' retirement
34 system. Faculty members or other employees who withdraw their
35 accumulated contributions, on and after the date of withdrawal of
36 contributions, shall no longer be members of the Washington state
37 teachers' retirement system and shall forfeit all rights of membership,

1 including pension benefits, theretofore acquired under the Washington
2 state teachers' retirement system.

3 **Sec. 29.** RCW 35.21.779 and 1995 c 399 s 39 are each amended to
4 read as follows:

5 (1) In cities or towns where the estimated value of state-owned
6 facilities constitutes ten percent or more of the total assessed
7 valuation, the state agency or institution owning the facilities shall
8 contract with the city or town to pay an equitable share for fire
9 protection services. The contract shall be negotiated as provided in
10 subsections (2) through (6) of this section and shall provide for
11 payment by the agency or institution to the city or town.

12 (2) A city or town seeking to enter into fire protection contract
13 negotiations shall provide written notification to the department of
14 (~~community, trade, and economic development~~) commerce and the state
15 agencies or institutions that own property within the jurisdiction, of
16 its intent to contract for fire protection services. Where there are
17 multiple state agencies located within a single jurisdiction, a city
18 may choose to notify only the department of (~~community, trade, and
19 economic development~~) commerce, which in turn shall notify the
20 agencies or institution that own property within the jurisdiction of
21 the city's intent to contract for fire protection services. Any such
22 notification shall be based on the valuation procedures, based on
23 commonly accepted standards, adopted by the department of (~~community,
24 trade, and economic development~~) commerce in consultation with the
25 department of (~~general administration~~) enterprise services and the
26 association of Washington cities.

27 (3) The department of (~~community, trade, and economic
28 development~~) commerce shall review any such notification to ensure
29 that the valuation procedures and results are accurate. The department
30 will notify each affected city or town and state agency or institution
31 of the results of their review within thirty days of receipt of
32 notification.

33 (4) The parties negotiating fire protection contracts under this
34 section shall conduct those negotiations in good faith. Whenever there
35 are multiple state agencies located within a single jurisdiction, every
36 effort shall be made by the state to consolidate negotiations on behalf
37 of all affected agencies.

1 (5) In the event of notification by one of the parties that an
2 agreement cannot be reached on the terms and conditions of a fire
3 protection contract, the director of the department of ((~~community,~~
4 ~~trade, and economic development~~)) commerce shall mediate a resolution
5 of the disagreement. In the event of a continued impasse, the director
6 of the department of ((~~community, trade, and economic development~~))
7 commerce shall recommend a resolution.

8 (6) If the parties reject the recommendation of the director and an
9 impasse continues, the director shall direct the parties to
10 arbitration. The parties shall agree on a neutral arbitrator, and the
11 fees and expenses of the arbitrator shall be shared equally between the
12 parties. The arbitration shall be a final offer, total arbitration,
13 with the arbitrator empowered only to pick the final offer of one of
14 the parties or the recommended resolution by the director of the
15 department of ((~~community, trade, and economic development~~)) commerce.
16 The decision of the arbitrator shall be final, binding, and
17 nonappealable on the parties.

18 (7) The provisions of this section shall not apply if a city or
19 town and a state agency or institution have contracted pursuant to RCW
20 35.21.775.

21 (8) The provisions of this section do not apply to cities and towns
22 not meeting the conditions in subsection (1) of this section. Cities
23 and towns not meeting the conditions of subsection (1) of this section
24 may enter into contracts pursuant to RCW 35.21.775.

25 **Sec. 30.** RCW 35.68.076 and 1989 c 175 s 84 are each amended to
26 read as follows:

27 The department of ((~~general administration~~)) enterprise services
28 shall, pursuant to chapter 34.05 RCW, the Administrative Procedure Act,
29 adopt several suggested model design, construction, or location
30 standards to aid counties, cities, and towns in constructing curb ramps
31 to allow reasonable access to the crosswalk for ((~~physically~~
32 ~~handicapped~~)) persons with physical disabilities without uniquely
33 endangering blind persons. The department of ((~~general~~
34 ~~administration~~)) enterprise services shall consult with ((~~handicapped~~))
35 persons with physical disabilities, blind persons, counties, cities,
36 and the state building code council in adopting the suggested
37 standards.

1 **Sec. 31.** RCW 35A.65.010 and 1967 ex.s. c 119 s 35A.65.010 are each
2 amended to read as follows:

3 All printing, binding and stationery work done for any code city
4 shall be done within the state and all proposals, requests and
5 invitations to submit bids, prices or contracts thereon and all
6 contracts for such work shall so stipulate subject to the limitations
7 contained in RCW (~~(43.78.130)~~) 43.19.748 and 35.23.352.

8 **Sec. 32.** RCW 36.28A.070 and 2003 c 102 s 3 are each amended to
9 read as follows:

10 (1) The Washington association of sheriffs and police chiefs in
11 consultation with the Washington state emergency management office, the
12 Washington association of county officials, the Washington association
13 of cities, the (~~information services board~~) office of the chief
14 information officer, the Washington state fire chiefs' association, and
15 the Washington state patrol shall convene a committee to establish
16 guidelines related to the statewide first responder building mapping
17 information system. The committee shall have the following
18 responsibilities:

19 (a) Develop the type of information to be included in the statewide
20 first responder building mapping information system. The information
21 shall include, but is not limited to: Floor plans, fire protection
22 information, evacuation plans, utility information, known hazards, and
23 text and digital images showing emergency personnel contact
24 information;

25 (b) Develop building mapping software standards that must be
26 utilized by all entities participating in the statewide first responder
27 building mapping information system;

28 (c) Determine the order in which buildings shall be mapped when
29 funding is received;

30 (d) Develop guidelines on how the information shall be made
31 available. These guidelines shall include detailed procedures and
32 security systems to ensure that the information is only made available
33 to the government entity that either owns the building or is responding
34 to an incident at the building;

35 (e) Recommend training guidelines regarding using the statewide
36 first responder building mapping information system to the criminal

1 justice training commission and the Washington state patrol fire
2 protection bureau.

3 (2)(a) Nothing in this section supersedes the authority of the
4 (~~information services board~~) office of the chief information officer
5 under chapter (~~43.105~~) 43.41A RCW.

6 (b) Nothing in this section supersedes the authority of state
7 agencies and local governments to control and maintain access to
8 information within their independent systems.

9 **Sec. 33.** RCW 39.04.155 and 2009 c 74 s 1 are each amended to read
10 as follows:

11 (1) This section provides uniform small works roster provisions to
12 award contracts for construction, building, renovation, remodeling,
13 alteration, repair, or improvement of real property that may be used by
14 state agencies and by any local government that is expressly authorized
15 to use these provisions. These provisions may be used in lieu of other
16 procedures to award contracts for such work with an estimated cost of
17 three hundred thousand dollars or less. The small works roster process
18 includes the limited public works process authorized under subsection
19 (3) of this section and any local government authorized to award
20 contracts using the small works roster process under this section may
21 award contracts using the limited public works process under subsection
22 (3) of this section.

23 (2)(a) A state agency or authorized local government may create a
24 single general small works roster, or may create a small works roster
25 for different specialties or categories of anticipated work. Where
26 applicable, small works rosters may make distinctions between
27 contractors based upon different geographic areas served by the
28 contractor. The small works roster or rosters shall consist of all
29 responsible contractors who have requested to be on the list, and where
30 required by law are properly licensed or registered to perform such
31 work in this state. A state agency or local government establishing a
32 small works roster or rosters may require eligible contractors desiring
33 to be placed on a roster or rosters to keep current records of any
34 applicable licenses, certifications, registrations, bonding, insurance,
35 or other appropriate matters on file with the state agency or local
36 government as a condition of being placed on a roster or rosters. At
37 least once a year, the state agency or local government shall publish

1 in a newspaper of general circulation within the jurisdiction a notice
2 of the existence of the roster or rosters and solicit the names of
3 contractors for such roster or rosters. In addition, responsible
4 contractors shall be added to an appropriate roster or rosters at any
5 time they submit a written request and necessary records. Master
6 contracts may be required to be signed that become effective when a
7 specific award is made using a small works roster.

8 (b) A state agency establishing a small works roster or rosters
9 shall adopt rules implementing this subsection. A local government
10 establishing a small works roster or rosters shall adopt an ordinance
11 or resolution implementing this subsection. Procedures included in
12 rules adopted by the department of (~~general administration~~)
13 enterprise services in implementing this subsection must be included in
14 any rules providing for a small works roster or rosters that is adopted
15 by another state agency, if the authority for that state agency to
16 engage in these activities has been delegated to it by the department
17 of (~~general administration~~) enterprise services under chapter 43.19
18 RCW. An interlocal contract or agreement between two or more state
19 agencies or local governments establishing a small works roster or
20 rosters to be used by the parties to the agreement or contract must
21 clearly identify the lead entity that is responsible for implementing
22 the provisions of this subsection.

23 (c) Procedures shall be established for securing telephone,
24 written, or electronic quotations from contractors on the appropriate
25 small works roster to assure that a competitive price is established
26 and to award contracts to the lowest responsible bidder, as defined in
27 RCW 39.04.010. Invitations for quotations shall include an estimate of
28 the scope and nature of the work to be performed as well as materials
29 and equipment to be furnished. However, detailed plans and
30 specifications need not be included in the invitation. This subsection
31 does not eliminate other requirements for architectural or engineering
32 approvals as to quality and compliance with building codes. Quotations
33 may be invited from all appropriate contractors on the appropriate
34 small works roster. As an alternative, quotations may be invited from
35 at least five contractors on the appropriate small works roster who
36 have indicated the capability of performing the kind of work being
37 contracted, in a manner that will equitably distribute the opportunity
38 among the contractors on the appropriate roster. However, if the

1 estimated cost of the work is from one hundred fifty thousand dollars
2 to three hundred thousand dollars, a state agency or local government
3 that chooses to solicit bids from less than all the appropriate
4 contractors on the appropriate small works roster must also notify the
5 remaining contractors on the appropriate small works roster that
6 quotations on the work are being sought. The government has the sole
7 option of determining whether this notice to the remaining contractors
8 is made by: (i) Publishing notice in a legal newspaper in general
9 circulation in the area where the work is to be done; (ii) mailing a
10 notice to these contractors; or (iii) sending a notice to these
11 contractors by facsimile or other electronic means. For purposes of
12 this subsection (2)(c), "equitably distribute" means that a state
13 agency or local government soliciting bids may not favor certain
14 contractors on the appropriate small works roster over other
15 contractors on the appropriate small works roster who perform similar
16 services.

17 (d) A contract awarded from a small works roster under this section
18 need not be advertised.

19 (e) Immediately after an award is made, the bid quotations obtained
20 shall be recorded, open to public inspection, and available by
21 telephone inquiry.

22 (3) In lieu of awarding contracts under subsection (2) of this
23 section, a state agency or authorized local government may award a
24 contract for work, construction, alteration, repair, or improvement
25 projects estimated to cost less than thirty-five thousand dollars using
26 the limited public works process provided under this subsection.
27 Public works projects awarded under this subsection are exempt from the
28 other requirements of the small works roster process provided under
29 subsection (2) of this section and are exempt from the requirement that
30 contracts be awarded after advertisement as provided under RCW
31 39.04.010.

32 For limited public works projects, a state agency or authorized
33 local government shall solicit electronic or written quotations from a
34 minimum of three contractors from the appropriate small works roster
35 and shall award the contract to the lowest responsible bidder as
36 defined under RCW 39.04.010. After an award is made, the quotations
37 shall be open to public inspection and available by electronic request.
38 A state agency or authorized local government shall attempt to

1 distribute opportunities for limited public works projects equitably
2 among contractors willing to perform in the geographic area of the
3 work. A state agency or authorized local government shall maintain a
4 list of the contractors contacted and the contracts awarded during the
5 previous twenty-four months under the limited public works process,
6 including the name of the contractor, the contractor's registration
7 number, the amount of the contract, a brief description of the type of
8 work performed, and the date the contract was awarded. For limited
9 public works projects, a state agency or authorized local government
10 may waive the payment and performance bond requirements of chapter
11 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby
12 assuming the liability for the contractor's nonpayment of laborers,
13 mechanics, subcontractors, materialpersons, suppliers, and taxes
14 imposed under Title 82 RCW that may be due from the contractor for the
15 limited public works project, however the state agency or authorized
16 local government shall have the right of recovery against the
17 contractor for any payments made on the contractor's behalf.

18 (4) The breaking of any project into units or accomplishing any
19 projects by phases is prohibited if it is done for the purpose of
20 avoiding the maximum dollar amount of a contract that may be let using
21 the small works roster process or limited public works process.

22 (5)(a) A state agency or authorized local government may use the
23 limited public works process of subsection (3) of this section to
24 solicit and award small works roster contracts to small businesses that
25 are registered contractors with gross revenues under one million
26 dollars annually as reported on their federal tax return.

27 (b) A state agency or authorized local government may adopt
28 additional procedures to encourage small businesses that are registered
29 contractors with gross revenues under two hundred fifty thousand
30 dollars annually as reported on their federal tax returns to submit
31 quotations or bids on small works roster contracts.

32 (6) As used in this section, "state agency" means the department of
33 (~~general administration~~) enterprise services, the state parks and
34 recreation commission, the department of natural resources, the
35 department of fish and wildlife, the department of transportation, any
36 institution of higher education as defined under RCW 28B.10.016, and
37 any other state agency delegated authority by the department of

1 ((~~general administration~~)) enterprise services to engage in
2 construction, building, renovation, remodeling, alteration,
3 improvement, or repair activities.

4 **Sec. 34.** RCW 39.04.220 and 1996 c 18 s 5 are each amended to read
5 as follows:

6 (1) In addition to currently authorized methods of public works
7 contracting, and in lieu of the requirements of RCW 39.04.010 and
8 39.04.020 through 39.04.060, capital projects funded for over ten
9 million dollars authorized by the legislature for the department of
10 corrections to construct or repair facilities may be accomplished under
11 contract using the general contractor/construction manager method
12 described in this section. In addition, the general
13 contractor/construction manager method may be used for up to two
14 demonstration projects under ten million dollars for the department of
15 corrections. Each demonstration project shall aggregate capital
16 projects authorized by the legislature at a single site to total no
17 less than three million dollars with the approval of the office of
18 financial management. The department of ((~~general administration~~))
19 enterprise services shall present its plan for the aggregation of
20 projects under each demonstration project to the oversight advisory
21 committee established under subsection (2) of this section prior to
22 soliciting proposals for general contractor/construction manager
23 services for the demonstration project.

24 (2) For the purposes of this section, "general
25 contractor/construction manager" means a firm with which the department
26 of ((~~general administration~~)) enterprise services has selected and
27 negotiated a maximum allowable construction cost to be guaranteed by
28 the firm, after competitive selection through a formal advertisement,
29 and competitive bids to provide services during the design phase that
30 may include life-cycle cost design considerations, value engineering,
31 scheduling, cost estimating, constructability, alternative construction
32 options for cost savings, and sequencing of work, and to act as the
33 construction manager and general contractor during the construction
34 phase. The department of ((~~general administration~~)) enterprise
35 services shall establish an independent oversight advisory committee
36 with representatives of interest groups with an interest in this
37 subject area, the department of corrections, and the private sector, to

1 review selection and contracting procedures and contracting documents.
2 The oversight advisory committee shall discuss and review the progress
3 of the demonstration projects. The general contractor/construction
4 manager method is limited to projects authorized on or before July 1,
5 1997.

6 (3) Contracts for the services of a general contractor/construction
7 manager awarded under the authority of this section shall be awarded
8 through a competitive process requiring the public solicitation of
9 proposals for general contractor/construction manager services.
10 Minority and women enterprise total project goals shall be specified in
11 the bid instructions to the general contractor/construction manager
12 finalists. The director of (~~general administration~~) enterprise
13 services is authorized to include an incentive clause in any contract
14 awarded under this section for savings of either time or cost or both
15 from that originally negotiated. No incentives granted shall exceed
16 five percent of the maximum allowable construction cost. The director
17 of (~~general administration~~) enterprise services or his or her
18 designee shall establish a committee to evaluate the proposals
19 considering such factors as: Ability of professional personnel; past
20 performance in negotiated and complex projects; ability to meet time
21 and budget requirements; location; recent, current, and projected
22 workloads of the firm; and the concept of their proposal. After the
23 committee has selected the most qualified finalists, these finalists
24 shall submit sealed bids for the percent fee, which is the percentage
25 amount to be earned by the general contractor/construction manager as
26 overhead and profit, on the estimated maximum allowable construction
27 cost and the fixed amount for the detailed specified general conditions
28 work. The maximum allowable construction cost may be negotiated
29 between the department of (~~general administration~~) enterprise
30 services and the selected firm after the scope of the project is
31 adequately determined to establish a guaranteed contract cost for which
32 the general contractor/construction manager will provide a performance
33 and payment bond. The guaranteed contract cost includes the fixed
34 amount for the detailed specified general conditions work, the
35 negotiated maximum allowable construction cost, the percent fee on the
36 negotiated maximum allowable construction cost, and sales tax. If the
37 department of (~~general administration~~) enterprise services is unable
38 to negotiate a satisfactory maximum allowable construction cost with

1 the firm selected that the department of ((~~general administration~~))
2 enterprise services determines to be fair, reasonable, and within the
3 available funds, negotiations with that firm shall be formally
4 terminated and the department of ((~~general administration~~)) enterprise
5 services shall negotiate with the next low bidder and continue until an
6 agreement is reached or the process is terminated. If the maximum
7 allowable construction cost varies more than fifteen percent from the
8 bid estimated maximum allowable construction cost due to requested and
9 approved changes in the scope by the state, the percent fee shall be
10 renegotiated. All subcontract work shall be competitively bid with
11 public bid openings. Specific contract requirements for women and
12 minority enterprise participation shall be specified in each
13 subcontract bid package that exceeds ten percent of the department's
14 estimated project cost. All subcontractors who bid work over two
15 hundred thousand dollars shall post a bid bond and the awarded
16 subcontractor shall provide a performance and payment bond for their
17 contract amount if required by the general contractor/construction
18 manager. A low bidder who claims error and fails to enter into a
19 contract is prohibited from bidding on the same project if a second or
20 subsequent call for bids is made for the project. Bidding on
21 subcontract work by the general contractor/construction manager or its
22 subsidiaries is prohibited. The general contractor/construction
23 manager may negotiate with the low-responsive bidder only in accordance
24 with RCW 39.04.015 or, if unsuccessful in such negotiations, rebid.

25 (4) If the project is completed for less than the agreed upon
26 maximum allowable construction cost, any savings not otherwise
27 negotiated as part of an incentive clause shall accrue to the state.
28 If the project is completed for more than the agreed upon maximum
29 allowable construction cost, excepting increases due to any contract
30 change orders approved by the state, the additional cost shall be the
31 responsibility of the general contractor/construction manager.

32 (5) The powers and authority conferred by this section shall be
33 construed as in addition and supplemental to powers or authority
34 conferred by any other law, and nothing contained in this section may
35 be construed as limiting any other powers or authority of the
36 department of ((~~general administration~~)) enterprise services. However,
37 all actions taken pursuant to the powers and authority granted to the

1 director or the department of (~~general administration~~) enterprise
2 services under this section may only be taken with the concurrence of
3 the department of corrections.

4 **Sec. 35.** RCW 39.04.290 and 2001 c 34 s 1 are each amended to read
5 as follows:

6 (1) A state agency or local government may award contracts of any
7 value for the design, fabrication, and installation of building
8 engineering systems by: (a) Using a competitive bidding process or
9 request for proposals process where bidders are required to provide
10 final specifications and a bid price for the design, fabrication, and
11 installation of building engineering systems, with the final
12 specifications being approved by an appropriate design, engineering,
13 and/or public regulatory body; or (b) using a competitive bidding
14 process where bidders are required to provide final specifications for
15 the final design, fabrication, and installation of building engineering
16 systems as part of a larger project with the final specifications for
17 the building engineering systems portion of the project being approved
18 by an appropriate design, engineering, and/or public regulatory body.
19 The provisions of chapter 39.80 RCW do not apply to the design of
20 building engineering systems that are included as part of a contract
21 described under this section.

22 (2) The definitions in this subsection apply throughout this
23 section unless the context clearly requires otherwise.

24 (a) "Building engineering systems" means those systems where
25 contracts for the systems customarily have been awarded with a
26 requirement that the contractor provide final approved specifications,
27 including fire alarm systems, building sprinkler systems, pneumatic
28 tube systems, extensions of heating, ventilation, or air conditioning
29 control systems, chlorination and chemical feed systems, emergency
30 generator systems, building signage systems, pile foundations, and
31 curtain wall systems.

32 (b) "Local government" means any county, city, town, school
33 district, or other special district, municipal corporation, or quasi-
34 municipal corporation.

35 (c) "State agency" means the department of (~~general~~
36 ~~administration~~) enterprise services, the state parks and recreation
37 commission, the department of fish and wildlife, the department of

1 natural resources, any institution of higher education as defined under
2 RCW 28B.10.016, and any other state agency delegated authority by the
3 department of (~~general administration~~) enterprise services to engage
4 in building, renovation, remodeling, alteration, improvement, or repair
5 activities.

6 **Sec. 36.** RCW 39.04.320 and 2009 c 197 s 1 are each amended to read
7 as follows:

8 (1)(a) Except as provided in (b) through (d) of this subsection,
9 from January 1, 2005, and thereafter, for all public works estimated to
10 cost one million dollars or more, all specifications shall require that
11 no less than fifteen percent of the labor hours be performed by
12 apprentices.

13 (b)(i) This section does not apply to contracts advertised for bid
14 before July 1, 2007, for any public works by the department of
15 transportation.

16 (ii) For contracts advertised for bid on or after July 1, 2007, and
17 before July 1, 2008, for all public works by the department of
18 transportation estimated to cost five million dollars or more, all
19 specifications shall require that no less than ten percent of the labor
20 hours be performed by apprentices.

21 (iii) For contracts advertised for bid on or after July 1, 2008,
22 and before July 1, 2009, for all public works by the department of
23 transportation estimated to cost three million dollars or more, all
24 specifications shall require that no less than twelve percent of the
25 labor hours be performed by apprentices.

26 (iv) For contracts advertised for bid on or after July 1, 2009, for
27 all public works by the department of transportation estimated to cost
28 two million dollars or more, all specifications shall require that no
29 less than fifteen percent of the labor hours be performed by
30 apprentices.

31 (c)(i) This section does not apply to contracts advertised for bid
32 before January 1, 2008, for any public works by a school district, or
33 to any project funded in whole or in part by bond issues approved
34 before July 1, 2007.

35 (ii) For contracts advertised for bid on or after January 1, 2008,
36 for all public works by a school district estimated to cost three

1 million dollars or more, all specifications shall require that no less
2 than ten percent of the labor hours be performed by apprentices.

3 (iii) For contracts advertised for bid on or after January 1, 2009,
4 for all public works by a school district estimated to cost two million
5 dollars or more, all specifications shall require that no less than
6 twelve percent of the labor hours be performed by apprentices.

7 (iv) For contracts advertised for bid on or after January 1, 2010,
8 for all public works by a school district estimated to cost one million
9 dollars or more, all specifications shall require that no less than
10 fifteen percent of the labor hours be performed by apprentices.

11 (d)(i) For contracts advertised for bid on or after January 1,
12 2010, for all public works by a four-year institution of higher
13 education estimated to cost three million dollars or more, all
14 specifications must require that no less than ten percent of the labor
15 hours be performed by apprentices.

16 (ii) For contracts advertised for bid on or after January 1, 2011,
17 for all public works by a four-year institution of higher education
18 estimated to cost two million dollars or more, all specifications must
19 require that no less than twelve percent of the labor hours be
20 performed by apprentices.

21 (iii) For contracts advertised for bid on or after January 1, 2012,
22 for all public works by a four-year institution of higher education
23 estimated to cost one million dollars or more, all specifications must
24 require that no less than fifteen percent of the labor hours be
25 performed by apprentices.

26 (2) Awarding entities may adjust the requirements of this section
27 for a specific project for the following reasons:

28 (a) The demonstrated lack of availability of apprentices in
29 specific geographic areas;

30 (b) A disproportionately high ratio of material costs to labor
31 hours, which does not make feasible the required minimum levels of
32 apprentice participation;

33 (c) Participating contractors have demonstrated a good faith effort
34 to comply with the requirements of RCW 39.04.300 and 39.04.310 and this
35 section; or

36 (d) Other criteria the awarding entity deems appropriate, which are
37 subject to review by the office of the governor.

1 (3) The secretary of the department of transportation shall adjust
2 the requirements of this section for a specific project for the
3 following reasons:

4 (a) The demonstrated lack of availability of apprentices in
5 specific geographic areas; or

6 (b) A disproportionately high ratio of material costs to labor
7 hours, which does not make feasible the required minimum levels of
8 apprentice participation.

9 (4) This section applies to public works contracts awarded by the
10 state, to public works contracts awarded by school districts, and to
11 public works contracts awarded by state four-year institutions of
12 higher education. However, this section does not apply to contracts
13 awarded by state agencies headed by a separately elected public
14 official.

15 (5)(a) The department of (~~general administration~~) enterprise
16 services must provide information and technical assistance to affected
17 agencies and collect the following data from affected agencies for each
18 project covered by this section:

19 (i) The name of each apprentice and apprentice registration number;

20 (ii) The name of each project;

21 (iii) The dollar value of each project;

22 (iv) The date of the contractor's notice to proceed;

23 (v) The number of apprentices and labor hours worked by them,
24 categorized by trade or craft;

25 (vi) The number of journey level workers and labor hours worked by
26 them, categorized by trade or craft; and

27 (vii) The number, type, and rationale for the exceptions granted
28 under subsection (2) of this section.

29 (b) The department of labor and industries shall assist the
30 department of (~~general administration~~) enterprise services in
31 providing information and technical assistance.

32 (6) The secretary of transportation shall establish an
33 apprenticeship utilization advisory committee, which shall include
34 statewide geographic representation and consist of equal numbers of
35 representatives of contractors and labor. The committee must include
36 at least one member representing contractor businesses with less than
37 thirty-five employees. The advisory committee shall meet regularly
38 with the secretary of transportation to discuss implementation of this

1 section by the department of transportation, including development of
2 the process to be used to adjust the requirements of this section for
3 a specific project. The committee shall provide a report to the
4 legislature by January 1, 2008, on the effects of the apprentice labor
5 requirement on transportation projects and on the availability of
6 apprentice labor and programs statewide.

7 (7) At the request of the senate labor, commerce, research and
8 development committee, the house of representatives commerce and labor
9 committee, or their successor committees, and the governor, the
10 department of (~~general administration~~) enterprise services and the
11 department of labor and industries shall compile and summarize the
12 agency data and provide a joint report to both committees. The report
13 shall include recommendations on modifications or improvements to the
14 apprentice utilization program and information on skill shortages in
15 each trade or craft.

16 **Sec. 37.** RCW 39.04.330 and 2005 c 12 s 11 are each amended to read
17 as follows:

18 For purposes of determining compliance with chapter 39.35D RCW, the
19 department of (~~general administration~~) enterprise services shall
20 credit the project for using wood products with a credible third party
21 sustainable forest certification or from forests regulated under
22 chapter 76.09 RCW, the Washington forest practices act.

23 **Sec. 38.** RCW 39.04.370 and 2010 c 276 s 1 are each amended to read
24 as follows:

25 (1) For any public work estimated to cost over one million dollars,
26 the contract must contain a provision requiring the submission of
27 certain information about off-site, prefabricated, nonstandard, project
28 specific items produced under the terms of the contract and produced
29 outside Washington. The information must be submitted to the
30 department of labor and industries under subsection (2) of this
31 section. The information that must be provided is:

- 32 (a) The estimated cost of the public works project;
- 33 (b) The name of the awarding agency and the title of the public
34 works project;
- 35 (c) The contract value of the off-site, prefabricated, nonstandard,

1 project specific items produced outside Washington, including labor and
2 materials; and

3 (d) The name, address, and federal employer identification number
4 of the contractor that produced the off-site, prefabricated,
5 nonstandard, project specific items.

6 (2)(a) The required information under this section must be
7 submitted by the contractor or subcontractor as a part of the affidavit
8 of wages paid form filed with the department of labor and industries
9 under RCW 39.12.040. This information is only required to be submitted
10 by the contractor or subcontractor who directly contracted for the off-
11 site, prefabricated, nonstandard, project specific items produced
12 outside Washington.

13 (b) The department of labor and industries shall include requests
14 for the information about off-site, prefabricated, nonstandard, project
15 specific items produced outside Washington on the affidavit of wages
16 paid form required under RCW 39.12.040.

17 (c) The department of (~~general—administration~~) enterprise
18 services shall develop standard contract language to meet the
19 requirements of subsection (1) of this section and make the language
20 available on its web site.

21 (d) Failure to submit the information required in subsection (1) of
22 this section as part of the affidavit of wages paid form does not
23 constitute a violation of RCW 39.12.050.

24 (3) For the purposes of this section, "off-site, prefabricated,
25 nonstandard, project specific items" means products or items that are:
26 (a) Made primarily of architectural or structural precast concrete,
27 fabricated steel, pipe and pipe systems, or sheet metal and sheet metal
28 duct work; (b) produced specifically for the public work and not
29 considered to be regularly available shelf items; (c) produced or
30 manufactured by labor expended to assemble or modify standard items;
31 and (d) produced at an off-site location.

32 (4) The department of labor and industries shall transmit
33 information collected under this section to the capital projects
34 advisory review board created in RCW 39.10.220 for review.

35 (5) This section applies to contracts entered into between
36 September 1, 2010, and December 31, 2013.

37 (6) This section does not apply to department of transportation
38 public works projects.

1 (7) This section does not apply to local transportation public
2 works projects.

3 **Sec. 39.** RCW 39.04.380 and 2011 c 345 s 1 are each amended to read
4 as follows:

5 (1) The department of (~~general administration~~) enterprise
6 services must conduct a survey and compile the results into a list of
7 which states provide a bidding preference on public works contracts for
8 their resident contractors. The list must include details on the type
9 of preference, the amount of the preference, and how the preference is
10 applied. The list must be updated periodically as needed. The initial
11 survey must be completed by November 1, 2011, and by December 1, 2011,
12 the department must submit a report to the appropriate committees of
13 the legislature on the results of the survey. The report must include
14 the list and recommendations necessary to implement the intent of this
15 section and section 2, chapter 345, Laws of 2011.

16 (2) The department of (~~general administration~~) enterprise
17 services must distribute the report, along with the requirements of
18 this section and section 2, chapter 345, Laws of 2011, to all state and
19 local agencies with the authority to procure public works. The
20 department may adopt rules and procedures to implement the reciprocity
21 requirements in subsection (3) of this section. However, subsection
22 (3) (~~{of this section}~~) of this section does not take effect until
23 the department of (~~general administration~~) enterprise services has
24 adopted the rules and procedures for reciprocity under this subsection
25 (~~{(2) of this section [this subsection]}~~) or announced that it will not
26 be issuing rules or procedures pursuant to this section.

27 (3) In any bidding process for public works in which a bid is
28 received from a nonresident contractor from a state that provides a
29 percentage bidding preference, a comparable percentage disadvantage
30 must be applied to the bid of that nonresident contractor. This
31 subsection does not apply until the department of (~~general~~
32 ~~administration~~) enterprise services has adopted the rules and
33 procedures for reciprocity under subsection (2) of this section, or has
34 determined and announced that rules are not necessary for
35 implementation.

36 (4) A nonresident contractor from a state that provides a
37 percentage bid preference means a contractor that:

1 (a) Is from a state that provides a percentage bid preference to
2 its resident contractors bidding on public works contracts; and

3 (b) At the time of bidding on a public works project, does not have
4 a physical office located in Washington.

5 (5) The state of residence for a nonresident contractor is the
6 state in which the contractor was incorporated or, if not a
7 corporation, the state where the contractor's business entity was
8 formed.

9 (6) This section does not apply to public works procured pursuant
10 to RCW 39.04.155, 39.04.280, or any other procurement exempt from
11 competitive bidding.

12 **Sec. 40.** RCW 39.24.050 and 1982 c 61 s 3 are each amended to read
13 as follows:

14 A governmental unit shall, to the maximum extent economically
15 feasible, purchase paper products which meet the specifications
16 established by the department of (~~general administration~~) enterprise
17 services under RCW (~~(43.19.538)~~) 39.26.255.

18 **Sec. 41.** RCW 39.30.050 and 1982 c 61 s 4 are each amended to read
19 as follows:

20 Any contract by a governmental unit shall require the use of paper
21 products to the maximum extent economically feasible that meet the
22 specifications established by the department of (~~general~~
23 ~~administration~~) enterprise services under RCW (~~(43.19.538)~~) 39.26.255.

24 **Sec. 42.** RCW 39.32.020 and 1995 c 137 s 3 are each amended to read
25 as follows:

26 The director of (~~general administration~~) enterprise services is
27 hereby authorized to purchase, lease or otherwise acquire from federal,
28 state, or local government or any surplus property disposal agency
29 thereof surplus property to be used in accordance with the provisions
30 of this chapter.

31 **Sec. 43.** RCW 39.32.040 and 1998 c 105 s 4 are each amended to read
32 as follows:

33 In purchasing federal surplus property on requisition for any
34 eligible donee the director may advance the purchase price thereof from

1 the ((~~general administration~~)) enterprise services account, and he or
2 she shall then in due course bill the proper eligible donee for the
3 amount paid by him or her for the property plus a reasonable amount to
4 cover the expense incurred by him or her in connection with the
5 transaction. In purchasing surplus property without requisition, the
6 director shall be deemed to take title outright and he or she shall
7 then be authorized to resell from time to time any or all of such
8 property to such eligible donees as desire to avail themselves of the
9 privilege of purchasing. All moneys received in payment for surplus
10 property from eligible donees shall be deposited by the director in the
11 ((~~general administration~~)) enterprise services account. The director
12 shall sell federal surplus property to eligible donees at a price
13 sufficient only to reimburse the ((~~general administration~~)) enterprise
14 services account for the cost of the property to the account, plus a
15 reasonable amount to cover expenses incurred in connection with the
16 transaction. Where surplus property is transferred to an eligible
17 donee without cost to the transferee, the director may impose a
18 reasonable charge to cover expenses incurred in connection with the
19 transaction. The governor, through the director of ((~~general~~
20 ~~administration~~)) enterprise services, shall administer the surplus
21 property program in the state and shall perform or supervise all those
22 functions with respect to the program, its agencies and
23 instrumentalities.

24 **Sec. 44.** RCW 39.32.060 and 1977 ex.s. c 135 s 5 are each amended
25 to read as follows:

26 The director of ((~~general administration~~)) enterprise services
27 shall have power to promulgate such rules and regulations as may be
28 necessary to effectuate the purposes of RCW 39.32.010 through 39.32.060
29 and to carry out the provisions of the Federal Property and
30 Administrative Services Act of 1949, as amended.

31 **Sec. 45.** RCW 39.35.060 and 2001 c 292 s 1 are each amended to read
32 as follows:

33 The department may impose fees upon affected public agencies for
34 the review of life-cycle cost analyses. The fees shall be deposited in
35 the ((~~general administration~~)) enterprise services account. The
36 purpose of the fees is to recover the costs by the department for

1 review of the analyses. The department shall set fees at a level
2 necessary to recover all of its costs related to increasing the energy
3 efficiency of state-supported new construction. The fees shall not
4 exceed one-tenth of one percent of the total cost of any project or
5 exceed two thousand dollars for any project unless mutually agreed to.
6 The department shall provide detailed calculation ensuring that the
7 energy savings resulting from its review of life-cycle cost analysis
8 justify the costs of performing that review.

9 **Sec. 46.** RCW 39.35A.050 and 2001 c 214 s 19 are each amended to
10 read as follows:

11 The state department of (~~general administration~~) enterprise
12 services shall maintain a registry of energy service contractors and
13 provide assistance to municipalities in identifying available
14 performance-based contracting services.

15 **Sec. 47.** RCW 39.35B.040 and 1986 c 127 s 4 are each amended to
16 read as follows:

17 The principal executives of all state agencies are responsible for
18 implementing the policy set forth in this chapter. The office of
19 financial management in conjunction with the department of (~~general~~
20 ~~administration~~) enterprise services may establish guidelines for
21 compliance by the state government and its agencies, and state
22 universities and community colleges. The office of financial
23 management shall include within its biennial capital budget
24 instructions:

25 (1) A discount rate for the use of all agencies in calculating the
26 present value of future costs, and several examples of resultant trade-
27 offs between annual operating costs eliminated and additional capital
28 costs thereby justified; and

29 (2) Types of projects and building components that are particularly
30 appropriate for life-cycle cost analysis.

31 **Sec. 48.** RCW 39.35C.050 and 1996 c 186 s 409 are each amended to
32 read as follows:

33 In addition to any other authorities conferred by law:

34 (1) The department, with the consent of the state agency or school
35 district responsible for a facility, a state or regional university

1 acting independently, and any other state agency acting through the
2 department of (~~general administration~~) enterprise services or as
3 otherwise authorized by law, may:

4 (a) Develop and finance conservation at public facilities in
5 accordance with express provisions of this chapter;

6 (b) Contract for energy services, including performance-based
7 contracts;

8 (c) Contract to sell energy savings from a conservation project at
9 public facilities to local utilities or the Bonneville power
10 administration.

11 (2) A state or regional university acting independently, and any
12 other state agency acting through the department of (~~general
13 administration~~) enterprise services or as otherwise authorized by law,
14 may undertake procurements for third-party development of conservation
15 at its facilities.

16 (3) A school district may:

17 (a) Develop and finance conservation at school district facilities;

18 (b) Contract for energy services, including performance-based
19 contracts at school district facilities; and

20 (c) Contract to sell energy savings from energy conservation
21 projects at school district facilities to local utilities or the
22 Bonneville power administration directly or to local utilities or the
23 Bonneville power administration through third parties.

24 (4) In exercising the authority granted by subsections (1), (2),
25 and (3) of this section, a school district or state agency must comply
26 with the provisions of RCW 39.35C.040.

27 **Sec. 49.** RCW 39.35C.090 and 1996 c 186 s 413 are each amended to
28 read as follows:

29 In addition to any other authorities conferred by law:

30 (1) The department, with the consent of the state agency
31 responsible for a facility, a state or regional university acting
32 independently, and any other state agency acting through the department
33 of (~~general administration~~) enterprise services or as otherwise
34 authorized by law, may:

35 (a) Contract to sell electric energy generated at state facilities
36 to a utility; and

1 (b) Contract to sell thermal energy produced at state facilities to
2 a utility.

3 (2) A state or regional university acting independently, and any
4 other state agency acting through the department of (~~general~~
5 ~~administration~~) enterprise services or as otherwise authorized by law,
6 may:

7 (a) Acquire, install, permit, construct, own, operate, and maintain
8 cogeneration and facility heating and cooling measures or equipment, or
9 both, at its facilities;

10 (b) Lease state property for the installation and operation of
11 cogeneration and facility heating and cooling equipment at its
12 facilities;

13 (c) Contract to purchase all or part of the electric or thermal
14 output of cogeneration plants at its facilities;

15 (d) Contract to purchase or otherwise acquire fuel or other energy
16 sources needed to operate cogeneration plants at its facilities; and

17 (e) Undertake procurements for third-party development of
18 cogeneration projects at its facilities, with successful bidders to be
19 selected based on the responsible bid, including nonprice elements
20 listed in RCW (~~43.19.1911~~) 39.26.160, that offers the greatest net
21 achievable benefits to the state and its agencies.

22 (3) After July 28, 1991, a state agency shall consult with the
23 department prior to exercising any authority granted by this section.

24 (4) In exercising the authority granted by subsections (1) and (2)
25 of this section, a state agency must comply with the provisions of RCW
26 39.35C.080.

27 **Sec. 50.** RCW 39.59.010 and 2002 c 332 s 22 are each amended to
28 read as follows:

29 Unless the context clearly requires otherwise, the definitions in
30 this section apply throughout this chapter.

31 (1) "Bond" means any agreement which may or may not be represented
32 by a physical instrument, including but not limited to bonds, notes,
33 warrants, or certificates of indebtedness, that evidences an obligation
34 under which the issuer agrees to pay a specified amount of money, with
35 or without interest, at a designated time or times either to registered
36 owners or bearers.

1 (2) "Local government" means any county, city, town, special
2 purpose district, political subdivision, municipal corporation, or
3 quasi-municipal corporation, including any public corporation,
4 authority, or other instrumentality created by such an entity.

5 (3) "Money market fund" means a mutual fund the portfolio which
6 consists of only bonds having maturities or demand or tender provisions
7 of not more than one year, managed by an investment advisor who has
8 posted with the office of risk management (~~((division of the office of~~
9 ~~financial management))~~) in the department of enterprise services a bond
10 or other similar instrument in the amount of at least five percent of
11 the amount invested in the fund pursuant to RCW 39.59.030 (2) or (3).

12 (4) "Mutual fund" means a diversified mutual fund registered with
13 the federal securities and exchange commission and which is managed by
14 an investment advisor with assets under management of at least five
15 hundred million dollars and with at least five years' experience in
16 investing in bonds authorized for investment by this chapter and who
17 has posted with the office of risk management (~~((division of the office~~
18 ~~of financial management))~~) in the department of enterprise services a
19 bond or other similar instrument in the amount of at least five percent
20 of the amount invested in the fund pursuant to RCW 39.59.030(1).

21 (5) "State" includes a state, agencies, authorities, and
22 instrumentalities of a state, and public corporations created by a
23 state or agencies, authorities, or instrumentalities of a state.

24 **Sec. 51.** RCW 41.04.017 and 2007 c 487 s 1 are each amended to read
25 as follows:

26 A one hundred fifty thousand dollar death benefit shall be paid as
27 a sundry claim to the estate of an employee of any state agency, the
28 common school system of the state, or institution of higher education
29 who dies as a result of (1) injuries sustained in the course of
30 employment; or (2) an occupational disease or infection that arises
31 naturally and proximately out of employment covered under this chapter,
32 and is not otherwise provided a death benefit through coverage under
33 their enrolled retirement system under chapter 402, Laws of 2003. The
34 determination of eligibility for the benefit shall be made consistent
35 with Title 51 RCW by the department of labor and industries. The
36 department of labor and industries shall notify the director of the

1 department of ((~~general administration~~)) enterprise services by order
2 under RCW 51.52.050.

3 **Sec. 52.** RCW 41.04.220 and 1983 c 3 s 88 are each amended to read
4 as follows:

5 Any governmental entity other than state agencies, may use the
6 services of the department of ((~~general administration~~)) enterprise
7 services upon the approval of the director, in procuring health benefit
8 programs as provided by RCW 41.04.180, 28A.400.350 and 28B.10.660:
9 PROVIDED, That the department of ((~~general administration~~)) enterprise
10 services may charge for the administrative cost incurred in the
11 procuring of such services.

12 **Sec. 53.** RCW 41.04.375 and 1993 c 194 s 2 are each amended to read
13 as follows:

14 An agency may identify space they wish to use for child care
15 facilities or they may request assistance from the department of
16 ((~~general administration~~)) enterprise services in identifying the
17 availability of suitable space in state-owned or state-leased buildings
18 for use as child care centers for the children of state employees.

19 When suitable space is identified in state-owned or state-leased
20 buildings, the department of ((~~general administration~~)) enterprise
21 services shall establish a rental rate for organizations to pay for the
22 space used by persons who are not state employees.

23 **Sec. 54.** RCW 42.17A.110 and 2011 1st sp.s. c 43 s 448 and 2011 c
24 60 s 20 are each reenacted to read as follows:

25 The commission may:

26 (1) Adopt, amend, and rescind suitable administrative rules to
27 carry out the policies and purposes of this chapter, which rules shall
28 be adopted under chapter 34.05 RCW. Any rule relating to campaign
29 finance, political advertising, or related forms that would otherwise
30 take effect after June 30th of a general election year shall take
31 effect no earlier than the day following the general election in that
32 year;

33 (2) Appoint an executive director and set, within the limits
34 established by the office of financial management under RCW 43.03.028,
35 the executive director's compensation. The executive director shall

1 perform such duties and have such powers as the commission may
2 prescribe and delegate to implement and enforce this chapter
3 efficiently and effectively. The commission shall not delegate its
4 authority to adopt, amend, or rescind rules nor may it delegate
5 authority to determine whether an actual violation of this chapter has
6 occurred or to assess penalties for such violations;

7 (3) Prepare and publish reports and technical studies as in its
8 judgment will tend to promote the purposes of this chapter, including
9 reports and statistics concerning campaign financing, lobbying,
10 financial interests of elected officials, and enforcement of this
11 chapter;

12 (4) Conduct, as it deems appropriate, audits and field
13 investigations;

14 (5) Make public the time and date of any formal hearing set to
15 determine whether a violation has occurred, the question or questions
16 to be considered, and the results thereof;

17 (6) Administer oaths and affirmations, issue subpoenas, and compel
18 attendance, take evidence, and require the production of any records
19 relevant to any investigation authorized under this chapter, or any
20 other proceeding under this chapter;

21 (7) Adopt a code of fair campaign practices;

22 (8) Adopt rules relieving candidates or political committees of
23 obligations to comply with the election campaign provisions of this
24 chapter, if they have not received contributions nor made expenditures
25 in connection with any election campaign of more than five thousand
26 dollars;

27 (9) Adopt rules prescribing reasonable requirements for keeping
28 accounts of, and reporting on a quarterly basis, costs incurred by
29 state agencies, counties, cities, and other municipalities and
30 political subdivisions in preparing, publishing, and distributing
31 legislative information. For the purposes of this subsection,
32 "legislative information" means books, pamphlets, reports, and other
33 materials prepared, published, or distributed at substantial cost, a
34 substantial purpose of which is to influence the passage or defeat of
35 any legislation. The state auditor in his or her regular examination
36 of each agency under chapter 43.09 RCW shall review the rules,
37 accounts, and reports and make appropriate findings, comments, and
38 recommendations concerning those agencies; and

1 (10) Develop and provide to filers a system for certification of
2 reports required under this chapter which are transmitted by facsimile
3 or electronically to the commission. Implementation of the program is
4 contingent on the availability of funds.

5 **Sec. 55.** RCW 43.01.090 and 2005 c 330 s 5 are each amended to read
6 as follows:

7 The director of (~~general administration~~) enterprise services may
8 assess a charge or rent against each state board, commission, agency,
9 office, department, activity, or other occupant or user for payment of
10 a proportionate share of costs for occupancy of buildings, structures,
11 or facilities including but not limited to all costs of acquiring,
12 constructing, operating, and maintaining such buildings, structures, or
13 facilities and the repair, remodeling, or furnishing thereof and for
14 the rendering of any service or the furnishing or providing of any
15 supplies, equipment, historic furnishings, or materials.

16 The director of (~~general administration~~) enterprise services may
17 recover the full costs including appropriate overhead charges of the
18 foregoing by periodic billings as determined by the director including
19 but not limited to transfers upon accounts and advancements into the
20 (~~general administration~~) enterprise services account. Charges
21 related to the rendering of real estate services under RCW 43.82.010
22 and to the operation and maintenance of public and historic facilities
23 at the state capitol, as defined in RCW 79.24.710, shall be allocated
24 separately from other charges assessed under this section. Rates shall
25 be established by the director of (~~general administration~~) enterprise
26 services after consultation with the director of financial management.
27 The director of (~~general administration~~) enterprise services may
28 allot, provide, or furnish any of such facilities, structures,
29 services, equipment, supplies, or materials to any other public service
30 type occupant or user at such rates or charges as are equitable and
31 reasonably reflect the actual costs of the services provided:
32 PROVIDED, HOWEVER, That the legislature, its duly constituted
33 committees, interim committees and other committees shall be exempted
34 from the provisions of this section.

35 Upon receipt of such bill, each entity, occupant, or user shall
36 cause a warrant or check in the amount thereof to be drawn in favor of
37 the department of (~~general administration~~) enterprise services which

1 shall be deposited in the state treasury to the credit of the ((~~general~~
2 ~~administration~~)) enterprise services account unless the director of
3 financial management has authorized another method for payment of
4 costs.

5 Beginning July 1, 1995, the director of ((~~general administration~~))
6 enterprise services shall assess a capital projects surcharge upon each
7 agency or other user occupying a facility owned and managed by the
8 department of ((~~general administration~~)) enterprise services in
9 Thurston county, excluding state capitol public and historic
10 facilities, as defined in RCW 79.24.710. The capital projects
11 surcharge does not apply to agencies or users that agree to pay all
12 future repairs, improvements, and renovations to the buildings they
13 occupy and a proportional share, as determined by the office of
14 financial management, of all other campus repairs, installations,
15 improvements, and renovations that provide a benefit to the buildings
16 they occupy or that have an agreement with the department of ((~~general~~
17 ~~administration~~)) enterprise services that contains a charge for a
18 similar purpose, including but not limited to RCW 43.01.091, in an
19 amount greater than the capital projects surcharge. Beginning July 1,
20 2002, the capital projects surcharge does not apply to department of
21 services for the blind vendors who operate cafeteria services in
22 facilities owned and managed by the department of ((~~general~~
23 ~~administration~~)) enterprise services; the department shall consider
24 this space to be a common area for purposes of allocating the capital
25 projects surcharge to other building tenants beginning July 1, 2003.
26 The director, after consultation with the director of financial
27 management, shall adopt differential capital project surcharge rates to
28 reflect the differences in facility type and quality. The initial
29 payment structure for this surcharge shall be one dollar per square
30 foot per year. The surcharge shall increase over time to an amount
31 that when combined with the facilities and service charge equals the
32 market rate for similar types of lease space in the area or equals five
33 dollars per square foot per year, whichever is less. The capital
34 projects surcharge shall be in addition to other charges assessed under
35 this section. Proceeds from the capital projects surcharge shall be
36 deposited into the Thurston county capital facilities account created
37 in RCW 43.19.501.

1 **Sec. 56.** RCW 43.01.091 and 1994 c 219 s 19 are each amended to
2 read as follows:

3 It is hereby declared to be the policy of the state of Washington
4 that each agency or other occupant of newly constructed or
5 substantially renovated facilities owned and operated by the department
6 of (~~general administration~~) enterprise services in Thurston county
7 shall proportionally share the debt service costs associated with the
8 original construction or substantial renovation of the facility.
9 Beginning July 1, 1995, each state agency or other occupant of a
10 facility constructed or substantially renovated after July 1, 1992, and
11 owned and operated by the department of (~~general administration~~)
12 enterprise services in Thurston county, shall be assessed a charge to
13 pay the principal and interest payments on any bonds or other financial
14 contract issued to finance the construction or renovation or an
15 equivalent charge for similar projects financed by cash sources. In
16 recognition that full payment of debt service costs may be higher than
17 market rates for similar types of facilities or higher than existing
18 agreements for similar charges entered into prior to June 9, 1994, the
19 initial charge may be less than the full cost of principal and interest
20 payments. The charge shall be assessed to all occupants of the
21 facility on a proportional basis based on the amount of occupied space
22 or any unique construction requirements. The office of financial
23 management, in consultation with the department of (~~general~~
24 ~~administration~~) enterprise services, shall develop procedures to
25 implement this section and report to the legislative fiscal committees,
26 by October 1994, their recommendations for implementing this section.
27 The office of financial management shall separately identify in the
28 budget document all payments and the documentation for determining the
29 payments required by this section for each agency and fund source
30 during the current and the two past and future fiscal biennia. The
31 charge authorized in this section is subject to annual audit by the
32 state auditor.

33 **Sec. 57.** RCW 43.01.240 and 1998 c 245 s 46 are each amended to
34 read as follows:

35 (1) There is hereby established an account in the state treasury to
36 be known as the state agency parking account. All parking income
37 collected from the fees imposed by state agencies on parking spaces at

1 state-owned or leased facilities, including the capitol campus, shall
2 be deposited in the state agency parking account. Only the office of
3 financial management may authorize expenditures from the account. The
4 account is subject to allotment procedures under chapter 43.88 RCW, but
5 no appropriation is required for expenditures. No agency may receive
6 an allotment greater than the amount of revenue deposited into the
7 state agency parking account.

8 (2) An agency may, as an element of the agency's commute trip
9 reduction program to achieve the goals set forth in RCW 70.94.527,
10 impose parking rental fees at state-owned and leased properties. These
11 fees will be deposited in the state agency parking account. Each
12 agency shall establish a committee to advise the agency director on
13 parking rental fees, taking into account the market rate of comparable,
14 privately owned rental parking in each region. The agency shall
15 solicit representation of the employee population including, but not
16 limited to, management, administrative staff, production workers, and
17 state employee bargaining units. Funds shall be used by agencies to:
18 (a) Support the agencies' commute trip reduction program under RCW
19 70.94.521 through 70.94.551; (b) support the agencies' parking program;
20 or (c) support the lease or ownership costs for the agencies' parking
21 facilities.

22 (3) In order to reduce the state's subsidization of employee
23 parking, after July 1997 agencies shall not enter into leases for
24 employee parking in excess of building code requirements, except as
25 authorized by the director of (~~general administration~~) enterprise
26 services. In situations where there are fewer parking spaces than
27 employees at a worksite, parking must be allocated equitably, with no
28 special preference given to managers.

29 **Sec. 58.** RCW 43.01.250 and 2007 c 348 s 206 are each amended to
30 read as follows:

31 (1) It is in the state's interest and to the benefit of the people
32 of the state to encourage the use of electrical vehicles in order to
33 reduce emissions and provide the public with cleaner air. This section
34 expressly authorizes the purchase of power at state expense to recharge
35 privately and publicly owned plug-in electrical vehicles at state
36 office locations where the vehicles are used for state business, are

1 commute vehicles, or where the vehicles are at the state location for
2 the purpose of conducting business with the state.

3 (2) The director of the department of (~~general administration~~)
4 enterprise services may report to the governor and the appropriate
5 committees of the legislature, as deemed necessary by the director, on
6 the estimated amount of state-purchased electricity consumed by plug-in
7 electrical vehicles if the director of (~~general administration~~)
8 enterprise services determines that the use has a significant cost to
9 the state, and on the number of plug-in electric vehicles using state
10 office locations. The report may be combined with the report under
11 section 401, chapter 348, Laws of 2007.

12 **Sec. 59.** RCW 43.01.900 and 2010 1st sp.s. c 7 s 140 are each
13 amended to read as follows:

14 (1) All documents and papers, equipment, or other tangible property
15 in the possession of the terminated entity shall be delivered to the
16 custody of the entity assuming the responsibilities of the terminated
17 entity or if such responsibilities have been eliminated, documents and
18 papers shall be delivered to the state archivist and equipment or other
19 tangible property to the department of (~~general administration~~)
20 enterprise services.

21 (2) All funds held by, or other moneys due to, the terminated
22 entity shall revert to the fund from which they were appropriated, or
23 if that fund is abolished to the general fund.

24 (3) All contractual rights and duties of an entity shall be
25 assigned or delegated to the entity assuming the responsibilities of
26 the terminated entity, or if there is none to such entity as the
27 governor shall direct.

28 (4) All rules and all pending business before any terminated entity
29 shall be continued and acted upon by the entity assuming the
30 responsibilities of the terminated entity.

31 **Sec. 60.** RCW 43.15.020 and 2011 c 158 s 12 are each amended to
32 read as follows:

33 The lieutenant governor serves as president of the senate and is
34 responsible for making appointments to, and serving on, the committees
35 and boards as set forth in this section.

1 (1) The lieutenant governor serves on the following boards and
2 committees:

3 (a) Capitol furnishings preservation committee, RCW 27.48.040;
4 (b) Washington higher education facilities authority, RCW
5 28B.07.030;
6 (c) Productivity board, also known as the employee involvement and
7 recognition board, RCW 41.60.015;
8 (d) State finance committee, RCW 43.33.010;
9 (e) State capitol committee, RCW 43.34.010;
10 (f) Washington health care facilities authority, RCW 70.37.030;
11 (g) State medal of merit nominating committee, RCW 1.40.020;
12 (h) Medal of valor committee, RCW 1.60.020; and
13 (i) Association of Washington generals, RCW 43.15.030.

14 (2) The lieutenant governor, and when serving as president of the
15 senate, appoints members to the following boards and committees:

16 (a) Civil legal aid oversight committee, RCW 2.53.010;
17 (b) Office of public defense advisory committee, RCW 2.70.030;
18 (c) Washington state gambling commission, RCW 9.46.040;
19 (d) Sentencing guidelines commission, RCW 9.94A.860;
20 (e) State building code council, RCW 19.27.070;
21 (f) Financial education public-private partnership, RCW
22 28A.300.450;
23 (g) Joint administrative rules review committee, RCW 34.05.610;
24 (h) Capital projects advisory review board, RCW 39.10.220;
25 (i) Select committee on pension policy, RCW 41.04.276;
26 (j) Legislative ethics board, RCW 42.52.310;
27 (k) Washington citizens' commission on salaries, RCW 43.03.305;
28 (l) Legislative oral history committee, RCW 44.04.325;
29 (m) State council on aging, RCW 43.20A.685;
30 (n) State investment board, RCW 43.33A.020;
31 (o) Capitol campus design advisory committee, RCW 43.34.080;
32 (p) Washington state arts commission, RCW 43.46.015;
33 (~~q) ((Information services board, RCW 43.105.032;~~
34 ~~(r) Council for children and families, RCW 43.121.020;~~
35 ~~(s))~~) PNWER-Net working subgroup under chapter 43.147 RCW;
36 ((~~t~~)) (r) Community economic revitalization board, RCW
37 43.160.030;

1 (~~(u)~~) (s) Washington economic development finance authority, RCW
2 43.163.020;
3 (~~(v)~~) (t) Life sciences discovery fund authority, RCW 43.350.020;
4 (~~(w)~~) (u) Legislative children's oversight committee, RCW
5 44.04.220;
6 (~~(x)~~) (v) Joint legislative audit and review committee, RCW
7 44.28.010;
8 (~~(y)~~) (w) Joint committee on energy supply and energy
9 conservation, RCW 44.39.015;
10 (~~(z)~~) (x) Legislative evaluation and accountability program
11 committee, RCW 44.48.010;
12 (~~(aa)~~) (y) Agency council on coordinated transportation, RCW
13 47.06B.020;
14 (~~(bb)~~) (z) Washington horse racing commission, RCW 67.16.014;
15 (~~(cc)~~) (aa) Correctional industries board of directors, RCW
16 72.09.080;
17 (~~(dd)~~) (bb) Joint committee on veterans' and military affairs,
18 RCW 73.04.150;
19 (~~(ee)~~) (cc) Joint legislative committee on water supply during
20 drought, RCW 90.86.020;
21 (~~(ff)~~) (dd) Statute law committee, RCW 1.08.001; and
22 (~~(gg)~~) (ee) Joint legislative oversight committee on trade
23 policy, RCW 44.55.020.

24 **Sec. 61.** RCW 43.17.050 and 2009 c 549 s 5060 are each amended to
25 read as follows:

26 Each department shall maintain its principal office at the state
27 capital. The director of each department may, with the approval of the
28 governor, establish and maintain branch offices at other places than
29 the state capital for the conduct of one or more of the functions of
30 his or her department.

31 The governor, in his or her discretion, may require all
32 administrative departments of the state and the appointive officers
33 thereof, other than those created by this chapter, to maintain their
34 principal offices at the state capital in rooms to be furnished by the
35 director of (~~(general administration)~~) enterprise services.

1 **Sec. 62.** RCW 43.17.100 and 2009 c 549 s 5062 are each amended to
2 read as follows:

3 Every appointive state officer and employee of the state shall give
4 a surety bond, payable to the state in such sum as shall be deemed
5 necessary by the director of the department of (~~general~~
6 ~~administration~~) enterprise services, conditioned for the honesty of
7 the officer or employee and for the accounting of all property of the
8 state that shall come into his or her possession by virtue of his or
9 her office or employment, which bond shall be approved as to form by
10 the attorney general and shall be filed in the office of the secretary
11 of state.

12 The director of (~~general administration~~) enterprise services may
13 purchase one or more blanket surety bonds for the coverage required in
14 this section.

15 Any bond required by this section shall not be considered an
16 official bond and shall not be subject to chapter 42.08 RCW.

17 **Sec. 63.** RCW 43.17.400 and 2007 c 62 s 2 are each amended to read
18 as follows:

19 (1) The definitions in this subsection apply throughout this
20 section unless the context clearly requires otherwise.

21 (a) "Disposition" means sales, exchanges, or other actions
22 resulting in a transfer of land ownership.

23 (b) "State agencies" includes:

24 (i) The department of natural resources established in chapter
25 43.30 RCW;

26 (ii) The department of fish and wildlife established in chapter
27 43.300 RCW;

28 (iii) The department of transportation established in chapter 47.01
29 RCW;

30 (iv) The parks and recreation commission established in chapter
31 79A.05 RCW; and

32 (v) The department of (~~general administration~~) enterprise
33 services established in this chapter.

34 (2) State agencies proposing disposition of state-owned land must
35 provide written notice of the proposed disposition to the legislative
36 authorities of the counties, cities, and towns in which the land is

1 located at least sixty days before entering into the disposition
2 agreement.

3 (3) The requirements of this section are in addition and
4 supplemental to other requirements of the laws of this state.

5 **Sec. 64.** RCW 43.19.647 and 2007 c 348 s 203 are each amended to
6 read as follows:

7 (1) In order to allow the motor vehicle fuel needs of state and
8 local government to be satisfied by Washington-produced biofuels as
9 provided in this chapter, the department of (~~general administration~~)
10 enterprise services as well as local governments may contract in
11 advance and execute contracts with public or private producers,
12 suppliers, or other parties, for the purchase of appropriate biofuels,
13 as that term is defined in RCW 43.325.010, and biofuel blends.
14 Contract provisions may address items including, but not limited to,
15 fuel standards, price, and delivery date.

16 (2) The department of (~~general administration~~) enterprise
17 services may combine the needs of local government agencies, including
18 ports, special districts, school districts, and municipal corporations,
19 for the purposes of executing contracts for biofuels and to secure a
20 sufficient and stable supply of alternative fuels.

21 **Sec. 65.** RCW 43.19.651 and 2003 c 340 s 1 are each amended to read
22 as follows:

23 (1) When planning for the capital construction or renovation of a
24 state facility, state agencies shall consider the utilization of fuel
25 cells and renewable or alternative energy sources as a primary source
26 of power for applications that require an uninterruptible power source.

27 (2) When planning the purchase of back-up or emergency power
28 systems and remote power systems, state agencies shall consider the
29 utilization of fuel cells and renewable or alternative energy sources
30 instead of batteries or internal combustion engines.

31 (3) The director of (~~general administration~~) enterprise services
32 shall develop criteria by which state agencies can identify, evaluate,
33 and develop potential fuel cell applications at state facilities.

34 (4) For the purposes of this section, "fuel cell" means an
35 electrochemical reaction that generates electric energy by combining
36 atoms of hydrogen and oxygen in the presence of a catalyst.

1 **Sec. 66.** RCW 43.19.670 and 2001 c 214 s 25 are each amended to
2 read as follows:

3 As used in RCW 43.19.670 through 43.19.685, the following terms
4 have the meanings indicated unless the context clearly requires
5 otherwise.

6 (1) "Energy audit" means a determination of the energy consumption
7 characteristics of a facility which consists of the following elements:

8 (a) An energy consumption survey which identifies the type, amount,
9 and rate of energy consumption of the facility and its major energy
10 systems. This survey shall be made by the agency responsible for the
11 facility.

12 (b) A walk-through survey which determines appropriate energy
13 conservation maintenance and operating procedures and indicates the
14 need, if any, for the acquisition and installation of energy
15 conservation measures and energy management systems. This survey shall
16 be made by the agency responsible for the facility if it has
17 technically qualified personnel available. The director of (~~general~~
18 ~~administration~~) enterprise services shall provide technically
19 qualified personnel to the responsible agency if necessary.

20 (c) An investment grade audit, which is an intensive engineering
21 analysis of energy conservation and management measures for the
22 facility, net energy savings, and a cost-effectiveness determination.
23 (~~This element is required only for those facilities designated in the~~
24 ~~schedule adopted under RCW 43.19.680(2).~~)

25 (2) "Cost-effective energy conservation measures" means energy
26 conservation measures that the investment grade audit concludes will
27 generate savings sufficient to finance project loans of not more than
28 ten years.

29 (3) "Energy conservation measure" means an installation or
30 modification of an installation in a facility which is primarily
31 intended to reduce energy consumption or allow the use of an
32 alternative energy source, including:

33 (a) Insulation of the facility structure and systems within the
34 facility;

35 (b) Storm windows and doors, multiglazed windows and doors, heat
36 absorbing or heat reflective glazed and coated windows and door
37 systems, additional glazing, reductions in glass area, and other window
38 and door system modifications;

- 1 (c) Automatic energy control systems;
- 2 (d) Equipment required to operate variable steam, hydraulic, and
3 ventilating systems adjusted by automatic energy control systems;
- 4 (e) Solar space heating or cooling systems, solar electric
5 generating systems, or any combination thereof;
- 6 (f) Solar water heating systems;
- 7 (g) Furnace or utility plant and distribution system modifications
8 including replacement burners, furnaces, and boilers which
9 substantially increase the energy efficiency of the heating system;
10 devices for modifying flue openings which will increase the energy
11 efficiency of the heating system; electrical or mechanical furnace
12 ignitions systems which replace standing gas pilot lights; and utility
13 plant system conversion measures including conversion of existing oil-
14 and gas-fired boiler installations to alternative energy sources;
- 15 (h) Caulking and weatherstripping;
- 16 (i) Replacement or modification of lighting fixtures which increase
17 the energy efficiency of the lighting system;
- 18 (j) Energy recovery systems;
- 19 (k) Energy management systems; and
- 20 (l) Such other measures as the director finds will save a
21 substantial amount of energy.
- 22 (4) "Energy conservation maintenance and operating procedure" means
23 modification or modifications in the maintenance and operations of a
24 facility, and any installations within the facility, which are designed
25 to reduce energy consumption in the facility and which require no
26 significant expenditure of funds.
- 27 (5) "Energy management system" has the definition contained in RCW
28 39.35.030.
- 29 (6) "Energy savings performance contracting" means the process
30 authorized by chapter 39.35C RCW by which a company contracts with a
31 state agency to conduct no-cost energy audits, guarantee savings from
32 energy efficiency, provide financing for energy efficiency
33 improvements, install or implement energy efficiency improvements, and
34 agree to be paid for its investment solely from savings resulting from
35 the energy efficiency improvements installed or implemented.
- 36 (7) "Energy service company" means a company or contractor
37 providing energy savings performance contracting services.

1 (8) "Facility" means a building, a group of buildings served by a
2 central energy distribution system, or components of a central energy
3 distribution system.

4 (9) "Implementation plan" means the annual tasks and budget
5 required to complete all acquisitions and installations necessary to
6 satisfy the recommendations of the energy audit.

7 **Sec. 67.** RCW 43.19.682 and 1993 c 204 s 9 are each amended to read
8 as follows:

9 The director of the department of (~~general administration~~)
10 enterprise services shall seek to further energy conservation
11 objectives among other landscape objectives in planting and maintaining
12 trees upon grounds administered by the department.

13 **Sec. 68.** RCW 43.19.691 and 2005 c 299 s 5 are each amended to read
14 as follows:

15 (1) Municipalities may conduct energy audits and implement cost-
16 effective energy conservation measures among multiple government
17 entities.

18 (2) All municipalities shall report to the department if they
19 implemented or did not implement, during the previous biennium, cost-
20 effective energy conservation measures aggregated among multiple
21 government entities. The reports must be submitted to the department
22 by September 1, 2007, and by September 1, 2009. In collecting the
23 reports, the department shall cooperate with the appropriate
24 associations that represent municipalities.

25 (3) The department shall prepare a report summarizing the reports
26 submitted by municipalities under subsection (2) of this section and
27 shall report to the committee by December 31, 2007, and by December 31,
28 2009.

29 (4) For the purposes of this section, the following definitions
30 apply:

31 (a) "Committee" means the joint committee on energy supply and
32 energy conservation in chapter 44.39 RCW.

33 (b) "Cost-effective energy conservation measures" has the meaning
34 provided in RCW 43.19.670.

35 (c) "Department" means the department of (~~general administration~~)
36 enterprise services.

1 (d) "Energy audit" has the meaning provided in RCW 43.19.670.

2 (e) "Municipality" has the meaning provided in RCW 39.04.010.

3 **Sec. 69.** RCW 43.19.757 and 1965 c 8 s 43.78.160 are each amended
4 to read as follows:

5 Nothing in RCW (~~43.78.130, 43.78.140 and 43.78.150~~) 43.19.748,
6 43.19.751, and 43.19.754 shall be construed as requiring any public
7 official to accept any such work of inferior quality or workmanship.

8 **Sec. 70.** RCW 43.19A.022 and 2011 1st sp.s. c 43 s 251 are each
9 amended to read as follows:

10 (1) All state agencies shall purchase one hundred percent recycled
11 content white cut sheet bond paper used in office printers and copiers.
12 State agencies are encouraged to give priority to purchasing from
13 companies that produce paper in facilities that generate energy from a
14 renewable energy source.

15 (2) State agencies that utilize office printers and copiers that,
16 after reasonable attempts, cannot be calibrated to utilize such paper
17 referenced in subsection (1) of this section, must for those models of
18 equipment:

19 (a) Purchase paper at the highest recycled content that can be
20 utilized efficiently by the copier or printer;

21 (b) At the time of lease renewal or at the end of the life-cycle,
22 either lease or purchase a model that will efficiently utilize one
23 hundred percent recycled content white cut sheet bond paper;

24 (3) Printed projects that require the use of high volume production
25 inserters or high-speed digital devices, such as those used by the
26 department of enterprise services, are not required to meet the one
27 hundred percent recycled content white cut sheet bond paper standard,
28 but must utilize the highest recycled content that can be utilized
29 efficiently by such equipment and not impede the business of agencies.

30 (4) The department of enterprise services (~~and the department of~~
31 ~~information services~~) shall (~~work together to~~) identify for use by
32 agencies one hundred percent recycled paper products that process
33 efficiently through high-speed production equipment and do not impede
34 the business of agencies.

1 **Sec. 71.** RCW 43.19A.040 and 1991 c 297 s 6 are each amended to
2 read as follows:

3 (1) Each local government shall consider the adoption of policies,
4 rules, or ordinances to provide for the preferential purchase of
5 recycled content products. Any local government may adopt the
6 preferential purchasing policy of the department of (~~general
7 administration~~) enterprise services, or portions of such policy, or
8 another policy that provides a preference for recycled content
9 products.

10 (2) The department of (~~general—administration~~) enterprise
11 services shall prepare one or more model recycled content preferential
12 purchase policies suitable for adoption by local governments. The
13 model policy shall be widely distributed and provided through the
14 technical assistance and workshops under RCW 43.19A.070.

15 (3) A local government that is not subject to the purchasing
16 authority of the department of (~~general—administration~~) enterprise
17 services, and that adopts the preferential purchase policy or rules of
18 the department, shall not be limited by the percentage price preference
19 included in such policy or rules.

20 **Sec. 72.** RCW 43.21F.045 and 1996 c 186 s 103 are each amended to
21 read as follows:

22 (1) The department shall supervise and administer energy-related
23 activities as specified in RCW 43.330.904 and shall advise the governor
24 and the legislature with respect to energy matters affecting the state.

25 (2) In addition to other powers and duties granted to the
26 department, the department shall have the following powers and duties:

27 (a) Prepare and update contingency plans for implementation in the
28 event of energy shortages or emergencies. The plans shall conform to
29 chapter 43.21G RCW and shall include procedures for determining when
30 these shortages or emergencies exist, the state officers and agencies
31 to participate in the determination, and actions to be taken by various
32 agencies and officers of state government in order to reduce hardship
33 and maintain the general welfare during these emergencies. The
34 department shall coordinate the activities undertaken pursuant to this
35 subsection with other persons. The components of plans that require
36 legislation for their implementation shall be presented to the
37 legislature in the form of proposed legislation at the earliest

1 practicable date. The department shall report to the governor and the
2 legislature on probable, imminent, and existing energy shortages, and
3 shall administer energy allocation and curtailment programs in
4 accordance with chapter 43.21G RCW.

5 (b) Establish and maintain a central repository in state government
6 for collection of existing data on energy resources, including:

7 (i) Supply, demand, costs, utilization technology, projections, and
8 forecasts;

9 (ii) Comparative costs of alternative energy sources, uses, and
10 applications; and

11 (iii) Inventory data on energy research projects in the state
12 conducted under public and/or private auspices, and the results
13 thereof.

14 (c) Coordinate federal energy programs appropriate for state-level
15 implementation, carry out such energy programs as are assigned to it by
16 the governor or the legislature, and monitor federally funded local
17 energy programs as required by federal or state regulations.

18 (d) Develop energy policy recommendations for consideration by the
19 governor and the legislature.

20 (e) Provide assistance, space, and other support as may be
21 necessary for the activities of the state's two representatives to the
22 Pacific northwest electric power and conservation planning council. To
23 the extent consistent with federal law, the director shall request that
24 Washington's councilmembers request the administrator of the Bonneville
25 power administration to reimburse the state for the expenses associated
26 with the support as provided in the Pacific Northwest Electric Power
27 Planning and Conservation Act (P.L. 96-501).

28 (f) Cooperate with state agencies, other governmental units, and
29 private interests in the prioritization and implementation of the state
30 energy strategy elements and on other energy matters.

31 (g) Serve as the official state agency responsible for coordinating
32 implementation of the state energy strategy.

33 (h) No later than December 1, 1982, and by December 1st of each
34 even-numbered year thereafter, prepare and transmit to the governor and
35 the appropriate committees of the legislature a report on the
36 implementation of the state energy strategy and other important energy
37 issues, as appropriate.

1 (i) Provide support for increasing cost-effective energy
2 conservation, including assisting in the removal of impediments to
3 timely implementation.

4 (j) Provide support for the development of cost-effective energy
5 resources including assisting in the removal of impediments to timely
6 construction.

7 (k) Adopt rules, under chapter 34.05 RCW, necessary to carry out
8 the powers and duties enumerated in this chapter.

9 (l) Provide administrative assistance, space, and other support as
10 may be necessary for the activities of the energy facility site
11 evaluation council, as provided for in RCW 80.50.030.

12 (m) Appoint staff as may be needed to administer energy policy
13 functions and manage energy facility site evaluation council
14 activities. These employees are exempt from the provisions of chapter
15 41.06 RCW.

16 (3) To the extent the powers and duties set out under this section
17 relate to energy education, applied research, and technology transfer
18 programs they are transferred to Washington State University.

19 (4) To the extent the powers and duties set out under this section
20 relate to energy efficiency in public buildings they are transferred to
21 the department of (~~general administration~~) enterprise services.

22 **Sec. 73.** RCW 43.34.090 and 2002 c 164 s 1 are each amended to read
23 as follows:

24 (1) The legislature shall approve names for new or existing
25 buildings on the state capitol grounds based upon recommendations from
26 the state capitol committee and the director of the department of
27 (~~general administration~~) enterprise services, with the advice of the
28 capitol campus design advisory committee, subject to the following
29 limitations:

30 (a) An existing building may be renamed only after a substantial
31 renovation or a change in the predominant tenant agency headquartered
32 in the building.

33 (b) A new or existing building may be named or renamed after:

34 (i) An individual who has played a significant role in Washington
35 history;

36 (ii) The purpose of the building;

1 (iii) The single or predominant tenant agency headquartered in the
2 building;

3 (iv) A significant place name or natural place in Washington;

4 (v) A Native American tribe located in Washington;

5 (vi) A group of people or type of person;

6 (vii) Any other appropriate person consistent with this section as
7 recommended by the director of the department of (~~general~~
8 ~~administration~~) enterprise services.

9 (c) The names on the facades of the state capitol group shall not
10 be removed.

11 (2) The legislature shall approve names for new or existing public
12 rooms or spaces on the west capitol campus based upon recommendations
13 from the state capitol committee and the director of the department of
14 (~~general administration~~) enterprise services, with the advice of the
15 capitol campus design advisory committee, subject to the following
16 limitations:

17 (a) An existing room or space may be renamed only after a
18 substantial renovation;

19 (b) A new or existing room or space may be named or renamed only
20 after:

21 (i) An individual who has played a significant role in Washington
22 history;

23 (ii) The purpose of the room or space;

24 (iii) A significant place name or natural place in Washington;

25 (iv) A Native American tribe located in Washington;

26 (v) A group of people or type of person;

27 (vi) Any other appropriate person consistent with this section as
28 recommended by the director of the department of (~~general~~
29 ~~administration~~) enterprise services.

30 (3) When naming or renaming buildings, rooms, and spaces under this
31 section, consideration must be given to: (a) Any disparity that exists
32 with respect to the gender of persons after whom buildings, rooms, and
33 spaces are named on the state capitol grounds; (b) the diversity of
34 human achievement; and (c) the diversity of the state's citizenry and
35 history.

36 (4) For purposes of this section, "state capitol grounds" means
37 buildings and land owned by the state and otherwise designated as state
38 capitol grounds, including the west capitol campus, the east capitol

1 campus, the north capitol campus, the Tumwater campus, the Lacey
2 campus, Sylvester Park, Centennial Park, the Old Capitol Building, and
3 Capitol Lake.

4 **Sec. 74.** RCW 43.82.035 and 2007 c 506 s 4 are each amended to read
5 as follows:

6 (1) The office of financial management shall design and implement
7 a modified predesign process for any space request to lease, purchase,
8 or build facilities that involve (a) the housing of new state programs,
9 (b) a major expansion of existing state programs, or (c) the relocation
10 of state agency programs. This includes the consolidation of multiple
11 state agency tenants into one facility. The office of financial
12 management shall define facilities that meet the criteria described in
13 (a) and (b) of this subsection.

14 (2) State agencies shall submit modified predesigns to the office
15 of financial management and the legislature. Modified predesigns must
16 include a problem statement, an analysis of alternatives to address
17 programmatic and space requirements, proposed locations, and a
18 financial assessment. For proposed projects of twenty thousand gross
19 square feet or less, the agency may provide a cost-benefit analysis,
20 rather than a life-cycle cost analysis, as determined by the office of
21 financial management.

22 (3) Projects that meet the capital requirements for predesign on
23 major facility projects with an estimated project cost of five million
24 dollars or more pursuant to chapter 43.88 RCW shall not be required to
25 prepare a modified predesign.

26 (4) The office of financial management shall require state agencies
27 to identify plans for major leased facilities as part of the ten-year
28 capital budget plan. State agencies shall not enter into new or
29 renewed leases of more than one million dollars per year unless such
30 leases have been approved by the office of financial management except
31 when the need for the lease is due to an unanticipated emergency. The
32 regular termination date on an existing lease does not constitute an
33 emergency. The department of (~~general administration~~) enterprise
34 services shall notify the office of financial management and the
35 appropriate legislative fiscal committees if an emergency situation
36 arises.

1 (5) For project proposals in which there are estimates of
2 operational savings, the office of financial management shall require
3 the agency or agencies involved to provide details including but not
4 limited to fund sources and timelines.

5 **Sec. 75.** RCW 43.82.055 and 2007 c 506 s 6 are each amended to read
6 as follows:

7 The office of financial management shall:

8 (1) Work with the department of (~~general administration~~)
9 enterprise services and all other state agencies to determine the
10 long-term facility needs of state government; and

11 (2) Develop and submit a six-year facility plan to the legislature
12 by January 1st of every odd-numbered year, beginning January 1, 2009,
13 that includes state agency space requirements and other pertinent data
14 necessary for cost-effective facility planning. The department of
15 (~~general administration~~) enterprise services shall assist with this
16 effort as required by the office of financial management.

17 **Sec. 76.** RCW 43.82.130 and 1965 c 8 s 43.82.130 are each amended
18 to read as follows:

19 The director of the department of (~~general administration~~)
20 enterprise services is authorized to do all acts and things necessary
21 or convenient to carry out the powers and duties expressly provided in
22 this chapter.

23 **Sec. 77.** RCW 43.83.116 and 1973 1st ex.s. c 217 s 4 are each
24 amended to read as follows:

25 The principal proceeds from the sale of the bonds or notes
26 deposited in the state building construction account of the general
27 fund shall be administered by the (~~state department of general
28 administration~~) office of financial management.

29 **Sec. 78.** RCW 43.83.120 and 1973 1st ex.s. c 217 s 6 are each
30 amended to read as follows:

31 In addition to any other charges authorized by law and to assist in
32 reimbursing the state general fund for expenditures from the general
33 state revenues in paying the principal and interest on the bonds and
34 notes herein authorized, the director of (~~general administration~~)

1 financial management shall assess a charge against each state board,
2 commission, agency, office, department, activity, or other occupant or
3 user for payment of a proportion of costs for each square foot of floor
4 space assigned to or occupied by it. Payment of the amount so billed
5 to the entity for such occupancy shall be made annually and in advance
6 at the beginning of each fiscal year. The director of (~~general
7 administration~~) financial management shall cause the same to be
8 deposited in the state treasury to the credit of the general fund.

9 **Sec. 79.** RCW 43.83.136 and 1975 1st ex.s. c 249 s 4 are each
10 amended to read as follows:

11 The principal proceeds from the sale of the bonds or notes
12 authorized in RCW 43.83.130 through 43.83.148 and deposited in the
13 state building construction account of the general fund shall be
14 administered by the (~~state department of general administration~~)
15 office of financial management, subject to legislative appropriation.

16 **Sec. 80.** RCW 43.83.142 and 1975 1st ex.s. c 249 s 7 are each
17 amended to read as follows:

18 In addition to any other charges authorized by law and to assist in
19 reimbursing the state general fund for expenditures from the general
20 state revenues in paying the principal and interest on the bonds and
21 notes authorized in RCW 43.83.130 through 43.83.148, the director of
22 (~~general administration~~) financial management may assess a charge
23 against each state board, commission, agency, office, department,
24 activity, or other occupant or user of any facility or other building
25 as authorized in RCW 43.83.130 for payment of a proportion of costs for
26 each square foot of floor space assigned to or occupied by it. Payment
27 of the amount so billed to the entity for such occupancy shall be made
28 annually and in advance at the beginning of each fiscal year. The
29 director of (~~general administration~~) financial management shall cause
30 the same to be deposited in the state treasury to the credit of the
31 general fund.

32 **Sec. 81.** RCW 43.83.156 and 1979 ex.s. c 230 s 4 are each amended
33 to read as follows:

34 The principal proceeds from the sale of the bonds or notes
35 deposited in the state building construction account of the general

1 fund shall be administered by the (~~state department of general~~
2 ~~administration~~) office of financial management, subject to legislative
3 appropriation.

4 **Sec. 82.** RCW 43.83.176 and 1981 c 235 s 3 are each amended to read
5 as follows:

6 The principal proceeds from the sale of the bonds deposited in the
7 state building construction account of the general fund shall be
8 administered by the (~~state department of general administration~~)
9 office of financial management, subject to legislative appropriation.

10 **Sec. 83.** RCW 43.83.188 and 1983 1st ex.s. c 54 s 3 are each
11 amended to read as follows:

12 The proceeds from the sale of the bonds deposited under RCW
13 43.83.186 in the state building construction account of the general
14 fund shall be administered by the (~~department of general~~
15 ~~administration~~) office of financial management, subject to legislative
16 appropriation.

17 **Sec. 84.** RCW 43.83.202 and 1984 c 271 s 3 are each amended to read
18 as follows:

19 The proceeds from the sale of the bonds deposited under RCW
20 43.83.200 in the state building construction account of the general
21 fund shall be administered by the (~~department of general~~
22 ~~administration~~) office of financial management, subject to legislative
23 appropriation.

24 **Sec. 85.** RCW 43.88.090 and 2012 c 229 s 587 are each amended to
25 read as follows:

26 (1) For purposes of developing budget proposals to the legislature,
27 the governor shall have the power, and it shall be the governor's duty,
28 to require from proper agency officials such detailed estimates and
29 other information in such form and at such times as the governor shall
30 direct. The governor shall communicate statewide priorities to
31 agencies for use in developing biennial budget recommendations for
32 their agency and shall seek public involvement and input on these
33 priorities. The estimates for the legislature and the judiciary shall
34 be transmitted to the governor and shall be included in the budget

1 without revision. The estimates for state pension contributions shall
2 be based on the rates provided in chapter 41.45 RCW. Copies of all
3 such estimates shall be transmitted to the standing committees on ways
4 and means of the house and senate at the same time as they are filed
5 with the governor and the office of financial management.

6 The estimates shall include statements or tables which indicate, by
7 agency, the state funds which are required for the receipt of federal
8 matching revenues. The estimates shall be revised as necessary to
9 reflect legislative enactments and adopted appropriations and shall be
10 included with the initial biennial allotment submitted under RCW
11 43.88.110. The estimates must reflect that the agency considered any
12 alternatives to reduce costs or improve service delivery identified in
13 the findings of a performance audit of the agency by the joint
14 legislative audit and review committee. Nothing in this subsection
15 requires performance audit findings to be published as part of the
16 budget.

17 (2) Each state agency shall define its mission and establish
18 measurable goals for achieving desirable results for those who receive
19 its services and the taxpayers who pay for those services. Each agency
20 shall also develop clear strategies and timelines to achieve its goals.
21 This section does not require an agency to develop a new mission or
22 goals in place of identifiable missions or goals that meet the intent
23 of this section. The mission and goals of each agency must conform to
24 statutory direction and limitations.

25 (3) For the purpose of assessing activity performance, each state
26 agency shall establish quality and productivity objectives for each
27 major activity in its budget. The objectives must be consistent with
28 the missions and goals developed under this section. The objectives
29 must be expressed to the extent practicable in outcome-based,
30 objective, and measurable form unless an exception to adopt a different
31 standard is granted by the office of financial management and approved
32 by the legislative committee on performance review. Objectives must
33 specifically address the statutory purpose or intent of the program or
34 activity and focus on data that measure whether the agency is achieving
35 or making progress toward the purpose of the activity and toward
36 statewide priorities. The office of financial management shall provide
37 necessary professional and technical assistance to assist state

1 agencies in the development of strategic plans that include the mission
2 of the agency and its programs, measurable goals, strategies, and
3 performance measurement systems.

4 (4) Each state agency shall adopt procedures for and perform
5 continuous self-assessment of each activity, using the mission, goals,
6 objectives, and measurements required under subsections (2) and (3) of
7 this section. The assessment of the activity must also include an
8 evaluation of major information technology systems or projects that may
9 assist the agency in achieving or making progress toward the activity
10 purpose and statewide priorities. The evaluation of proposed major
11 information technology systems or projects shall be in accordance with
12 the standards and policies established by the (~~information services
13 board~~) office of the chief information officer. Agencies' progress
14 toward the mission, goals, objectives, and measurements required by
15 subsections (2) and (3) of this section is subject to review as set
16 forth in this subsection.

17 (a) The office of financial management shall regularly conduct
18 reviews of selected activities to analyze whether the objectives and
19 measurements submitted by agencies demonstrate progress toward
20 statewide results.

21 (b) The office of financial management shall consult with: (i) The
22 four-year institutions of higher education in those reviews that
23 involve four-year institutions of higher education; and (ii) the state
24 board for community and technical colleges in those reviews that
25 involve two-year institutions of higher education.

26 (c) The goal is for all major activities to receive at least one
27 review each year.

28 (d) The office of (~~financial management shall consult with the
29 information services board when conducting reviews of~~) the chief
30 information officer shall review major information technology systems
31 in use by state agencies(~~. The goal is that reviews of these
32 information technology systems occur~~) periodically.

33 (5) It is the policy of the legislature that each agency's budget
34 recommendations must be directly linked to the agency's stated mission
35 and program, quality, and productivity goals and objectives.
36 Consistent with this policy, agency budget proposals must include
37 integration of performance measures that allow objective determination
38 of an activity's success in achieving its goals. When a review under

1 subsection (4) of this section or other analysis determines that the
2 agency's objectives demonstrate that the agency is making insufficient
3 progress toward the goals of any particular program or is otherwise
4 underachieving or inefficient, the agency's budget request shall
5 contain proposals to remedy or improve the selected programs. The
6 office of financial management shall develop a plan to merge the budget
7 development process with agency performance assessment procedures. The
8 plan must include a schedule to integrate agency strategic plans and
9 performance measures into agency budget requests and the governor's
10 budget proposal over three fiscal biennia. The plan must identify
11 those agencies that will implement the revised budget process in the
12 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
13 In consultation with the legislative fiscal committees, the office of
14 financial management shall recommend statutory and procedural
15 modifications to the state's budget, accounting, and reporting systems
16 to facilitate the performance assessment procedures and the merger of
17 those procedures with the state budget process. The plan and
18 recommended statutory and procedural modifications must be submitted to
19 the legislative fiscal committees by September 30, 1996.

20 (6) In reviewing agency budget requests in order to prepare the
21 governor's biennial budget request, the office of financial management
22 shall consider the extent to which the agency's activities demonstrate
23 progress toward the statewide budgeting priorities, along with any
24 specific review conducted under subsection (4) of this section.

25 (7) In the year of the gubernatorial election, the governor shall
26 invite the governor-elect or the governor-elect's designee to attend
27 all hearings provided in RCW 43.88.100; and the governor shall furnish
28 the governor-elect or the governor-elect's designee with such
29 information as will enable the governor-elect or the governor-elect's
30 designee to gain an understanding of the state's budget requirements.
31 The governor-elect or the governor-elect's designee may ask such
32 questions during the hearings and require such information as the
33 governor-elect or the governor-elect's designee deems necessary and may
34 make recommendations in connection with any item of the budget which,
35 with the governor-elect's reasons therefor, shall be presented to the
36 legislature in writing with the budget document. Copies of all such
37 estimates and other required information shall also be submitted to the
38 standing committees on ways and means of the house and senate.

1 **Sec. 86.** RCW 43.88.092 and 2013 2nd sp.s. c 33 s 4 are each
2 amended to read as follows:

3 (1) As part of the biennial budget process, the office of financial
4 management shall collect from agencies, and agencies shall provide,
5 information to produce reports, summaries, and budget detail sufficient
6 to allow review, analysis, and documentation of all current and
7 proposed expenditures for information technology by state agencies.
8 Information technology budget detail must be included as part of the
9 budget submittal documentation required pursuant to RCW 43.88.030.

10 (2) The office of financial management must collect, and present as
11 part of the biennial budget documentation, information for all existing
12 information technology projects as defined by technology services board
13 policy. The office of financial management must work with the office
14 of the chief information officer to maximize the ability to draw this
15 information from the information technology portfolio management data
16 collected by the (~~consolidated technology services agency~~) office of
17 the chief information officer. Connecting project information
18 collected through the portfolio management process with financial data
19 developed under subsection (1) of this section provides transparency
20 regarding expenditure data for existing technology projects.

21 (3) The chief information officer shall evaluate proposed
22 information technology expenditures and establish priority ranking
23 categories of the proposals. No more than one-third of the proposed
24 expenditures shall be ranked in the highest priority category.

25 (4) The biennial budget documentation submitted by the office of
26 financial management pursuant to RCW 43.88.030 must include an
27 information technology plan and a technology budget for the state
28 identifying current baseline funding for information technology,
29 proposed and ongoing major information technology projects, and their
30 associated costs. This plan and technology budget must be presented
31 using a method similar to the capital budget, identifying project costs
32 through stages of the project and across fiscal periods and biennia
33 from project initiation to implementation. This information must be
34 submitted electronically, in a format to be determined by the office of
35 financial management and the legislative evaluation and accountability
36 program committee.

37 (5) The office of financial management shall also institute a

1 method of accounting for information technology-related expenditures,
2 including creating common definitions for what constitutes an
3 information technology investment.

4 (6) For the purposes of this section, "major information technology
5 projects" includes projects that have a significant anticipated cost,
6 complexity, or are of statewide significance, such as enterprise-level
7 solutions, enterprise resource planning, and shared services
8 initiatives.

9 **Sec. 87.** RCW 43.88.350 and 1998 c 105 s 16 are each amended to
10 read as follows:

11 Any rate increases proposed for or any change in the method of
12 calculating charges from the legal services revolving fund or services
13 provided in accordance with RCW 43.01.090 or 43.19.500 in the (~~general~~
14 ~~administration~~) enterprise services account is subject to approval by
15 the director of financial management prior to implementation.

16 **Sec. 88.** RCW 43.88.560 and 2010 c 282 s 4 are each amended to read
17 as follows:

18 The director of financial management shall establish policies and
19 standards governing the funding of major information technology
20 projects (~~as required under RCW 43.105.190(2)~~). The director of
21 financial management shall also direct the collection of additional
22 information on information technology projects and submit an
23 information technology plan as required under RCW 43.88.092.

24 **Sec. 89.** RCW 43.96B.215 and 1973 1st ex.s. c 116 s 4 are each
25 amended to read as follows:

26 At the time the state finance committee determines to issue such
27 bonds or a portion thereof, it may, pending the issuing of such bonds,
28 issue, in the name of the state, temporary notes in anticipation of the
29 money to be derived from the sale of the bonds, which notes shall be
30 designated as "anticipation notes". Such portion of the proceeds of
31 the sale of such bonds that may be required for such purpose shall be
32 applied to the payment of the principal of and interest on such
33 anticipation notes which have been issued. The proceeds from the sale
34 of bonds authorized by RCW 43.96B.200 through 43.96B.245 and any
35 interest earned on the interim investment of such proceeds, shall be

1 deposited in the state building construction account of the general
2 fund in the state treasury and shall be used exclusively for the
3 purposes specified in RCW 43.96B.200 through 43.96B.245 and for the
4 payment of expenses incurred in the issuance and sale of the bonds.
5 The Expo '74 commission is hereby authorized to acquire property, real
6 and personal, by lease, purchase(~~(+)~~), condemnation or gift to
7 achieve the objectives of chapters 1, 2, and 3, Laws of 1971 ex. sess.,
8 and RCW 43.96B.200 through 43.96B.245. The commission is further
9 directed pursuant to RCW 43.19.450 to utilize the department of
10 (~~general administration~~) enterprise services to accomplish the
11 purposes set forth herein.

12 **Sec. 90.** RCW 43.101.080 and 2011 c 234 s 1 are each amended to
13 read as follows:

14 The commission shall have all of the following powers:

15 (1) To meet at such times and places as it may deem proper;

16 (2) To adopt any rules and regulations as it may deem necessary;

17 (3) To contract for services as it deems necessary in order to
18 carry out its duties and responsibilities;

19 (4) To cooperate with and secure the cooperation of any department,
20 agency, or instrumentality in state, county, and city government, and
21 other commissions affected by or concerned with the business of the
22 commission;

23 (5) To do any and all things necessary or convenient to enable it
24 fully and adequately to perform its duties and to exercise the power
25 granted to it;

26 (6) To select and employ an executive director, and to empower him
27 or her to perform such duties and responsibilities as it may deem
28 necessary;

29 (7) To assume legal, fiscal, and program responsibility for all
30 training conducted by the commission;

31 (8) To establish, by rule and regulation, standards for the
32 training of criminal justice personnel where such standards are not
33 prescribed by statute;

34 (9) To own, establish, and operate, or to contract with other
35 qualified institutions or organizations for the operation of, training
36 and education programs for criminal justice personnel and to purchase,

1 lease, or otherwise acquire, subject to the approval of the department
2 of (~~general administration~~) enterprise services, a training facility
3 or facilities necessary to the conducting of such programs;

4 (10) To establish, by rule and regulation, minimum curriculum
5 standards for all training programs conducted for employed criminal
6 justice personnel;

7 (11) To review and approve or reject standards for instructors of
8 training programs for criminal justice personnel, and to employ
9 personnel on a temporary basis as instructors without any loss of
10 employee benefits to those instructors;

11 (12) To direct the development of alternative, innovate, and
12 interdisciplinary training techniques;

13 (13) To review and approve or reject training programs conducted
14 for criminal justice personnel and rules establishing and prescribing
15 minimum training and education standards recommended by the training
16 standards and education boards;

17 (14) To allocate financial resources among training and education
18 programs conducted by the commission;

19 (15) To allocate training facility space among training and
20 education programs conducted by the commission;

21 (16) To issue diplomas certifying satisfactory completion of any
22 training or education program conducted or approved by the commission
23 to any person so completing such a program;

24 (17) To provide for the employment of such personnel as may be
25 practical to serve as temporary replacements for any person engaged in
26 a basic training program as defined by the commission;

27 (18) To establish rules and regulations recommended by the training
28 standards and education boards prescribing minimum standards relating
29 to physical, mental and moral fitness which shall govern the
30 recruitment of criminal justice personnel where such standards are not
31 prescribed by statute or constitutional provision;

32 (19) To require county, city, or state law enforcement agencies
33 that make a conditional offer of employment to an applicant as a fully
34 commissioned peace officer or a reserve officer to administer a
35 background investigation including a check of criminal history, a
36 psychological examination, and a polygraph test or similar assessment
37 to each applicant, the results of which shall be used by the employer
38 to determine the applicant's suitability for employment as a fully

1 commissioned peace officer or a reserve officer. The background
2 investigation, psychological examination, and the polygraph examination
3 shall be administered in accordance with the requirements of RCW
4 43.101.095(2). The employing county, city, or state law enforcement
5 agency may require that each peace officer or reserve officer who is
6 required to take a psychological examination and a polygraph or similar
7 test pay a portion of the testing fee based on the actual cost of the
8 test or four hundred dollars, whichever is less. County, city, and
9 state law enforcement agencies may establish a payment plan if they
10 determine that the peace officer or reserve officer does not readily
11 have the means to pay for his or her portion of the testing fee;

12 (20) To promote positive relationships between law enforcement and
13 the citizens of the state of Washington by allowing commissioners and
14 staff to participate in the "chief for a day program." The executive
15 director shall designate staff who may participate. In furtherance of
16 this purpose, the commission may accept grants of funds and gifts and
17 may use its public facilities for such purpose. At all times, the
18 participation of commissioners and staff shall comply with chapter
19 42.52 RCW and chapter 292-110 WAC.

20 All rules and regulations adopted by the commission shall be
21 adopted and administered pursuant to the administrative procedure act,
22 chapter 34.05 RCW, and the open public meetings act, chapter 42.30 RCW.

23 **Sec. 91.** RCW 43.105.020 and 2011 1st sp.s. c 43 s 802 are each
24 amended to read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

27 (1) "Agency" means the consolidated technology services agency.

28 (2) "Customer agencies" means all entities that purchase or use
29 information technology resources, telecommunications, or services from
30 the consolidated technology services agency.

31 (3) "Director" means the director of the consolidated technology
32 services agency.

33 (4) "Equipment" means the machines, devices, and transmission
34 facilities used in information processing, including but not limited to
35 computers, terminals, telephones, wireless communications system
36 facilities, cables, and any physical facility necessary for the
37 operation of such equipment.

1 (5) (~~"Enterprise architecture" means an ongoing program for~~
2 ~~translating business vision and strategy into effective enterprise~~
3 ~~change. It is a continuous activity. Enterprise architecture creates,~~
4 ~~communicates, and improves the key principles and models that describe~~
5 ~~the enterprise's future state and enable its evolution.~~

6 ~~(6))~~ "Information technology" includes, but is not limited to, all
7 electronic technology systems and services, automated information
8 handling, system design and analysis, conversion of data, computer
9 programming, information storage and retrieval, telecommunications,
10 requisite system controls, simulation, electronic commerce, and all
11 related interactions between people and machines.

12 ~~((7) "Information technology portfolio" or "portfolio" means a~~
13 ~~strategic management process documenting relationships between agency~~
14 ~~missions and information technology and telecommunications investments.~~

15 ~~(8) "Local governments" includes all municipal and quasi-municipal~~
16 ~~corporations and political subdivisions, and all agencies of such~~
17 ~~corporations and subdivisions authorized to contract separately.~~

18 ~~(9) "Oversight" means a process of comprehensive risk analysis and~~
19 ~~management designed to ensure optimum use of information technology~~
20 ~~resources and telecommunications.~~

21 ~~(10) "Proprietary software" means that software offered for sale or~~
22 ~~license.~~

23 ~~(11))~~ (6) "Telecommunications" includes, but is not limited to,
24 wireless or wired systems for transport of voice, video, and data
25 communications, network systems, requisite facilities, equipment,
26 system controls, simulation, electronic commerce, and all related
27 interactions between people and machines. "Telecommunications" does
28 not include public safety communications.

29 **Sec. 92.** RCW 43.105.052 and 2011 1st sp.s. c 43 s 804 are each
30 amended to read as follows:

31 The agency shall:

32 (1) Make available information services to public agencies and
33 public benefit nonprofit corporations. For the purposes of this
34 section "public agency" means any agency of this state or another
35 state; any political subdivision, or unit of local government of this
36 state or another state including, but not limited to, municipal
37 corporations, quasi-municipal corporations, special purpose districts,

1 and local service districts; any agency of the United States; and any
2 Indian tribe recognized as such by the federal government (~~and~~). As
3 used in this subsection, "public benefit nonprofit corporation" means
4 a public benefit nonprofit corporation as defined in RCW 24.03.005 that
5 is receiving local, state, or federal funds either directly or through
6 a public agency other than an Indian tribe or political subdivision of
7 another state;

8 (2) Establish rates and fees for services provided by the agency.
9 A billing rate plan shall be developed for a two-year period to
10 coincide with the budgeting process. The rate plan shall be subject to
11 review at least annually by the office of financial management. The
12 rate plan shall show the proposed rates by each cost center and will
13 show the components of the rate structure as mutually determined by the
14 agency and the office of financial management. The rate plan and any
15 adjustments to rates shall be approved by the office of financial
16 management;

17 (~~(3) ((With the advice of the board and customer agencies, develop~~
18 ~~a state strategic information technology plan and performance reports~~
19 ~~as required under RCW 43.41A.030;~~

20 ~~(4))~~) Develop plans for the agency's achievement of statewide goals
21 and objectives set forth in the state strategic information technology
22 plan required under RCW 43.41A.030; and

23 ~~((+5))~~ (4) Perform all other matters and things necessary to carry
24 out the purposes and provisions of this chapter.

25 **Sec. 93.** RCW 43.105.340 and 2011 1st sp.s. c 21 s 12 are each
26 amended to read as follows:

27 ~~((+1))~~) The department shall coordinate among state agencies to
28 ~~((develop))~~ maintain a consumer protection web site. The web site
29 shall serve as a one-stop web site for consumer information. At a
30 minimum, the web site must provide links to information on:

31 ~~((+a))~~ (1) Insurance information provided by the office of the
32 insurance commissioner, including information on how to file consumer
33 complaints against insurance companies, how to look up authorized
34 insurers, and how to learn more about health insurance benefits;

35 ~~((+b))~~ (2) Child care information provided by the department of
36 early learning, including how to select a child care provider, how
37 child care providers are rated, and information about product recalls;

1 ~~((c))~~ (3) Financial information provided by the department of
2 financial institutions, including consumer information on financial
3 fraud, investing, credit, and enforcement actions;

4 ~~((d))~~ (4) Health care information provided by the department of
5 health, including health care provider listings and quality assurance
6 information;

7 ~~((e) Home care information provided by the department, including
8 information to assist consumers in finding an in-home provider;~~

9 ~~((f))~~ (5) Licensing information provided by the department of
10 licensing, including information regarding business, vehicle, and
11 professional licensing; and

12 ~~((g))~~ (6) Other information available on existing state agency
13 web sites that could be a helpful resource for consumers.

14 ~~((2) By July 1, 2008, state agencies shall report to the
15 department on whether they maintain resources for consumers that could
16 be made available through the consumer protection web site.~~

17 ~~(3) By September 1, 2008, the department shall make the consumer
18 protection web site available to the public.~~

19 ~~(4) After September 1, 2008, the department, in coordination with
20 other state agencies, shall develop a plan on how to build upon the
21 consumer protection web site to create a consumer protection portal.
22 The plan must also include an examination of the feasibility of
23 developing a toll-free information line to support the consumer
24 protection portal. The plan must be submitted to the governor and the
25 appropriate committees of the legislature by December 1, 2008.)~~

26 NEW SECTION. **Sec. 94.** RCW 43.105.340 is recodified as a new
27 section in chapter 43.19 RCW.

28 **Sec. 95.** RCW 43.105.905 and 2008 c 262 s 4 are each amended to
29 read as follows:

30 Nothing in this act may be construed as giving the ~~((department of
31 information services))~~ consolidated technology services agency or any
32 other entities any additional authority, regulatory or otherwise, over
33 providers of telecommunications and information technology.

34 **Sec. 96.** RCW 43.325.020 and 2009 c 451 s 3 are each amended to
35 read as follows:

1 (1) The energy freedom program is established within the
2 department. The director may establish policies and procedures
3 necessary for processing, reviewing, and approving applications made
4 under this chapter.

5 (2) When reviewing applications submitted under this program, the
6 director shall consult with those agencies and other public entities
7 having expertise and knowledge to assess the technical and business
8 feasibility of the project and probability of success. These agencies
9 may include, but are not limited to, Washington State University, the
10 University of Washington, the department of ecology, the department of
11 natural resources, the department of agriculture, the department of
12 (~~general administration~~) enterprise services, local clean air
13 authorities, the Washington state conservation commission, and the
14 clean energy leadership council created in section 2, chapter 318, Laws
15 of 2009.

16 (3) Except as provided in subsections (4) and (5) of this section,
17 the director, in cooperation with the department of agriculture, may
18 approve an application only if the director finds:

19 (a) The project will convert farm products, wastes, cellulose, or
20 biogas directly into electricity or biofuel or other coproducts
21 associated with such conversion;

22 (b) The project demonstrates technical feasibility and directly
23 assists in moving a commercially viable project into the marketplace
24 for use by Washington state citizens;

25 (c) The facility will produce long-term economic benefits to the
26 state, a region of the state, or a particular community in the state;

27 (d) The project does not require continuing state support;

28 (e) The assistance will result in new jobs, job retention, or
29 higher incomes for citizens of the state;

30 (f) The state is provided an option under the assistance agreement
31 to purchase a portion of the fuel or feedstock to be produced by the
32 project, exercisable by the department of (~~general administration~~)
33 enterprise services;

34 (g) The project will increase energy independence or diversity for
35 the state;

36 (h) The project will use feedstocks produced in the state, if
37 feasible, except this criterion does not apply to the construction of

1 facilities used to distribute and store fuels that are produced from
2 farm products or wastes;

3 (i) Any product produced by the project will be suitable for its
4 intended use, will meet accepted national or state standards, and will
5 be stored and distributed in a safe and environmentally sound manner;

6 (j) The application provides for adequate reporting or disclosure
7 of financial and employment data to the director, and permits the
8 director to require an annual or other periodic audit of the project
9 books; and

10 (k) For research and development projects, the application has been
11 independently reviewed by a peer review committee as defined in RCW
12 43.325.010 and the findings delivered to the director.

13 (4) When reviewing an application for a refueling project, the
14 coordinator may award a grant or a loan to an applicant if the director
15 finds:

16 (a) The project will offer alternative fuels to the motoring
17 public;

18 (b) The project does not require continued state support;

19 (c) The project is located within a green highway zone as defined
20 in RCW 43.325.010;

21 (d) The project will contribute towards an efficient and adequately
22 spaced alternative fuel refueling network along the green highways
23 designated in RCW 47.17.020, 47.17.135, and 47.17.140; and

24 (e) The project will result in increased access to alternative
25 fueling infrastructure for the motoring public along the green highways
26 designated in RCW 47.17.020, 47.17.135, and 47.17.140.

27 (5) When reviewing an application for energy efficiency
28 improvements, renewable energy improvements, or innovative energy
29 technology, the director may award a grant or a loan to an applicant if
30 the director finds:

31 (a) The project or program will result in increased access for the
32 public, state and local governments, and businesses to energy
33 efficiency improvements, renewable energy improvements, or innovative
34 energy technologies;

35 (b) The project or program demonstrates technical feasibility and
36 directly assists in moving a commercially viable project into the
37 marketplace for use by Washington state citizens;

1 (c) The project or program does not require continued state
2 support; or

3 (d) The federal government has provided funds with a limited time
4 frame for use for energy independence and security, energy efficiency,
5 renewable energy, innovative energy technologies, or conservation.

6 (6)(a) The director may approve a project application for
7 assistance under subsection (3) of this section up to five million
8 dollars. In no circumstances shall this assistance constitute more
9 than fifty percent of the total project cost.

10 (b) The director may approve a refueling project application for a
11 grant or a loan under subsection (4) of this section up to fifty
12 thousand dollars. In no circumstances shall a grant or a loan award
13 constitute more than fifty percent of the total project cost.

14 (7) The director shall enter into agreements with approved
15 applicants to fix the terms and rates of the assistance to minimize the
16 costs to the applicants, and to encourage establishment of a viable
17 bioenergy or biofuel industry, or a viable energy efficiency, renewable
18 energy, or innovative energy technology industry. The agreement shall
19 include provisions to protect the state's investment, including a
20 requirement that a successful applicant enter into contracts with any
21 partners that may be involved in the use of any assistance provided
22 under this program, including services, facilities, infrastructure, or
23 equipment. Contracts with any partners shall become part of the
24 application record.

25 (8) The director may defer any payments for up to twenty-four
26 months or until the project starts to receive revenue from operations,
27 whichever is sooner.

28 **Sec. 97.** RCW 43.325.030 and 2009 c 451 s 4 are each amended to
29 read as follows:

30 The director of the department shall appoint a coordinator that is
31 responsible for:

32 (1) Managing, directing, inventorying, and coordinating state
33 efforts to promote, develop, and encourage biofuel and energy
34 efficiency, renewable energy, and innovative energy technology markets
35 in Washington;

36 (2) Developing, coordinating, and overseeing the implementation of

1 a plan, or series of plans, for the production, transport,
2 distribution, and delivery of biofuels produced predominantly from
3 recycled products or Washington feedstocks;

4 (3) Working with the departments of transportation and (~~general~~
5 ~~administration~~) enterprise services, and other applicable state and
6 local governmental entities and the private sector, to ensure the
7 development of biofuel fueling stations for use by state and local
8 governmental motor vehicle fleets, and to provide greater availability
9 of public biofuel fueling stations for use by state and local
10 governmental motor vehicle fleets;

11 (4) Coordinating with the Western Washington University alternative
12 automobile program for opportunities to support new Washington state
13 technology for conversion of fossil fuel fleets to biofuel, hybrid, or
14 alternative fuel propulsion;

15 (5) Coordinating with the University of Washington's college of
16 forest management and the Olympic natural resources center for the
17 identification of barriers to using the state's forest resources for
18 fuel production, including the economic and transportation barriers of
19 physically bringing forest biomass to the market;

20 (6) Coordinating with the department of agriculture and Washington
21 State University for the identification of other barriers for future
22 biofuels development and development of strategies for furthering the
23 penetration of the Washington state fossil fuel market with Washington
24 produced biofuels, particularly among public entities.

25 **Sec. 98.** RCW 43.330.907 and 2010 c 271 s 308 are each amended to
26 read as follows:

27 (1) All powers, duties, and functions of the department of commerce
28 pertaining to administrative and support services for the state
29 building code council are transferred to the department of (~~general~~
30 ~~administration~~) enterprise services. All references to the director
31 or the department of commerce in the Revised Code of Washington shall
32 be construed to mean the director or the department of (~~general~~
33 ~~administration~~) enterprise services when referring to the functions
34 transferred in this section. Policy and planning assistance functions
35 performed by the department of commerce remain with the department of
36 commerce.

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

13 (b) Any appropriations made to the department of commerce for
14 carrying out the powers, functions, and duties transferred shall, on
15 July 1, 2010, be transferred and credited to the department of
16 (~~general administration~~) enterprise services.

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

23 (3) All employees of the department of commerce engaged in
24 performing the powers, functions, and duties transferred are
25 transferred to the jurisdiction of the department of (~~general
26 administration~~) enterprise services. All employees classified under
27 chapter 41.06 RCW, the state civil service law, are assigned to the
28 department of (~~general administration~~) enterprise services to perform
29 their usual duties upon the same terms as formerly, without any loss of
30 rights, subject to any action that may be appropriate thereafter in
31 accordance with the laws and rules governing state civil service.

32 (4) All rules and all pending business before the department of
33 commerce pertaining to the powers, functions, and duties transferred
34 shall be continued and acted upon by the department of (~~general
35 administration~~) enterprise services. All existing contracts and
36 obligations shall remain in full force and shall be performed by the
37 department of (~~general administration~~) enterprise services.

1 (5) The transfer of the powers, duties, functions, and personnel of
2 the department of commerce shall not affect the validity of any act
3 performed before July 1, 2010.

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

10 (7) All classified employees of the department of commerce assigned
11 to the department of (~~general administration~~) enterprise services
12 under this section whose positions are within an existing bargaining
13 unit description at the department of (~~general administration~~)
14 enterprise services shall become a part of the existing bargaining unit
15 at the department of (~~general administration~~) enterprise services and
16 shall be considered an appropriate inclusion or modification of the
17 existing bargaining unit under the provisions of chapter 41.80 RCW.

18 **Sec. 99.** RCW 43.331.040 and 2010 1st sp.s. c 35 s 301 are each
19 amended to read as follows:

20 (1) The department of commerce, in consultation with the department
21 of (~~general administration~~) enterprise services and the Washington
22 State University energy program, shall administer the jobs act.

23 (2) The department of (~~general administration~~) enterprise
24 services must develop guidelines that are consistent with national and
25 international energy savings performance standards for the
26 implementation of energy savings performance contracting projects by
27 the energy savings performance contractors by December 31, 2010.

28 (3) The definitions in this section apply throughout this chapter
29 (~~and RCW 43.331.050~~) unless the context clearly requires otherwise.

30 (a) "Cost-effectiveness" means that the present value to higher
31 education institutions and school districts of the energy reasonably
32 expected to be saved or produced by a facility, activity, measure, or
33 piece of equipment over its useful life, including any compensation
34 received from a utility or the Bonneville power administration, is
35 greater than the net present value of the costs of implementing,
36 maintaining, and operating such facility, activity, measure, or piece

1 of equipment over its useful life, when discounted at the cost of
2 public borrowing.

3 (b) "Energy cost savings" means savings realized in expenses for
4 energy use and expenses associated with water, wastewater, or solid
5 waste systems.

6 (c) "Energy equipment" means energy management systems and any
7 equipment, materials, or supplies that are expected, upon installation,
8 to reduce the energy use or energy cost of an existing building or
9 facility, and the services associated with the equipment, materials, or
10 supplies, including but not limited to design, engineering, financing,
11 installation, project management, guarantees, operations, and
12 maintenance. Reduction in energy use or energy cost may also include
13 reductions in the use or cost of water, wastewater, or solid waste.

14 (d) "Energy savings performance contracting" means the process
15 authorized by chapter 39.35C RCW by which a company contracts with a
16 public agency to conduct energy audits and guarantee energy savings
17 from energy efficiency.

18 (e) "Innovative measures" means advanced or emerging technologies,
19 systems, or approaches that may not yet be in common practice but
20 improve energy efficiency, accelerate deployment, or reduce energy
21 usage, and become widely commercially available in the future if proven
22 successful in demonstration programs without compromising the
23 guaranteed performance or measurable energy and operational cost
24 savings anticipated. Examples of innovative measures include, but are
25 not limited to, advanced energy and systems operations monitoring,
26 diagnostics, and controls systems for buildings; novel heating,
27 cooling, ventilation, and water heating systems; advanced windows and
28 insulation technologies, highly efficient lighting technologies,
29 designs, and controls; and integration of renewable energy sources into
30 buildings, and energy savings verification technologies and solutions.

31 (f) "Operational cost savings" means savings realized from parts,
32 service fees, capital renewal costs, and other measurable annual
33 expenses to maintain and repair systems. This definition does not mean
34 labor savings related to existing facility staff.

35 (g) "Public facilities" means buildings, building components, and
36 major equipment or systems owned by public school districts and public
37 higher education institutions.

1 **Sec. 100.** RCW 43.331.050 and 2010 1st sp.s. c 35 s 302 are each
2 amended to read as follows:

3 (1) Within appropriations specifically provided for the purposes of
4 this chapter, the department of commerce, in consultation with the
5 department of (~~general administration~~) enterprise services, and the
6 Washington State University energy program shall establish a
7 competitive process to solicit and evaluate applications from public
8 school districts, public higher education institutions, and other state
9 agencies. Final grant awards shall be determined by the department of
10 commerce.

11 (2) Grants must be awarded in competitive rounds, based on demand
12 and capacity, with at least five percent of each grant round awarded to
13 small public school districts with fewer than one thousand full-time
14 equivalent students, based on demand and capacity.

15 (3) Within each competitive round, projects must be weighted and
16 prioritized based on the following criteria and in the following order:

17 (a) Leverage ratio: In each round, the higher the leverage ratio
18 of nonstate funding sources to state jobs act grant, the higher the
19 project ranking.

20 (b) Energy savings: In each round, the higher the energy savings,
21 the higher the project ranking. Applicants must submit documentation
22 that demonstrates energy and operational cost savings resulting from
23 the installation of the energy equipment and improvements. The energy
24 savings analysis must be performed by a licensed engineer and
25 documentation must include but is not limited to the following:

26 (i) A description of the energy equipment and improvements;

27 (ii) A description of the energy and operational cost savings; and

28 (iii) A description of the extent to which the project employs
29 collaborative and innovative measures and encourages demonstration of
30 new and emerging technologies with high energy savings or energy cost
31 reductions.

32 (c) Expediency of expenditure: Project readiness to spend funds
33 must be prioritized so that the legislative intent to expend funds
34 quickly is met.

35 (4) Projects that do not use energy savings performance contracting
36 must: (a) Verify energy and operational cost savings, as defined in
37 RCW 43.331.040, for ten years or until the energy and operational costs
38 savings pay for the project, whichever is shorter; (b) follow the

1 department of (~~general administration's~~) enterprise services' energy
2 savings performance contracting project guidelines developed pursuant
3 to RCW 43.331.040; and (c) employ a licensed engineer for the energy
4 audit and construction. The department of commerce may require third-
5 party verification of savings if a project is not implemented by an
6 energy savings performance contractor selected by the department of
7 (~~general administration~~) enterprise services through the request of
8 qualifications process. Third-party verification must be conducted
9 either by an energy savings performance contractor selected by the
10 department of (~~general administration~~) enterprise services through a
11 request for qualifications, a licensed engineer specializing in energy
12 conservation, or by a project resource conservation manager or
13 educational service district resource conservation manager.

14 (5) To intensify competition, the department of commerce may only
15 award funds to the top eighty-five percent of projects applying in a
16 round until the department of commerce determines a final round is
17 appropriate. Projects that do not receive a grant award in one round
18 may reapply in subsequent rounds.

19 (6) To match federal grants and programs that require state
20 matching funds and produce significantly higher efficiencies in
21 operations and utilities, the level of innovation criteria may be
22 increased for the purposes of weighted scoring to capture those federal
23 dollars for selected projects that require a higher level of innovation
24 and regional collaboration.

25 (7) Grant amounts awarded to each project must allow for the
26 maximum number of projects funded with the greatest energy and cost
27 benefit.

28 (8)(a) The department of commerce must use bond proceeds to pay
29 one-half of the preliminary audit, up to five cents per square foot, if
30 the project does not meet the school district's and higher education
31 institution's predetermined cost-effectiveness criteria. School
32 districts and higher education institutions must pay the other one-half
33 of the cost of the preliminary audit if the project does not meet their
34 predetermined cost-effectiveness criteria.

35 (b) The energy savings performance contractor may not charge for an
36 investment grade audit if the project does not meet the school
37 district's and higher education institution's predetermined cost-
38 effectiveness criteria. School districts and higher education

1 institutions must pay the full price of an investment grade audit if
2 they do not proceed with a project that meets the school district's and
3 higher education institution's predetermined cost-effectiveness
4 criteria.

5 (9) The department of commerce may charge projects administrative
6 fees and may pay the department of (~~general administration~~)
7 enterprise services and the Washington State University energy program
8 administration fees in an amount determined through a memorandum of
9 understanding.

10 (10) The department of commerce and the department of (~~general
11 administration~~) enterprise services must submit a joint report to the
12 appropriate committees of the legislature and the office of financial
13 management on the timing and use of the grant funds, program
14 administrative function, compliance with apprenticeship utilization
15 requirements in RCW 39.04.320, compliance with prevailing wage
16 requirements, and administration fees by the end of each fiscal year,
17 until the funds are fully expended and all savings verification
18 requirements are fulfilled.

19 **Sec. 101.** RCW 44.68.065 and 2010 c 282 s 8 are each amended to
20 read as follows:

21 The legislative service center, under the direction of the joint
22 legislative systems committee and the joint legislative systems
23 administrative committee, shall:

24 (1) Develop a legislative information technology portfolio
25 consistent with the provisions of RCW (~~43.105.172~~) 43.41A.110;

26 (2) Participate in the development of an enterprise-based statewide
27 information technology strategy (~~as defined in RCW 43.105.019~~);

28 (3) Ensure the legislative information technology portfolio is
29 organized and structured to clearly indicate participation in and use
30 of enterprise-wide information technology strategies;

31 (4) As part of the biennial budget process, submit the legislative
32 information technology portfolio to the chair and ranking member of the
33 ways and means committees of the house of representatives and the
34 senate, the office of financial management, and the (~~department of
35 information services~~) office of the chief information officer.

1 **Sec. 102.** RCW 44.73.010 and 2007 c 453 s 2 are each amended to
2 read as follows:

3 (1) There is created in the legislature a legislative gift center
4 for the retail sale of products bearing the state seal, Washington
5 state souvenirs, other Washington products, and other products as
6 approved. Wholesale purchase of products for sale at the legislative
7 gift center is not subject to competitive bidding.

8 (2) Governance for the legislative gift center shall be under the
9 chief clerk of the house of representatives and the secretary of the
10 senate. They may designate a legislative staff member as the lead
11 staff person to oversee management and operation of the gift shop.

12 (3) The chief clerk of the house of representatives and secretary
13 of the senate shall consult with the department of (~~general~~
14 ~~administration~~) enterprise services in planning, siting, and
15 maintaining legislative building space for the gift center.

16 (4) Products bearing the "Seal of the State of Washington" as
17 described in Article XVIII, section 1 of the Washington state
18 Constitution and RCW 1.20.080, must be purchased from the secretary of
19 state pursuant to an agreement between the chief clerk of the house of
20 representatives, the secretary of the senate, and the secretary of
21 state.

22 **Sec. 103.** RCW 46.08.065 and 1998 c 111 s 4 are each amended to
23 read as follows:

24 (1) It is unlawful for any public officer having charge of any
25 vehicle owned or controlled by any county, city, town, or public body
26 in this state other than the state of Washington and used in public
27 business to operate the same upon the public highways of this state
28 unless and until there shall be displayed upon such automobile or other
29 motor vehicle in letters of contrasting color not less than one and
30 one-quarter inches in height in a conspicuous place on the right and
31 left sides thereof, the name of such county, city, town, or other
32 public body, together with the name of the department or office upon
33 the business of which the said vehicle is used. This section shall not
34 apply to vehicles of a sheriff's office, local police department, or
35 any vehicles used by local peace officers under public authority for
36 special undercover or confidential investigative purposes. This
37 subsection shall not apply to: (a) Any municipal transit vehicle

1 operated for purposes of providing public mass transportation; (b) any
2 vehicle governed by the requirements of subsection (4) of this section;
3 nor to (c) any motor vehicle on loan to a school district for driver
4 training purposes. It shall be lawful and constitute compliance with
5 the provisions of this section, however, for the governing body of the
6 appropriate county, city, town, or public body other than the state of
7 Washington or its agencies to adopt and use a distinctive insignia
8 which shall be not less than six inches in diameter across its smallest
9 dimension and which shall be displayed conspicuously on the right and
10 left sides of the vehicle. Such insignia shall be in a color or colors
11 contrasting with the vehicle to which applied for maximum visibility.
12 The name of the public body owning or operating the vehicle shall also
13 be included as part of or displayed above such approved insignia in
14 colors contrasting with the vehicle in letters not less than one and
15 one-quarter inches in height. Immediately below the lettering
16 identifying the public entity and agency operating the vehicle or below
17 an approved insignia shall appear the words "for official use only" in
18 letters at least one inch high in a color contrasting with the color of
19 the vehicle. The appropriate governing body may provide by rule or
20 ordinance for marking of passenger motor vehicles as prescribed in
21 subsection (2) of this section or for exceptions to the marking
22 requirements for local governmental agencies for the same purposes and
23 under the same circumstances as permitted for state agencies under
24 subsection (3) of this section.

25 (2) Except as provided by subsections (3) and (4) of this section,
26 passenger motor vehicles owned or controlled by the state of
27 Washington, and purchased after July 1, 1989, must be plainly and
28 conspicuously marked on the lower left-hand corner of the rear window
29 with the name of the operating agency or institution or the words
30 "state motor pool," as appropriate, the words "state of Washington --
31 for official use only," and the seal of the state of Washington or the
32 appropriate agency or institution insignia, approved by the department
33 of (~~general administration~~) enterprise services. Markings must be on
34 a transparent adhesive material and conform to the standards
35 established by the department of (~~general administration~~) enterprise
36 services. For the purposes of this section, "passenger motor vehicles"
37 means sedans, station wagons, vans, light trucks, or other motor
38 vehicles under ten thousand pounds gross vehicle weight.

1 (3) Subsection (2) of this section shall not apply to vehicles used
2 by the Washington state patrol for general undercover or confidential
3 investigative purposes. Traffic control vehicles of the Washington
4 state patrol may be exempted from the requirements of subsection (2) of
5 this section at the discretion of the chief of the Washington state
6 patrol. The department of (~~general administration~~) enterprise
7 services shall adopt general rules permitting other exceptions to the
8 requirements of subsection (2) of this section for other vehicles used
9 for law enforcement, confidential public health work, and public
10 assistance fraud or support investigative purposes, for vehicles leased
11 or rented by the state on a casual basis for a period of less than
12 ninety days(~~, and those provided for in RCW 46.08.066(3)~~). The
13 exceptions in this subsection(~~(7)~~) and subsection (4) of this
14 section(~~, and those provided for in RCW 46.08.066(3)~~) shall be the
15 only exceptions permitted to the requirements of subsection (2) of this
16 section.

17 (4) Any motorcycle, vehicle over 10,000 pounds gross vehicle
18 weight, or other vehicle that for structural reasons cannot be marked
19 as required by subsection (1) or (2) of this section that is owned or
20 controlled by the state of Washington or by any county, city, town, or
21 other public body in this state and used for public purposes on the
22 public highways of this state shall be conspicuously marked in letters
23 of a contrasting color with the words "State of Washington" or the name
24 of such county, city, town, or other public body, together with the
25 name of the department or office that owns or controls the vehicle.

26 (5) All motor vehicle markings required under the terms of this
27 chapter shall be maintained in a legible condition at all times.

28 **Sec. 104.** RCW 46.08.150 and 2010 c 161 s 1112 are each amended to
29 read as follows:

30 The director of (~~general administration~~) enterprise services
31 shall have power to devise and promulgate rules and regulations for the
32 control of vehicular and pedestrian traffic and the parking of motor
33 vehicles on the state capitol grounds. However, the monetary penalty
34 for parking a motor vehicle without a valid special license plate or
35 placard in a parking place reserved for persons with physical
36 disabilities shall be the same as provided in RCW 46.19.050. Such

1 rules and regulations shall be promulgated by publication in one issue
2 of a newspaper published at the state capitol and shall be given such
3 further publicity as the director may deem proper.

4 **Sec. 105.** RCW 46.08.172 and 1995 c 215 s 4 are each amended to
5 read as follows:

6 The director of the department of (~~general administration~~)
7 enterprise services shall establish equitable and consistent parking
8 rental fees for the capitol campus and may, if requested by agencies,
9 establish equitable and consistent parking rental fees for agencies off
10 the capitol campus, to be charged to employees, visitors, clients,
11 service providers, and others, that reflect the legislature's intent to
12 reduce state subsidization of parking or to meet the commute trip
13 reduction goals established in RCW 70.94.527. All fees shall take into
14 account the market rate of comparable privately owned rental parking,
15 as determined by the director. However, parking rental fees are not to
16 exceed the local market rate of comparable privately owned rental
17 parking.

18 The director may delegate the responsibility for the collection of
19 parking fees to other agencies of state government when cost-effective.

20 **Sec. 106.** RCW 47.60.830 and 2008 c 126 s 4 are each amended to
21 read as follows:

22 In performing the function of operating its ferry system, the
23 department may, subject to the availability of amounts appropriated for
24 this specific purpose and after consultation with the department of
25 (~~general administration's office of state procurement~~) enterprise
26 services, explore and implement strategies designed to reduce the
27 overall cost of fuel and mitigate the impact of market fluctuations and
28 pressure on both short-term and long-term fuel costs. These strategies
29 may include, but are not limited to, futures contracts, hedging, swap
30 transactions, option contracts, costless collars, and long-term
31 storage. The department shall periodically submit a report to the
32 transportation committees of the legislature and the (~~office of state~~
33 ~~procurement~~) department of enterprise services on the status of any
34 such implemented strategies, including cost mitigation results, a
35 description of each contract established to mitigate fuel costs, the

1 amounts of fuel covered by the contracts, the cost mitigation results,
2 and any related recommendations. The first report must be submitted
3 within one year of implementation.

4 **Sec. 107.** RCW 49.74.040 and 2002 c 354 s 248 are each amended to
5 read as follows:

6 If no agreement can be reached under RCW 49.74.030, the commission
7 may refer the matter to the administrative law judge for hearing
8 pursuant to RCW 49.60.250. If the administrative law judge finds that
9 the state agency, institution of higher education, or state patrol has
10 not made a good faith effort to correct the noncompliance, the
11 administrative law judge shall order the state agency, institution of
12 higher education, or state patrol to comply with this chapter. The
13 administrative law judge may order any action that may be necessary to
14 achieve compliance, provided such action is not inconsistent with the
15 rules adopted under RCW 41.06.150(~~(+6+)~~) (5) and 43.43.340(5),
16 whichever is appropriate.

17 An order by the administrative law judge may be appealed to
18 superior court.

19 **Sec. 108.** RCW 70.58.005 and 2009 c 231 s 1 are each amended to
20 read as follows:

21 The definitions in this section apply throughout this chapter
22 unless the context clearly requires otherwise.

23 (1) "Business days" means Monday through Friday except official
24 state holidays.

25 (2) "Department" means the department of health.

26 (3) "Electronic approval" or "electronically approve" means
27 approving the content of an electronically filed vital record through
28 the processes provided by the department. Electronic approval
29 processes shall be consistent with policies, standards, and procedures
30 developed by the (~~information services board under RCW 43.105.041~~)
31 office of the chief information officer.

32 (4) "Embalmer" means a person licensed as required in chapter 18.39
33 RCW and defined in RCW 18.39.010.

34 (5) "Funeral director" means a person licensed as required in
35 chapter 18.39 RCW and defined in RCW 18.39.010.

1 (6) "Vital records" means records of birth, death, fetal death,
2 marriage, dissolution, annulment, and legal separation, as maintained
3 under the supervision of the state registrar of vital statistics.

4 **Sec. 109.** RCW 70.94.537 and 2011 1st sp.s. c 21 s 26 are each
5 amended to read as follows:

6 (1) A sixteen member state commute trip reduction board is
7 established as follows:

8 (a) The secretary of transportation or the secretary's designee who
9 shall serve as chair;

10 (b) One representative from the office of financial management;

11 (c) The director or the director's designee of one of the following
12 agencies, to be determined by the secretary of transportation:

13 (i) Department of (~~general administration~~) enterprise services;

14 (ii) Department of ecology;

15 (iii) Department of commerce;

16 (d) Three representatives from cities and towns or counties
17 appointed by the secretary of transportation for staggered four-year
18 terms from a list recommended by the association of Washington cities
19 or the Washington state association of counties;

20 (e) Two representatives from transit agencies appointed by the
21 secretary of transportation for staggered four-year terms from a list
22 recommended by the Washington state transit association;

23 (f) Two representatives from participating regional transportation
24 planning organizations appointed by the secretary of transportation for
25 staggered four-year terms;

26 (g) Four representatives of employers at or owners of major
27 worksites in Washington, or transportation management associations,
28 business improvement areas, or other transportation organizations
29 representing employers, appointed by the secretary of transportation
30 for staggered four-year terms; and

31 (h) Two citizens appointed by the secretary of transportation for
32 staggered four-year terms.

33 Members of the commute trip reduction board shall serve without
34 compensation but shall be reimbursed for travel expenses as provided in
35 RCW 43.03.050 and 43.03.060. Members appointed by the secretary of
36 transportation shall be compensated in accordance with RCW 43.03.220.

1 The board has all powers necessary to carry out its duties as
2 prescribed by this chapter.

3 (2) By March 1, 2007, the department of transportation shall
4 establish rules for commute trip reduction plans and implementation
5 procedures. The commute trip reduction board shall advise the
6 department on the content of the rules. The rules are intended to
7 ensure consistency in commute trip reduction plans and goals among
8 jurisdictions while fairly taking into account differences in
9 employment and housing density, employer size, existing and anticipated
10 levels of transit service, special employer circumstances, and other
11 factors the board determines to be relevant. The rules shall include:

12 (a) Guidance criteria for growth and transportation efficiency
13 centers;

14 (b) Data measurement methods and procedures for determining the
15 efficacy of commute trip reduction activities and progress toward
16 meeting commute trip reduction plan goals;

17 (c) Model commute trip reduction ordinances;

18 (d) Methods for assuring consistency in the treatment of employers
19 who have worksites subject to the requirements of this chapter in more
20 than one jurisdiction;

21 (e) An appeals process by which major employers, who as a result of
22 special characteristics of their business or its locations would be
23 unable to meet the requirements of a commute trip reduction plan, may
24 obtain a waiver or modification of those requirements and criteria for
25 determining eligibility for waiver or modification;

26 (f) Establishment of a process for determining the state's affected
27 areas, including criteria and procedures for regional transportation
28 planning organizations in consultation with local jurisdictions to
29 propose to add or exempt urban growth areas;

30 (g) Listing of the affected areas of the program to be done every
31 four years as identified in subsection (5) of this section;

32 (h) Establishment of a criteria and application process to
33 determine whether jurisdictions that voluntarily implement commute trip
34 reduction are eligible for state funding;

35 (i) Guidelines and deadlines for creating and updating local
36 commute trip reduction plans, including guidance to ensure consistency
37 between the local commute trip reduction plan and the transportation

1 demand management strategies identified in the transportation element
2 in the local comprehensive plan, as required by RCW 36.70A.070;

3 (j) Guidelines for creating and updating regional commute trip
4 reduction plans, including guidance to ensure the regional commute trip
5 reduction plan is consistent with and incorporated into transportation
6 demand management components in the regional transportation plan;

7 (k) Methods for regional transportation planning organizations to
8 evaluate and certify that designated growth and transportation
9 efficiency center programs meet the minimum requirements and are
10 eligible for funding;

11 (l) Guidelines for creating and updating growth and transportation
12 efficiency center programs; and

13 (m) Establishment of statewide program goals. The goals shall be
14 designed to achieve substantial reductions in the proportion of
15 single-occupant vehicle commute trips and the commute trip vehicle
16 miles traveled per employee, at a level that is projected to improve
17 the mobility of people and goods by increasing the efficiency of the
18 state highway system.

19 (3) The board shall create a state commute trip reduction plan that
20 shall be updated every four years as discussed in subsection (5) of
21 this section. The state commute trip reduction plan shall include, but
22 is not limited to: (a) Statewide commute trip reduction program goals
23 that are designed to substantially improve the mobility of people and
24 goods; (b) identification of strategies at the state and regional
25 levels to achieve the goals and recommendations for how transportation
26 demand management strategies can be targeted most effectively to
27 support commute trip reduction program goals; (c) performance measures
28 for assessing the cost-effectiveness of commute trip reduction
29 strategies and the benefits for the state transportation system; and
30 (d) a sustainable financial plan. The board shall review and approve
31 regional commute trip reduction plans, and work collaboratively with
32 regional transportation planning organizations in the establishment of
33 the state commute trip reduction plan.

34 (4) The board shall work with affected jurisdictions, major
35 employers, and other parties to develop and implement a public
36 awareness campaign designed to increase the effectiveness of local
37 commute trip reduction programs and support achievement of the
38 objectives identified in this chapter.

1 (5) The board shall evaluate and update the commute trip reduction
2 program plan and recommend changes to the rules every four years, with
3 the first assessment report due July 1, 2011, to ensure that the latest
4 data methodology used by the department of transportation is
5 incorporated into the program and to determine which areas of the state
6 should be affected by the program. The board shall review the
7 definition of a major employer no later than December 1, 2009. The
8 board shall regularly identify urban growth areas that are projected to
9 be affected by chapter 329, Laws of 2006 in the next four-year period
10 and may provide advance planning support to the potentially affected
11 jurisdictions.

12 (6) The board shall review progress toward implementing commute
13 trip reduction plans and programs and the costs and benefits of commute
14 trip reduction plans and programs and shall make recommendations to the
15 legislature and the governor by December 1, 2009, and every two years
16 thereafter. In assessing the costs and benefits, the board shall
17 consider the costs of not having implemented commute trip reduction
18 plans and programs (~~with the assistance of the transportation~~
19 ~~performance audit board authorized under chapter 44.75 RCW)). The~~
20 board shall examine other transportation demand management programs
21 nationally and incorporate its findings into its recommendations to the
22 legislature. The recommendations shall address the need for
23 continuation, modification, or termination or any or all requirements
24 of this chapter.

25 (7) The board shall invite personnel with appropriate expertise
26 from state, regional, and local government, private, public, and
27 nonprofit providers of transportation services, and employers or owners
28 of major worksites in Washington to act as a technical advisory group.
29 The technical advisory group shall advise the board on the
30 implementation of local and regional commute trip reduction plans and
31 programs, program evaluation, program funding allocations, and state
32 rules and guidelines.

33 **Sec. 110.** RCW 70.94.551 and 2009 c 427 s 3 are each amended to
34 read as follows:

35 (1) The secretary of the department of transportation may
36 coordinate an interagency board or other interested parties for the
37 purpose of developing policies or guidelines that promote consistency

1 among state agency commute trip reduction programs required by RCW
2 70.94.527 and 70.94.531 or developed under the joint comprehensive
3 commute trip reduction plan described in this section. The board shall
4 include representatives of the departments of transportation, (~~general~~
5 ~~administration~~) enterprise services, ecology, and (~~community, trade,~~
6 ~~and economic development~~) commerce and such other departments and
7 interested groups as the secretary of the department of transportation
8 determines to be necessary. Policies and guidelines shall be
9 applicable to all state agencies including but not limited to policies
10 and guidelines regarding parking and parking charges, employee
11 incentives for commuting by other than single-occupant automobiles,
12 flexible and alternative work schedules, alternative worksites, and the
13 use of state-owned vehicles for car and van pools and guaranteed rides
14 home. The policies and guidelines shall also consider the costs and
15 benefits to state agencies of achieving commute trip reductions and
16 consider mechanisms for funding state agency commute trip reduction
17 programs.

18 (2) State agencies sharing a common location in affected urban
19 growth areas where the total number of state employees is one hundred
20 or more shall, with assistance from the department of transportation,
21 develop and implement a joint commute trip reduction program. The
22 worksite must be treated as specified in RCW 70.94.531 and 70.94.534.

23 (3) The department of transportation shall develop a joint
24 comprehensive commute trip reduction plan for all state agencies,
25 including institutions of higher education, located in the Olympia,
26 Lacey, and Tumwater urban growth areas.

27 (a) In developing the joint comprehensive commute trip reduction
28 plan, the department of transportation shall work with applicable state
29 agencies, including institutions of higher education, and shall
30 collaborate with the following entities: Local jurisdictions; regional
31 transportation planning organizations as described in chapter 47.80
32 RCW; transit agencies, including regional transit authorities as
33 described in chapter 81.112 RCW and transit agencies that serve areas
34 within twenty-five miles of the Olympia, Lacey, or Tumwater urban
35 growth areas; and the capitol campus design advisory committee
36 established in RCW 43.34.080.

37 (b) The joint comprehensive commute trip reduction plan must build
38 on existing commute trip reduction programs and policies. At a

1 minimum, the joint comprehensive commute trip reduction plan must
2 include strategies for telework and flexible work schedules, parking
3 management, and consideration of the impacts of worksite location and
4 design on multimodal transportation options.

5 (c) The joint comprehensive commute trip reduction plan must
6 include performance measures and reporting methods and requirements.

7 (d) The joint comprehensive commute trip reduction plan may include
8 strategies to accommodate differences in worksite size and location.

9 (e) The joint comprehensive commute trip reduction plan must be
10 consistent with jurisdictional and regional transportation, land use,
11 and commute trip reduction plans, the state six-year facilities plan,
12 and the master plan for the capitol of the state of Washington.

13 (f) Not more than ninety days after the adoption of the joint
14 comprehensive commute trip reduction plan, state agencies within the
15 three urban growth areas must implement a commute trip reduction
16 program consistent with the objectives and strategies of the joint
17 comprehensive commute trip reduction plan.

18 (4) The department of transportation shall review the initial
19 commute trip reduction program of each state agency subject to the
20 commute trip reduction plan for state agencies to determine if the
21 program is likely to meet the applicable commute trip reduction goals
22 and notify the agency of any deficiencies. If it is found that the
23 program is not likely to meet the applicable commute trip reduction
24 goals, the department of transportation will work with the agency to
25 modify the program as necessary.

26 (5) Each state agency implementing a commute trip reduction plan
27 shall report at least once per year to its agency director on the
28 performance of the agency's commute trip reduction program as part of
29 the agency's quality management, accountability, and performance system
30 as defined by RCW 43.17.385. The reports shall assess the performance
31 of the program, progress toward state goals established under RCW
32 70.94.537, and recommendations for improving the program.

33 (6) The department of transportation shall review the agency
34 performance reports defined in subsection (5) of this section and
35 submit a biennial report for state agencies subject to this chapter to
36 the governor and incorporate the report in the commute trip reduction
37 board report to the legislature as directed in RCW 70.94.537(6). The
38 report shall include, but is not limited to, an evaluation of the most

1 recent measurement results, progress toward state goals established
2 under RCW 70.94.537, and recommendations for improving the performance
3 of state agency commute trip reduction programs. The information shall
4 be reported in a form established by the commute trip reduction board.

5 **Sec. 111.** RCW 70.95.265 and 1995 c 399 s 190 are each amended to
6 read as follows:

7 The department shall work closely with the department of
8 (~~community, trade, and economic development~~) commerce, the department
9 of (~~general administration~~) enterprise services, and with other state
10 departments and agencies, the Washington state association of counties,
11 the association of Washington cities, and business associations, to
12 carry out the objectives and purposes of chapter 41, Laws of 1975-'76
13 2nd ex. sess.

14 **Sec. 112.** RCW 70.95C.110 and 1989 c 431 s 53 are each amended to
15 read as follows:

16 The legislature finds and declares that the buildings and
17 facilities owned and leased by state government produce significant
18 amounts of solid and hazardous wastes, and actions must be taken to
19 reduce and recycle these wastes and thus reduce the costs associated
20 with their disposal. In order for the operations of state government
21 to provide the citizens of the state an example of positive waste
22 management, the legislature further finds and declares that state
23 government should undertake an aggressive program designed to reduce
24 and recycle solid and hazardous wastes produced in the operations of
25 state buildings and facilities to the maximum extent possible.

26 The office of waste reduction, in cooperation with the department
27 of (~~general administration~~) enterprise services, shall establish an
28 intensive waste reduction and recycling program to promote the
29 reduction of waste produced by state agencies and to promote the source
30 separation and recovery of recyclable and reusable materials.

31 All state agencies, including but not limited to, colleges,
32 community colleges, universities, offices of elected and appointed
33 officers, the supreme court, court of appeals, and administrative
34 departments of state government shall fully cooperate with the office
35 of waste reduction and recycling in all phases of implementing the
36 provisions of this section. The office shall establish a coordinated

1 state plan identifying each agency's participation in waste reduction
2 and recycling. The office shall develop the plan in cooperation with
3 a multiagency committee on waste reduction and recycling. Appointments
4 to the committee shall be made by the director of the department of
5 (~~general administration~~) enterprise services. The director shall
6 notify each agency of the committee, which shall implement the
7 applicable waste reduction and recycling plan elements. All state
8 agencies are to use maximum efforts to achieve a goal of increasing the
9 use of recycled paper by fifty percent by July 1, 1993.

10 **Sec. 113.** RCW 70.95H.030 and 1992 c 131 s 2 are each amended to
11 read as follows:

12 The center shall:

13 (1) Provide targeted business assistance to recycling businesses,
14 including:

15 (a) Development of business plans;

16 (b) Market research and planning information;

17 (c) Access to financing programs;

18 (d) Referral and information on market conditions; and

19 (e) Information on new technology and product development;

20 (2) Negotiate voluntary agreements with manufacturers to increase
21 the use of recycled materials in product development;

22 (3) Support and provide research and development to stimulate and
23 commercialize new and existing technologies and products using recycled
24 materials;

25 (4) Undertake an integrated, comprehensive education effort
26 directed to recycling businesses to promote processing, manufacturing,
27 and purchase of recycled products, including:

28 (a) Provide information to recycling businesses on the availability
29 and benefits of using recycled materials;

30 (b) Provide information and referral services on recycled material
31 markets;

32 (c) Provide information on new research and technologies that may
33 be used by local businesses and governments; and

34 (d) Participate in projects to demonstrate new market uses or
35 applications for recycled products;

36 (5) Assist the departments of ecology and (~~general~~

1 ~~administration~~) enterprise services in the development of consistent
2 definitions and standards on recycled content, product performance, and
3 availability;

4 (6) Undertake studies on the unmet capital needs of reprocessing
5 and manufacturing firms using recycled materials;

6 (7) Undertake and participate in marketing promotions for the
7 purposes of achieving expanded market penetration for recycled content
8 products;

9 (8) Coordinate with the department of ecology to ensure that the
10 education programs of both are mutually reinforcing, with the center
11 acting as the lead entity with respect to recycling businesses, and the
12 department as the lead entity with respect to the general public and
13 retailers;

14 (9) Develop an annual work plan. The plan shall describe actions
15 and recommendations for developing markets for commodities comprising
16 a significant percentage of the waste stream and having potential for
17 use as an industrial or commercial feedstock. The initial plan shall
18 address, but not be limited to, mixed waste paper, waste tires, yard
19 and food waste, and plastics; and

20 (10) Represent the state in regional and national market
21 development issues.

22 **Sec. 114.** RCW 70.95M.060 and 2003 c 260 s 7 are each amended to
23 read as follows:

24 (1) The department of general administration must, by January 1,
25 2005, revise its rules, policies, and guidelines to implement the
26 purpose of this chapter.

27 (2) The department of (~~general—administration~~) enterprise
28 services must give priority and preference to the purchase of
29 equipment, supplies, and other products that contain no mercury-added
30 compounds or components, unless: (a) There is no economically feasible
31 nonmercury-added alternative that performs a similar function; or (b)
32 the product containing mercury is designed to reduce electricity
33 consumption by at least forty percent and there is no nonmercury or
34 lower mercury alternative available that saves the same or a greater
35 amount of electricity as the exempted product. In circumstances where
36 a nonmercury-added product is not available, preference must be given

1 to the purchase of products that contain the least amount of mercury
2 added to the product necessary for the required performance.

3 **Sec. 115.** RCW 70.235.050 and 2009 c 519 s 2 are each amended to
4 read as follows:

5 (1) All state agencies shall meet the statewide greenhouse gas
6 emission limits established in RCW 70.235.020 to achieve the following,
7 using the estimates and strategy established in subsections (2) and (3)
8 of this section:

9 (a) By July 1, 2020, reduce emissions by fifteen percent from 2005
10 emission levels;

11 (b) By 2035, reduce emissions to thirty-six percent below 2005
12 levels; and

13 (c) By 2050, reduce emissions to the greater reduction of fifty-
14 seven and one-half percent below 2005 levels, or seventy percent below
15 the expected state government emissions that year.

16 (2)(a) By June 30, 2010, all state agencies shall report estimates
17 of emissions for 2005 to the department, including 2009 levels of
18 emissions, and projected emissions through 2035.

19 (b) State agencies required to report under RCW 70.94.151 must
20 estimate emissions from methodologies recommended by the department and
21 must be based on actual operation of those agencies. Agencies not
22 required to report under RCW 70.94.151 shall derive emissions estimates
23 using an emissions calculator provided by the department.

24 (3) By June 30, 2011, each state agency shall submit to the
25 department a strategy to meet the requirements in subsection (1) of
26 this section. The strategy must address employee travel activities,
27 teleconferencing alternatives, and include existing and proposed
28 actions, a timeline for reductions, and recommendations for budgetary
29 and other incentives to reduce emissions, especially from employee
30 business travel.

31 (4) By October 1st of each even-numbered year beginning in 2012,
32 each state agency shall report to the department the actions taken to
33 meet the emission reduction targets under the strategy for the
34 preceding fiscal biennium. The department may authorize the department
35 of (~~general administration~~) enterprise services to report on behalf
36 of any state agency having fewer than five hundred full-time equivalent
37 employees at any time during the reporting period. The department

1 shall cooperate with the department of (~~general administration~~)
2 enterprise services and the department of (~~community, trade, and~~
3 ~~economic development~~) commerce to develop consolidated reporting
4 methodologies that incorporate emission reduction actions taken across
5 all or substantially all state agencies.

6 (5) All state agencies shall cooperate in providing information to
7 the department, the department of (~~general administration~~) enterprise
8 services, and the department of (~~community, trade, and economic~~
9 ~~development~~) commerce for the purposes of this section.

10 (6) The governor shall designate a person as the single point of
11 accountability for all energy and climate change initiatives within
12 state agencies. This position must be funded from current full-time
13 equivalent allocations without increasing budgets or staffing levels.
14 If duties must be shifted within an agency, they must be shifted among
15 current full-time equivalent allocations. All agencies, councils, or
16 work groups with energy or climate change initiatives shall coordinate
17 with this designee.

18 **Sec. 116.** RCW 71A.20.190 and 2011 1st sp.s. c 30 s 8 are each
19 amended to read as follows:

20 (1) A developmental disability service system task force is
21 established.

22 (2) The task force shall be convened by September 1, 2011, and
23 consist of the following members:

24 (a) Two members of the house of representatives appointed by the
25 speaker of the house of representatives, from different political
26 caucuses;

27 (b) Two members of the senate appointed by the president of the
28 senate, from different political caucuses;

29 (c) The following members appointed by the governor:

30 (i) Two advocates for people with developmental disabilities;

31 (ii) A representative from the developmental disabilities council;

32 (iii) A representative of families of residents in residential
33 habilitation centers;

34 (iv) Two representatives of labor unions representing workers who
35 serve residents in residential habilitation centers;

36 (d) The secretary of the department of social and health services
37 or their designee; and

1 (e) The ((~~secretary~~)) director of the department of ((~~general~~
2 ~~administration~~)) enterprise services or their designee.

3 (3) The members of the task force shall select the chair or
4 cochairs of the task force.

5 (4) Staff assistance for the task force will be provided by
6 legislative staff and staff from the agencies listed in subsection (2)
7 of this section.

8 (5) The task force shall make recommendations on:

9 (a) The development of a system of services for persons with
10 developmental disabilities that is consistent with the goals
11 articulated in section 1, chapter 30, Laws of 2011 1st sp. sess.;

12 (b) The state's long-term needs for residential habilitation center
13 capacity, including the benefits and disadvantages of maintaining one
14 center in eastern Washington and one center in western Washington;

15 (c) A plan for efficient consolidation of institutional capacity,
16 including whether one or more centers should be downsized or closed
17 and, if so, a time frame for closure;

18 (d) Mechanisms through which any savings that result from the
19 downsizing, consolidation, or closure of residential habilitation
20 center capacity can be used to create additional community-based
21 capacity;

22 (e) Strategies for the use of surplus property that results from
23 the closure of one or more centers;

24 (f) Strategies for reframing the mission of Yakima Valley School
25 consistent with chapter 30, Laws of 2011 1st sp. sess. that consider:

26 (i) The opportunity, where cost-effective, to provide medical
27 services, including centers of excellence, to other clients served by
28 the department; and

29 (ii) The creation of a treatment team consisting of crisis
30 stabilization and short-term respite services personnel, with the long-
31 term goal of expanding to include the provisions of specialty services
32 such as dental care, physical therapy, occupational therapy, and
33 specialized nursing care to individuals with developmental disabilities
34 residing in the surrounding community.

35 (6) The task force shall report their recommendations to the
36 appropriate committees of the legislature by December 1, 2012.

1 **Sec. 117.** RCW 72.01.430 and 1981 c 136 s 75 are each amended to
2 read as follows:

3 The secretary, notwithstanding any provision of law to the
4 contrary, is hereby authorized to transfer equipment, livestock and
5 supplies between the several institutions within the department without
6 reimbursement to the transferring institution excepting, however, any
7 such equipment donated by organizations for the sole use of such
8 transferring institutions. Whenever transfers of capital items are
9 made between institutions of the department, notice thereof shall be
10 given to the director of the department of (~~general administration~~)
11 enterprise services accompanied by a full description of such items
12 with inventory numbers, if any.

13 **Sec. 118.** RCW 72.09.450 and 1996 c 277 s 1 are each amended to
14 read as follows:

15 (1) An inmate shall not be denied access to services or supplies
16 required by state or federal law solely on the basis of his or her
17 inability to pay for them.

18 (2) The department shall record all lawfully authorized assessments
19 for services or supplies as a debt to the department. The department
20 shall recoup the assessments when the inmate's institutional account
21 exceeds the indigency standard, and may pursue other remedies to recoup
22 the assessments after the period of incarceration.

23 (3) The department shall record as a debt any costs assessed by a
24 court against an inmate plaintiff where the state is providing defense
25 pursuant to chapter 4.92 RCW. The department shall recoup the debt
26 when the inmate's institutional account exceeds the indigency standard
27 and may pursue other remedies to recoup the debt after the period of
28 incarceration.

29 (4) In order to maximize the cost-efficient collection of unpaid
30 offender debt existing after the period of an offender's incarceration,
31 the department is authorized to use the following nonexclusive options:

32 (a) Use the collection services available through the department of
33 (~~general administration~~) enterprise services, or (b) notwithstanding
34 any provision of chapter 41.06 RCW, contract with collection agencies
35 for collection of the debts. The costs for (~~general administration~~)
36 enterprise services or collection agency services shall be paid by the
37 debtor. Any contract with a collection agency shall only be awarded

1 after competitive bidding. Factors the department shall consider in
2 awarding a collection contract include but are not limited to a
3 collection agency's history and reputation in the community; and the
4 agency's access to a local database that may increase the efficiency of
5 its collections. The servicing of an unpaid obligation to the
6 department does not constitute assignment of a debt, and no contract
7 with a collection agency may remove the department's control over
8 unpaid obligations owed to the department.

9 **Sec. 119.** RCW 77.12.177 and 2011 c 339 s 4 are each amended to
10 read as follows:

11 (1) Except as provided in this title, state and county officers
12 receiving the following moneys shall deposit them in the state general
13 fund:

14 (a) The sale of commercial licenses required under this title,
15 except for licenses issued under RCW 77.65.490; and

16 (b) Moneys received for damages to food fish or shellfish.

17 (2) The director shall make weekly remittances to the state
18 treasurer of moneys collected by the department.

19 (3) All fines and forfeitures collected or assessed by a district
20 court for a violation of this title or rule of the department shall be
21 remitted as provided in chapter 3.62 RCW.

22 (4) Proceeds from the sale of food fish or shellfish taken in test
23 fishing conducted by the department, to the extent that these proceeds
24 exceed the estimates in the budget approved by the legislature, may be
25 allocated as unanticipated receipts under RCW 43.79.270 to reimburse
26 the department for unanticipated costs for test fishing operations in
27 excess of the allowance in the budget approved by the legislature.

28 (5) Proceeds from the sale of salmon carcasses and salmon eggs from
29 state general funded hatcheries by the department (~~of general~~
30 ~~administration~~) shall be deposited in the regional fisheries
31 enhancement group account established in RCW 77.95.090.

32 (6) Proceeds from the sale of herring spawn on kelp fishery
33 licenses by the department, to the extent those proceeds exceed
34 estimates in the budget approved by the legislature, may be allocated
35 as unanticipated receipts under RCW 43.79.270. Allocations under this
36 subsection shall be made only for herring management, enhancement, and
37 enforcement.

1 **Sec. 120.** RCW 77.12.451 and 1990 c 36 s 1 are each amended to read
2 as follows:

3 (1) The director may take or remove any species of fish or
4 shellfish from the waters or beaches of the state.

5 (2) The director may sell food fish or shellfish caught or taken
6 during department test fishing operations.

7 (3) The director shall not sell inedible salmon for human
8 consumption. Salmon and carcasses may be given to state institutions
9 or schools or to economically depressed people, unless the salmon are
10 unfit for human consumption. Salmon not fit for human consumption may
11 be sold by the director for animal food, fish food, or for industrial
12 purposes.

13 (4) In the sale of surplus salmon from state hatcheries, the
14 (~~division of purchasing~~) director shall require that a portion of the
15 surplus salmon be processed and returned to the state by the purchaser.
16 The processed salmon shall be fit for human consumption and in a form
17 suitable for distribution to individuals. The (~~division of~~
18 ~~purchasing~~) department shall establish the required percentage at a
19 level that does not discourage competitive bidding for the surplus
20 salmon. The measure of the percentage is the combined value of all of
21 the surplus salmon sold. The department of social and health services
22 shall distribute the processed salmon to economically depressed
23 individuals and state institutions pursuant to rules adopted by the
24 department of social and health services.

25 **Sec. 121.** RCW 79.19.080 and 2003 c 334 s 531 are each amended to
26 read as follows:

27 Periodically, at intervals to be determined by the board, the
28 department shall identify trust lands which are expected to convert to
29 commercial, residential, or industrial uses within ten years. The
30 department shall adhere to existing local comprehensive plans, zoning
31 classifications, and duly adopted local policies when making this
32 identification and determining the fair market value of the property.

33 The department shall hold a public hearing on the proposal in the
34 county where the state land is located. At least fifteen days but not
35 more than thirty days before the hearing, the department shall publish
36 a public notice of reasonable size in display advertising form, setting
37 forth the date, time, and place of the hearing, at least once in one or

1 more daily newspapers of general circulation in the county and at least
2 once in one or more weekly newspapers circulated in the area where the
3 trust land is located. At the same time that the published notice is
4 given, the department shall give written notice of the hearings to the
5 departments of fish and wildlife and (~~general administration~~)
6 enterprise services, to the parks and recreation commission, and to the
7 county, city, or town in which the property is situated. The
8 department shall disseminate a news release pertaining to the hearing
9 among printed and electronic media in the area where the trust land is
10 located. The public notice and news release also shall identify trust
11 lands in the area which are expected to convert to commercial,
12 residential, or industrial uses within ten years.

13 A summary of the testimony presented at the hearings shall be
14 prepared for the board's consideration. The board shall designate
15 trust lands which are expected to convert to commercial, residential,
16 or industrial uses as urban land. Descriptions of lands designated by
17 the board shall be made available to the county and city or town in
18 which the land is situated and for public inspection and copying at the
19 department's administrative office in Olympia, Washington and at each
20 area office.

21 The hearing and notice requirements of this section apply to those
22 trust lands which have been identified by the department prior to July
23 1, 1984, as being expected to convert to commercial, residential, or
24 industrial uses within the next ten years, and which have not been sold
25 or exchanged prior to July 1, 1984.

26 **Sec. 122.** RCW 79.24.300 and 1977 c 75 s 90 are each amended to
27 read as follows:

28 The state capitol committee may construct parking facilities for
29 the state capitol adequate to provide parking space for automobiles,
30 said parking facilities to be either of a single level, multiple level,
31 or both, and to be either on one site or more than one site and located
32 either on or in close proximity to the capitol grounds, though not
33 necessarily contiguous thereto. The state capitol committee may select
34 such lands as are necessary therefor and acquire them by purchase or
35 condemnation. As an aid to such selection the committee may cause
36 location, topographical, economic, traffic, and other surveys to be
37 conducted, and for this purpose may utilize the services of existing

1 state agencies, may employ personnel, or may contract for the services
2 of any person, firm or corporation. In selecting the location and
3 plans for the construction of the parking facilities the committee
4 shall consider recommendations of the director of (~~general~~
5 ~~administration~~) enterprise services.

6 Space in parking facilities may be rented to the officers and
7 employees of the state on a monthly basis at a rental to be determined
8 by the director of (~~general administration~~) enterprise services. The
9 state shall not sell gasoline, oil, or any other commodities or perform
10 any services for any vehicles or equipment other than state equipment.

11 **Sec. 123.** RCW 79.24.530 and 1961 c 167 s 4 are each amended to
12 read as follows:

13 The department of (~~general administration~~) enterprise services
14 shall develop, amend and modify an overall plan for the design and
15 establishment of state capitol buildings and grounds on the east
16 capitol site in accordance with current and prospective requisites of
17 a state capitol befitting the state of Washington. The overall plan,
18 amendments and modifications thereto shall be subject to the approval
19 of the state capitol committee.

20 **Sec. 124.** RCW 79.24.540 and 1961 c 167 s 5 are each amended to
21 read as follows:

22 State agencies which are authorized by law to acquire land and
23 construct buildings, whether from appropriated funds or from funds not
24 subject to appropriation by the legislature, may buy land in the east
25 capitol site and construct buildings thereon so long as the location,
26 design and construction meet the requirements established by the
27 department of (~~general administration~~) enterprise services and
28 approved by the state capitol committee.

29 **Sec. 125.** RCW 79.24.560 and 1961 c 167 s 7 are each amended to
30 read as follows:

31 The department of (~~general administration~~) enterprise services
32 shall have the power to rent, lease, or otherwise use any of the
33 properties acquired in the east capitol site.

1 **Sec. 126.** RCW 79.24.570 and 2000 c 11 s 24 are each amended to
2 read as follows:

3 All moneys received by the department of (~~general administration~~)
4 enterprise services from the management of the east capitol site,
5 excepting (1) funds otherwise dedicated prior to April 28, 1967, (2)
6 parking and rental charges and fines which are required to be deposited
7 in other accounts, and (3) reimbursements of service and other utility
8 charges made to the department of (~~general administration~~) enterprise
9 services, shall be deposited in the capitol purchase and development
10 account of the state general fund.

11 **Sec. 127.** RCW 79.24.664 and 1969 ex.s. c 272 s 8 are each amended
12 to read as follows:

13 There is appropriated to the department of (~~general~~
14 ~~administration~~) enterprise services from the general fund--state
15 building construction account the sum of fifteen million dollars or so
16 much thereof as may be necessary to accomplish the purposes set forth
17 in RCW 79.24.650.

18 **Sec. 128.** RCW 79.24.710 and 2005 c 330 s 2 are each amended to
19 read as follows:

20 For the purposes of RCW 79.24.720, 79.24.730, 43.01.090, 43.19.500,
21 and 79.24.087, "state capitol public and historic facilities" includes:

22 (1) The east, west and north capitol campus grounds, Sylvester
23 park, Heritage park, Marathon park, Centennial park, the Deschutes
24 river basin commonly known as Capitol lake, the interpretive center,
25 Deschutes parkway, and the landscape, memorials, artwork, fountains,
26 streets, sidewalks, lighting, and infrastructure in each of these areas
27 not including state-owned aquatic lands in these areas managed by the
28 department of natural resources under RCW (~~79.90.450~~) 79.105.010;

29 (2) The public spaces and the historic interior and exterior
30 elements of the following buildings: The visitor center, the
31 Governor's mansion, the legislative building, the John L. O'Brien
32 building, the Cherberg building, the Newhouse building, the Pritchard
33 building, the temple of justice, the insurance building, the Dolliver
34 building, capitol court, and the old capitol buildings, including the
35 historic state-owned furnishings and works of art commissioned for or
36 original to these buildings; and

1 (3) Other facilities or elements of facilities as determined by the
2 state capitol committee, in consultation with the department of
3 (~~general administration~~) enterprise services.

4 **Sec. 129.** RCW 79.24.720 and 2005 c 330 s 3 are each amended to
5 read as follows:

6 The department of (~~general administration~~) enterprise services is
7 responsible for the stewardship, preservation, operation, and
8 maintenance of the public and historic facilities of the state capitol,
9 subject to the policy direction of the state capitol committee (~~and~~
10 ~~the legislative buildings committee as created in chapter . . . (House~~
11 ~~Bill No. 1301), Laws of 2005,~~) and the guidance of the capitol campus
12 design advisory committee. In administering this responsibility, the
13 department shall:

14 (1) Apply the United States secretary of the interior's standards
15 for the treatment of historic properties;

16 (2) Seek to balance the functional requirements of state government
17 operations with public access and the long-term preservation needs of
18 the properties themselves; and

19 (3) Consult with the capitol furnishings preservation committee,
20 the state historic preservation officer, the state arts commission, and
21 the state facilities accessibility advisory committee in fulfilling the
22 responsibilities provided for in this section.

23 **Sec. 130.** RCW 79.24.730 and 2005 c 330 s 4 are each amended to
24 read as follows:

25 (1) To provide for responsible stewardship of the state capitol
26 public and historic facilities, funding for:

27 (a) Maintenance and operational needs shall be authorized in the
28 state's omnibus appropriations act and funded by the (~~general~~
29 ~~administration~~) enterprise services account as provided under RCW
30 43.19.500;

31 (b) Development and preservation needs shall be authorized in the
32 state's capital budget. To the extent revenue is available, the
33 capitol building construction account under RCW 79.24.087 shall fund
34 capital budget needs. If capitol building construction account funds
35 are not available, the state building construction account funds may be
36 authorized for this purpose.

1 (2) The department of (~~general administration~~) enterprise
2 services may seek grants, gifts, or donations to support the
3 stewardship of state capitol public and historic facilities. The
4 department may: (a) Purchase historic state capitol furnishings or
5 artifacts; or (b) sell historic state capitol furnishings and artifacts
6 that have been designated as state surplus by the capitol furnishings
7 preservation committee under RCW 27.48.040(6). Funds generated from
8 grants, gifts, donations, or sales for omnibus appropriations act needs
9 shall be deposited into the (~~general administration~~) enterprise
10 services account. Funds generated for capital budget needs shall be
11 deposited into the capitol building construction account.

12 **Sec. 131.** RCW 79A.15.010 and 2009 c 341 s 1 are each amended to
13 read as follows:

14 The definitions in this section apply throughout this chapter
15 unless the context clearly requires otherwise.

16 (1) "Acquisition" means the purchase on a willing seller basis of
17 fee or less than fee interests in real property. These interests
18 include, but are not limited to, options, rights of first refusal,
19 conservation easements, leases, and mineral rights.

20 (2) "Board" means the recreation and conservation funding board.

21 (3) "Critical habitat" means lands important for the protection,
22 management, or public enjoyment of certain wildlife species or groups
23 of species, including, but not limited to, wintering range for deer,
24 elk, and other species, waterfowl and upland bird habitat, fish
25 habitat, and habitat for endangered, threatened, or sensitive species.

26 (4) "Farmlands" means any land defined as "farm and agricultural
27 land" in RCW 84.34.020(2).

28 (5) "Local agencies" means a city, county, town, federally
29 recognized Indian tribe, special purpose district, port district, or
30 other political subdivision of the state providing services to less
31 than the entire state.

32 (6) "Natural areas" means areas that have, to a significant degree,
33 retained their natural character and are important in preserving rare
34 or vanishing flora, fauna, geological, natural historical, or similar
35 features of scientific or educational value.

36 (7) "Nonprofit nature conservancy corporation or association" means
37 an organization as defined in RCW 84.34.250.

1 (8) "Riparian habitat" means land adjacent to water bodies, as well
2 as submerged land such as streambeds, which can provide functional
3 habitat for salmonids and other fish and wildlife species. Riparian
4 habitat includes, but is not limited to, shorelines and near-shore
5 marine habitat, estuaries, lakes, wetlands, streams, and rivers.

6 (9) "Special needs populations" means physically restricted people
7 or people of limited means.

8 (10) "State agencies" means the state parks and recreation
9 commission, the department of natural resources, the department of
10 (~~general administration~~) enterprise services, and the department of
11 fish and wildlife.

12 (11) "Trails" means public ways constructed for and open to
13 pedestrians, equestrians, or bicyclists, or any combination thereof,
14 other than a sidewalk constructed as a part of a city street or county
15 road for exclusive use of pedestrians.

16 (12) "Urban wildlife habitat" means lands that provide habitat
17 important to wildlife in proximity to a metropolitan area.

18 (13) "Water access" means boat or foot access to marine waters,
19 lakes, rivers, or streams.

20 NEW SECTION. Sec. 132. RCW 43.41A.900 is recodified as a new
21 section in chapter 43.105 RCW.

22 NEW SECTION. Sec. 133. RCW 37.14.010, 43.19.533, 43.320.012,
23 43.320.013, 43.320.014, 43.320.015, 43.320.901, and 70.120.210 are each
24 decodified.

25 NEW SECTION. Sec. 134. The following acts or parts of acts are
26 each repealed:

27 (1) RCW 43.105.041 (Powers and duties of board) and 2011 c 358 s 6,
28 2010 1st sp.s. c 7 s 65, 2009 c 486 s 13, 2003 c 18 s 3, & 1999 c 285
29 s 5;

30 (2) RCW 43.105.178 (Information technology assets--Inventory) and
31 2010 c 282 s 12;

32 (3) RCW 43.105.330 (State interoperability executive committee) and
33 2011 c 367 s 711, 2006 c 76 s 2, & 2003 c 18 s 4;

34 (4) RCW 43.105.070 (Confidential or privileged information) and
35 1969 ex.s. c 212 s 4; and

1 (5) RCW 43.105.825 (K-20 network--Oversight--Coordination of
2 telecommunications planning) and 2012 c 229 s 588, 2004 c 275 s 62, &
3 1999 c 285 s 7.

4 NEW SECTION. **Sec. 135.** Section 96 of this act expires June 30,
5 2016.

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