
HOUSE BILL 1361

State of Washington**65th Legislature****2017 Regular Session****By Representative Manweller**

1 AN ACT Relating to eliminating various occupational licensure and
2 certification requirements through creation of a state review web
3 site; amending RCW 18.11.050, 18.11.070, 18.11.085, 18.11.095,
4 18.11.160, 18.11.200, 18.11.220, 18.11.240, 18.16.020, 18.16.050,
5 18.16.060, 18.16.130, 18.16.170, 18.16.175, 18.16.190, 18.16.200,
6 18.16.290, 18.96.010, 18.96.020, 18.96.030, 18.240.005, 18.240.010,
7 18.240.020, 67.08.100, 77.65.010, 77.65.480, 77.65.490, 18.92.060,
8 and 77.65.440; reenacting and amending RCW 77.65.370; adding a new
9 section to chapter 67.08 RCW; adding a new chapter to Title 18 RCW;
10 repealing RCW 18.11.060, 18.11.121, 18.11.130, 18.11.140, 18.11.170,
11 18.11.180, 18.11.190, 18.11.205, 18.11.210, 18.11.270, 18.11.280,
12 18.96.040, 18.96.060, 18.96.070, 18.96.080, 18.96.090, 18.96.100,
13 18.96.110, 18.96.120, 18.96.140, 18.96.150, 18.96.180, 18.96.190,
14 18.96.200, 18.96.210, 18.96.230, 18.240.030, 18.240.050, 18.240.060,
15 18.240.070, 18.240.080, 18.240.090, and 77.65.560; and providing an
16 effective date.

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

18 NEW SECTION. **Sec. 1.** The definitions in this section apply
19 throughout this chapter unless the context clearly requires
20 otherwise.

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

1 (2) "Registered individual" means an individual performing one or
2 more of the occupations listed in section 2 of this act who has met
3 the registration requirements with Washington effective licensing
4 port.

5 (3) "Washington effective licensing port" means the web site
6 created by the department for purposes of registering individuals
7 working in one or more of the occupations listed in section 2 of this
8 act.

9 NEW SECTION. **Sec. 2.** Any individual working in the state in one
10 or more of the following occupations must have an active registration
11 profile on the Washington effective licensing port web site:

- 12 (1) Animal massage;
- 13 (2) Auctioneer;
- 14 (3) Boxing announcer;
- 15 (4) Food fish or game fishing guide, or both;
- 16 (5) Landscape architect;
- 17 (6) Manicurist; and
- 18 (7) Horse floater.

19 NEW SECTION. **Sec. 3.** The department shall create a
20 comprehensive and user-friendly web site for public comment on and
21 review of all individuals working in one or more of the occupations
22 listed in section 2 of this act. The department may contract with
23 outside vendors and experts to assist in the development of the web
24 site. The web site must allow any individual working in one or more
25 of the occupations in section 2 of this act to register and create a
26 profile that lists business contact information and allows for public
27 comment and review of that individual's service. The web site must
28 also allow any individual working in one or more of the occupations
29 in section 2 of this act who registers and creates a profile on the
30 web site to include information about any training, degrees, or
31 certificates that the individual holds. The department may charge a
32 fee of no more than twenty-five dollars for the individual's first
33 creation of their profile. The web site must allow any member of the
34 public to view postings regarding registered individuals and allow
35 consumers to post reviews of registered individuals. The consumer's
36 post must include a "star" rating on a scale of one to five stars,
37 with five stars being the highest rating of service, and the consumer
38 must be allowed to post additional comments if they choose. Prior to

1 posting a review, the web site should require the consumer to attest
2 that they actually received services from the registered individual
3 and that the information provided in the review is accurate to his or
4 her knowledge. The consumer must attest by checking a box provided on
5 the web site. The web site should include a searchable list of all
6 registered individuals in each occupational category, with links to
7 any enforcement actions by the department. The web site should list
8 contact information for the department so as to facilitate complaints
9 against individuals performing work in the above-referenced
10 occupations that are not registered with Washington effective
11 licensing port.

12 NEW SECTION. **Sec. 4.** (1) The department is authorized to take
13 one or more of the actions listed in subsection (2) of this section
14 in any case in which the department finds that an individual has:

15 (a) Performed work in which he or she should be registered with
16 Washington effective licensing port under section 2 of this act, but
17 failed or refused to comply with the registration requirements; or

18 (b) Failed or refused to post their current star rating in a
19 conspicuous place at their location of business within the previous
20 three hundred sixty-four days. The department shall determine the
21 form of posting of the current star rating.

22 (2) When authorized by subsection (1) of this section, the
23 department may take one or more of the following actions:

24 (a) Refuse to allow the individual to register with Washington
25 effective licensing port;

26 (b) Revoke the individual's registration with Washington
27 effective licensing port;

28 (c) Suspend the individual's registration with Washington
29 effective licensing port until the individual posts their current
30 star rating as required by subsection (1) of this section; or

31 (d) Impose civil penalties of up to one thousand dollars for each
32 violation.

33 **Sec. 5.** RCW 18.11.050 and 1986 c 324 s 2 are each amended to
34 read as follows:

35 Unless the context clearly requires otherwise, the definitions in
36 this section apply throughout this chapter.

37 (1) "Auctioneer" means an individual who calls bids at an
38 auction.

1 (2) "Auction" means a transaction conducted by means of exchanges
2 between an auctioneer and the members of his or her audience,
3 constituting a series of invitations for offers for the purchase of
4 goods or real property made by the auctioneer, offers by members of
5 the audience, and the acceptance of the highest or most favorable
6 offer.

7 (3) "Auction mart" means any fixed or established place designed,
8 intended, or used for the conduct of auctions.

9 (4) "Auction company" means a sole proprietorship, partnership,
10 corporation, or other legal or commercial entity that sells or offers
11 to sell goods or real estate at auction or arranges, sponsors, or
12 manages auctions. The term "auction company" shall exclude any sole
13 proprietorship owned by an auctioneer licensed under this chapter
14 whose gross annual sales do not exceed twenty-five thousand dollars.

15 (~~(5) ("Department" means the department of licensing.~~

16 ~~(6) "Director" means the director of licensing.~~

17 ~~(7))~~ "Person" means an individual, partnership, association,
18 corporation, or any other form of business enterprise.

19 ~~((8))~~ (6) "Goods" means wares, chattels, merchandise, or
20 personal property owned or consigned, which may be lawfully kept or
21 offered for sale.

22 ~~((9) "License" means state authority to operate as an auctioneer
23 or auction company, which authority is conferred by issuance of a
24 certificate of registration subject to annual renewal.~~

25 ~~(10) "Licensee" means an auctioneer or auction company registered
26 under this chapter.)~~

27 **Sec. 6.** RCW 18.11.070 and 1999 c 398 s 1 are each amended to
28 read as follows:

29 (1) It is unlawful for any person to act as an auctioneer or for
30 an auction company to engage in any business in this state without
31 ~~((a license))~~ registering with Washington effective licensing port in
32 accordance with section 2 of this act.

33 (2) This chapter does not apply to:

34 (a) An auction of goods conducted by an individual who personally
35 owns those goods and who did not acquire those goods for resale;

36 (b) An auction conducted by or under the direction of a public
37 authority;

38 (c) An auction held under judicial order in the settlement of a
39 decedent's estate;

1 (d) An auction which is required by law to be at auction;

2 (e) An auction conducted by or on behalf of a political
3 organization or a charitable corporation or association if the person
4 conducting the sale receives no compensation;

5 (f) An auction of livestock or agricultural products which is
6 conducted under chapter 16.65 or 20.01 RCW. Auctions not regulated
7 under chapter 16.65 or 20.01 RCW shall be fully subject to the
8 provisions of this chapter;

9 (g) An auction held under chapter 19.150 RCW;

10 (h) An auction of an abandoned vehicle under chapter 46.55 RCW;
11 or

12 (i) An auction of fur pelts conducted by any cooperative
13 association organized under chapter 23.86 RCW or its wholly owned
14 subsidiary. In order to qualify for this exemption, the fur pelts
15 must be from members of the association. However, the association,
16 without loss of the exemption, may auction pelts that it purchased
17 from nonmembers for the purpose of completing lots or orders, so long
18 as the purchased pelts do not exceed fifteen percent of the total
19 pelts auctioned.

20 **Sec. 7.** RCW 18.11.085 and 2002 c 86 s 206 are each amended to
21 read as follows:

22 Every individual, before acting as an auctioneer, shall ~~((obtain~~
23 ~~an auctioneer certificate of registration. To be licensed as an~~
24 ~~auctioneer, an individual shall meet all of the following~~
25 ~~requirements:~~

26 ~~(1) Be at least eighteen years of age or sponsored by a licensed~~
27 ~~auctioneer.~~

28 ~~(2) File with the department a completed application on a form~~
29 ~~prescribed by the director.~~

30 ~~(3) Show that the proper tax registration certificate required by~~
31 ~~RCW 82.32.030 has been obtained from the department of revenue.~~

32 ~~(4) Pay the auctioneer registration fee required under the agency~~
33 ~~rules adopted pursuant to this chapter.~~

34 ~~(5) Except as otherwise provided under RCW 18.11.121, file with~~
35 ~~the department an auctioneer surety bond in the amount and form~~
36 ~~required by RCW 18.11.121 and the agency rules adopted pursuant to~~
37 ~~this chapter.~~

38 ~~(6))~~ have no disqualifications under RCW 18.11.160 or 18.235.130
39 and register with Washington effective licensing port in accordance

1 with section 2 of this act. Nothing in this section removes the
2 obligations under RCW 18.235.130.

3 **Sec. 8.** RCW 18.11.095 and 2002 c 86 s 207 are each amended to
4 read as follows:

5 Every person, before operating an auction company as defined in
6 RCW 18.11.050, shall ~~((obtain an auction company certificate of~~
7 ~~registration)) register with Washington effective licensing port in
8 accordance with section 2 of this act~~((-~~~~

9 ~~(1) Except as provided in subsection (2) of this section, to be~~
10 ~~licensed as an auction company, a person shall meet all of the~~
11 ~~following requirements:~~

12 ~~(a) File with the department a completed application on a form~~
13 ~~prescribed by the director.~~

14 ~~(b) Sign a notarized statement included on the application form~~
15 ~~that all auctioneers hired by the auction company to do business in~~
16 ~~the state shall be properly registered under this chapter.~~

17 ~~(c) Show that the proper tax registration certificate required by~~
18 ~~RCW 82.32.030 has been obtained from the department of revenue.~~

19 ~~(d) Pay the auction company registration fee required under the~~
20 ~~agency rules adopted pursuant to this chapter.~~

21 ~~(e) File with the department an auction company surety bond in~~
22 ~~the amount and form required by RCW 18.11.121 and the agency rules~~
23 ~~adopted pursuant to this chapter.~~

24 ~~(f))~~ and have no disqualifications under RCW 18.11.160 or
25 18.235.130.

26 ~~((2) An auction company shall not be charged a license fee if it~~
27 ~~is a sole proprietorship or a partnership owned by an auctioneer or~~
28 ~~auctioneers, each of whom is licensed under this chapter, and if it~~
29 ~~has in effect a surety bond or bonds or other security approved by~~
30 ~~the director in the amount that would otherwise be required for an~~
31 ~~auction company to be granted or to retain a license under RCW~~
32 ~~18.11.121.))~~

33 **Sec. 9.** RCW 18.11.160 and 2016 c 81 s 8 are each amended to read
34 as follows:

35 (1) Except as provided in RCW 9.97.020, no ~~((license))~~
36 registration shall be issued by the department to any person who has
37 been convicted of forgery, embezzlement, obtaining money under false
38 pretenses, extortion, criminal conspiracy, fraud, theft, receiving

1 stolen goods, unlawful issuance of checks or drafts, or other similar
2 offense, or to any partnership of which the person is a member, or to
3 any association or corporation of which the person is an officer or
4 in which as a stockholder the person has or exercises a controlling
5 interest either directly or indirectly.

6 (2) In addition to the unprofessional conduct described in RCW
7 18.235.130, the director has the authority to take disciplinary
8 action for any of the following conduct, acts, or conditions:

9 (a) Underreporting to the department of sales figures so that the
10 auctioneer or auction company surety bond is in a lower amount than
11 required by law;

12 (b) Nonpayment of an administrative fine prior to renewal of a
13 ((license)) registration; and

14 (c) Any other violations of this chapter.

15 (3) The department shall immediately suspend the ((license))
16 registration of a person who has been certified pursuant to RCW
17 74.20A.320 by the department of social and health services as a
18 person who is not in compliance with a support order. If the person
19 has continued to meet all other requirements for reinstatement during
20 the suspension, reissuance of the ((license)) registration shall be
21 automatic upon the department's receipt of a release issued by the
22 department of social and health services stating that the
23 ((licensee)) person is in compliance with the order.

24 **Sec. 10.** RCW 18.11.200 and 2002 c 86 s 211 are each amended to
25 read as follows:

26 The director shall adopt rules for the purpose of carrying out
27 and developing this chapter(~~(, including rules governing the conduct~~
28 ~~of inspections))~~).

29 **Sec. 11.** RCW 18.11.220 and 1987 c 336 s 3 are each amended to
30 read as follows:

31 The client of an auctioneer or auction company has a right to (1)
32 an accounting for any money that the auctioneer or auction company
33 receives from the sale of the client's goods, and (2) payment of all
34 money due to the client within twenty-one calendar days unless the
35 parties have mutually agreed in writing to another time of payment(~~(,~~
36 ~~and (3) bring an action against the surety bond or other security~~
37 ~~filed in lieu of the surety bond for any violation of this chapter or~~
38 ~~the rules adopted pursuant to this chapter))~~).

1 **Sec. 12.** RCW 18.11.240 and 1986 c 324 s 22 are each amended to
2 read as follows:

3 The following requirements shall apply to bidding at auctions:

4 (1) An auctioneer conducting an auction and an auction company
5 where an auction is being held shall not bid on or offer to buy any
6 goods or real property at the auction unless the auctioneer or the
7 auction company discloses the name of the person on whose behalf the
8 bid or offer is being made.

9 (2) An auctioneer and an auction company shall not use any method
10 of bidding at an auction that will allow goods or real property to be
11 purchased in an undisclosed manner on behalf of the auctioneer or
12 auction company.

13 (3) At a public auction conducted or supervised by an auctioneer
14 or auction company, the auctioneer or auction company shall not
15 fictitiously raise any bid, knowingly permit any person to make a
16 fictitious bid, or employ or use another person to act as a bidder or
17 buyer.

18 (4) All goods or real property offered for sale at an auction
19 shall be subject to a reserve or a confirmation from the owner or
20 consignor unless otherwise indicated by the auctioneer or auction
21 company. Except as provided in this subsection, an auctioneer or
22 auction company shall not use any method of bidding at an auction
23 that allows the auctioneer or auction company to avoid selling any
24 property offered for sale at auction.

25 (5) (~~A licensee~~) An individual registered with Washington
26 effective licensing port who violates any provision of this section
27 shall be subject to an administrative fine in a sum not exceeding
28 five hundred dollars for each violation.

29 **Sec. 13.** RCW 18.16.020 and 2015 c 62 s 1 are each amended to
30 read as follows:

31 As used in this chapter, the following terms have the meanings
32 indicated unless the context clearly requires otherwise:

33 (1) "Apprentice" means a person who is engaged in a state-
34 approved apprenticeship program and who must receive a wage or
35 compensation while engaged in the program.

36 (2) "Apprentice monthly report" means the apprentice record of
37 daily activities and the number of hours completed in each course of
38 a curriculum that is prepared monthly by the approved apprenticeship
39 program and provided to the apprentice, audited annually by the

1 department, and kept on file by the approved apprenticeship program
2 for three years.

3 (3) "Apprentice trainer" means a person who gives training to an
4 apprentice in an approved apprenticeship program and who is approved
5 under RCW 18.16.280.

6 (4) "Apprenticeship program" means a state-approved
7 apprenticeship program pursuant to chapter 49.04 RCW and approved
8 under RCW 18.16.280 for the training of cosmetology, hair design,
9 barbering, esthetics, and master esthetics(~~(, and manieuring)~~).

10 (5) "Apprenticeship training committee" means a committee
11 approved by the Washington apprenticeship and training council
12 established in chapter 49.04 RCW.

13 (6) "Approved apprenticeship shop" means a salon/shop that has
14 been approved under RCW 18.16.280 and chapter 49.04 RCW to
15 participate in an apprenticeship program.

16 (7) "Approved security" means surety bond.

17 (8) "Barber" means a person licensed under this chapter to engage
18 in the practice of barbering.

19 (9) "Board" means the cosmetology, hair design, barbering, and
20 esthetics(~~(, and manieuring)~~) advisory board.

21 (10) "Cosmetologist" means a person licensed under this chapter
22 to engage in the practice of cosmetology.

23 (11) "Crossover training" means training approved by the director
24 as training hours that may be credited to current licensees for
25 similar training received in another profession licensed under this
26 chapter.

27 (12) "Curriculum" means the courses of study taught at a school,
28 online training by a school, in an approved apprenticeship program
29 established by the Washington state apprenticeship and training
30 council and conducted in an approved salon/shop, or online training
31 by an approved apprenticeship program, set by rule under this
32 chapter, and approved by the department. After consulting with the
33 board, the director may set by rule a percentage of hours in a
34 curriculum, up to a maximum of ten percent, that could include hours
35 a student receives while training in a salon/shop under a contract
36 approved by the department. Each curriculum must include at least the
37 following required hours:

38 (a) School curriculum:

39 (i) Cosmetologist, one thousand six hundred hours;

40 (ii) Hair design, one thousand four hundred hours;

1 (iii) Barber, one thousand hours;
2 (iv) (~~(Manicurist, six hundred hours;~~
3 ~~(v))~~) Esthetician, seven hundred fifty hours;
4 (~~(vi))~~) (v) Master esthetician either:
5 (A) One thousand two hundred hours; or
6 (B) Esthetician licensure plus four hundred fifty hours of
7 training;
8 (vi) (~~(vii))~~) Instructor-trainee, five hundred hours, except
9 that an instructor-trainee may submit documentation that provides
10 evidence of experience as a licensed cosmetologist, hair designer,
11 barber, (~~(manicurist,~~) esthetician, or master esthetician for
12 competency evaluation toward credit of not more than three hundred
13 hours of instructor-training.
14 (b) Apprentice training curriculum:
15 (i) Cosmetologist, two thousand hours;
16 (ii) Hair design, one thousand seven hundred fifty hours;
17 (iii) Barber, one thousand two hundred hours;
18 (iv) (~~(Manicurist, eight hundred hours;~~
19 ~~(v))~~) Esthetician, eight hundred hours;
20 (~~(vi))~~) (v) Master esthetician, one thousand four hundred hours.
21 (13) "Department" means the department of licensing.
22 (14) "Director" means the director of the department of licensing
23 or the director's designee.
24 (15) "Esthetician" means a person licensed under this chapter to
25 engage in the practice of esthetics.
26 (16) "Hair design" means the practice of arranging, dressing,
27 cutting, trimming, styling, shampooing, permanent waving, chemical
28 relaxing, straightening, curling, bleaching, lightening, coloring,
29 mustache and beard design, and superficial skin stimulation of the
30 scalp.
31 (17) "Hair designer" means a person licensed under this chapter
32 to engage in the practice of hair design.
33 (18) "Individual license" means a cosmetology, hair design,
34 barber, (~~(manicurist,~~) esthetician, master esthetician, or
35 instructor license issued under this chapter.
36 (19) "Instructor" means a person who gives instruction in a
37 school, or who provides classroom theory training to apprentices in
38 locations other than in a school, in a curriculum in which he or she
39 holds a license under this chapter, has completed at least five
40 hundred hours of instruction in teaching techniques and lesson

1 planning in a school, or who has documented experience as an
2 instructor for more than five hundred hours in another state in the
3 curriculum of study, and has passed a licensing examination approved
4 or administered by the director. An applicant who holds a degree in
5 education from an accredited postsecondary institution shall upon
6 application be licensed as an instructor to give instruction in a
7 school, or to provide classroom theory training to apprentices in
8 locations other than in a school, in a curriculum in which he or she
9 holds a license under this chapter. An applicant who holds an
10 instructional credential from an accredited community or technical
11 college and who has passed a licensing examination approved or
12 administered by the director shall upon application be licensed as an
13 instructor to give instruction in a school, or to provide classroom
14 theory training to apprentices in locations other than in a school,
15 in a curriculum in which he or she holds a license under this
16 chapter. To be approved as an "instructor" in an approved
17 apprenticeship program, the instructor must be a competent instructor
18 as defined in rules adopted under chapter 49.04 RCW.

19 (20) "Instructor-trainee" means a person who is currently
20 licensed in this state as a cosmetologist, hair designer, barber,
21 (~~(manicurist,)~~) esthetician, or master esthetician, and is enrolled
22 in an instructor-trainee curriculum in a school licensed under this
23 chapter.

24 (21) "Location license" means a license issued under this chapter
25 for a salon/shop, school, personal services, or mobile unit.

26 (22) (~~("Manicurist" means a person licensed under this chapter to~~
27 ~~engage in the practice of manicuring.~~

28 ~~(23))~~ "Master esthetician" means a person licensed under this
29 chapter to engage in the practice of master esthetics.

30 (~~(24))~~ (23) "Mobile unit" is a location license under this
31 chapter where the practice of cosmetology, barbering, esthetics, or
32 master esthetics(~~(, or manicuring)~~) is conducted in a mobile
33 structure. Mobile units must conform to the health and safety
34 standards set by rule under this chapter.

35 (~~(25))~~ (24) "Online training" means theory training provided
36 online, by a school licensed under this chapter or an approved
37 apprenticeship program established by the Washington state
38 apprenticeship and training council, in the areas of cosmetology,
39 hair design, master esthetics, (~~(manicuring,)~~) barbering, esthetics,
40 and instructor-training.

1 ~~((+26+))~~ (25) "Person" means any individual, partnership,
2 professional service corporation, joint stock association, joint
3 venture, or any other entity authorized to do business in this state.

4 ~~((+27+))~~ (26) "Personal services" means a location licensed under
5 this chapter where the practice of cosmetology, hair design,
6 barbering, manicuring, esthetics, or master esthetics is performed
7 for clients in the client's home, office, or other location that is
8 convenient for the client.

9 ~~((+28+))~~ (27) "Practice of barbering" means the cutting,
10 trimming, arranging, dressing, curling, shampooing, shaving, and
11 mustache and beard design of the hair of the face, neck, and scalp.

12 ~~((+29+))~~ (28) "Practice of cosmetology" means arranging,
13 dressing, cutting, trimming, styling, shampooing, permanent waving,
14 chemical relaxing, straightening, curling, bleaching, lightening,
15 coloring, waxing, tweezing, shaving, and mustache and beard design of
16 the hair of the face, neck, and scalp; temporary removal of
17 superfluous hair by use of depilatories, waxing, or tweezing;
18 ~~((manicuring and pedicuring, limited to cleaning, shaping, polishing,
19 decorating, and caring for and treatment of the cuticles and nails of
20 the hands and feet, excluding the application and removal of
21 sculptured or otherwise artificial nails;))~~ esthetics limited to
22 toning the skin of the scalp, stimulating the skin of the body by the
23 use of preparations, tonics, lotions, or creams; and tinting
24 eyelashes and eyebrows.

25 ~~((+30+))~~ (29) "Practice of esthetics" means the care of the skin
26 for compensation by application, use of preparations, antiseptics,
27 tonics, essential oils, exfoliants, superficial and light peels, or
28 by any device, except laser, or equipment, electrical or otherwise,
29 or by wraps, compresses, cleansing, conditioning, stimulation,
30 superficial skin stimulation, pore extraction, or product application
31 and removal; temporary removal of superfluous hair by means of
32 lotions, creams, appliance, waxing, threading, tweezing, or
33 depilatories, including chemical means; and application of product to
34 the eyelashes and eyebrows, including extensions, design and
35 treatment, tinting and lightening of the hair, excluding the scalp.
36 Under no circumstances does the practice of esthetics include the
37 administration of injections.

38 ~~((+31+))~~ (30) "Practice of manicuring" means the cleaning,
39 shaping, polishing, decorating, and caring for and treatment of the
40 cuticles and the nails of the hands or feet, and the application and

1 removal of sculptured or otherwise artificial nails by hand or with
2 mechanical or electrical apparatus or appliances.

3 ~~((32))~~ (31) "Practice of master esthetics" means the care of
4 the skin for compensation including all of the methods allowed in the
5 definition of the practice of esthetics. It also includes the
6 performance of medium depth peels and the use of medical devices for
7 care of the skin and permanent hair reduction. The medical devices
8 include, but are not limited to, lasers, light, radio frequency,
9 plasma, intense pulsed light, and ultrasound. The use of a medical
10 device must comply with state law and rules, including any laws or
11 rules that require delegation or supervision by a licensed health
12 professional acting within the scope of practice of that health
13 profession.

14 ~~((33))~~ (32) "Salon/shop" means any building, structure, or any
15 part thereof, other than a school, where the commercial practice of
16 cosmetology, barbering, hair design, esthetics, or master
17 esthetics(~~(, or manieuring)~~) is conducted; provided that any person,
18 except employees of a salon/shop, who operates from a salon/shop is
19 required to meet all salon/shop licensing requirements and may
20 participate in the apprenticeship program when certified as
21 established by the Washington state apprenticeship and training
22 council established in chapter 49.04 RCW.

23 ~~((34))~~ (33) "School" means any establishment that offers
24 curriculum of instruction in the practice of cosmetology, hair
25 design, barbering, esthetics, master esthetics, (~~(manieuring)~~) or
26 instructor-trainee to students and is licensed under this chapter.

27 ~~((35))~~ (34) "Student" means a person sixteen years of age or
28 older who is enrolled in a school licensed under this chapter and
29 receives instruction in any of the curricula of cosmetology,
30 barbering, hair design, esthetics, master esthetics, (~~(manieuring)~~)
31 or instructor-training with or without tuition, fee, or cost, and who
32 does not receive any wage or commission.

33 ~~((36))~~ (35) "Student monthly report" means the student record
34 of daily activities and the number of hours completed in each course
35 of a curriculum that is prepared monthly by the school and provided
36 to the student, audited annually by the department, and kept on file
37 by the school for three years.

38 **Sec. 14.** RCW 18.16.050 and 2015 c 62 s 3 are each amended to
39 read as follows:

1 (1) There is created a state cosmetology, hair design, barbering,
2 and esthetics(~~(,—and—manicuring)~~) advisory board consisting of a
3 maximum of ten members appointed by the director. These members of
4 the board shall include: A representative of private schools licensed
5 under this chapter; a representative from an approved apprenticeship
6 program conducted in an approved salon/shop; a representative of
7 public vocational technical schools licensed under this chapter; a
8 consumer who is unaffiliated with the cosmetology, hair design,
9 barbering, esthetics, or master esthetics(~~(,—or—manicuring)~~)
10 industry; and six members who are currently practicing licensees who
11 have been engaged in the practice of (~~(manicuring,)~~) esthetics,
12 master esthetics, barbering, hair design, or cosmetology for at least
13 three years. Members shall serve a term of three years. Any board
14 member may be removed for just cause. The director may appoint a new
15 member to fill any vacancy on the board for the remainder of the
16 unexpired term.

17 (2) Board members shall be entitled to compensation pursuant to
18 RCW 43.03.240 for each day spent conducting official business and to
19 reimbursement for travel expenses as provided by RCW 43.03.050 and
20 43.03.060.

21 (3) The board may seek the advice and input of officials from the
22 following state agencies: (a) The workforce training and education
23 coordinating board; (b) the employment security department; (c) the
24 department of labor and industries; (d) the department of health; (e)
25 the department of licensing; and (f) the department of revenue.

26 **Sec. 15.** RCW 18.16.060 and 2015 c 62 s 4 are each amended to
27 read as follows:

28 (1) It is unlawful for any person to engage in a practice listed
29 in subsection (2) of this section unless the person has a license in
30 good standing as required by this chapter. A license issued under
31 this chapter shall be considered to be "in good standing" except
32 when:

33 (a) The license has expired or has been canceled and has not been
34 renewed in accordance with RCW 18.16.110;

35 (b) The license has been denied, revoked, or suspended under RCW
36 18.16.210, 18.16.230, or 18.16.240, and has not been reinstated;

37 (c) The license is held by a person who has not fully complied
38 with an order of the director issued under RCW 18.16.210 requiring

1 the licensee to pay restitution or a fine, or to acquire additional
2 training; or

3 (d) The license has been placed on inactive status at the request
4 of the licensee, and has not been reinstated in accordance with RCW
5 18.16.110(3).

6 (2) The director may take action under RCW 18.235.150 and
7 18.235.160 against any person who does any of the following without
8 first obtaining, and maintaining in good standing, the license
9 required by this chapter:

10 (a) Except as provided in subsections (3) and (4) of this
11 section, engages in the commercial practice of cosmetology, hair
12 design, barbering, esthetics, or master esthetics(~~(, or manicuring)~~);

13 (b) Instructs in a school;

14 (c) Operates a school; or

15 (d) Operates a salon/shop, personal services, or mobile unit.

16 (3) A person who receives a license as an instructor may engage
17 in the commercial practice for which he or she held a license when
18 applying for the instructor license without also renewing the
19 previously held license. However, a person licensed as an instructor
20 whose license to engage in a commercial practice is not or at any
21 time was not renewed may not engage in the commercial practice
22 previously permitted under that license unless that person renews the
23 previously held license.

24 (4) An apprentice actively enrolled in an apprenticeship program
25 for cosmetology, barbering, hair design, esthetics, or master
26 esthetics(~~(, or manicuring)~~) may engage in the commercial practice as
27 required for the apprenticeship program.

28 (5) An individual engaged in the practice of manicuring must
29 register with Washington effective licensing port in accordance with
30 section 2 of this act.

31 **Sec. 16.** RCW 18.16.130 and 2015 c 62 s 5 are each amended to
32 read as follows:

33 (1) Any person who is properly licensed in any state, territory,
34 or possession of the United States, or foreign country shall be
35 eligible for examination if the applicant submits the approved
36 application and fee and provides proof to the director that he or she
37 is currently licensed in good standing as a cosmetologist, hair
38 designer, barber, (~~(manicurist,)~~) esthetician, master esthetician,

1 instructor, or the equivalent in that jurisdiction. Upon passage of
2 the required examinations the appropriate license will be issued.

3 (2)(a) The director shall, upon passage of the required
4 examinations, issue a license as master esthetician to an applicant
5 who submits the approved application and fee and provides proof to
6 the director that the applicant is currently licensed in good
7 standing in esthetics in any state, territory, or possession of the
8 United States, or foreign country and holds a diplomate of the comite
9 international d'esthetique et de cosmetologie diploma, or an
10 international therapy examination council diploma, or a certified
11 credential awarded by the national coalition of estheticians,
12 manufacturers/distributors & associations.

13 (b) The director may upon passage of the required examinations,
14 issue a master esthetician license to an applicant that is currently
15 licensed in esthetics in any other state, territory, or possession of
16 the United States, or foreign country and submits an approved
17 application and fee and provides proof to the director that he or she
18 is licensed in good standing and:

19 (i) The licensing state, territory, or possession of the United
20 States, or foreign country has licensure requirements that the
21 director determines are substantially equivalent to a master
22 esthetician license in this state; or

23 (ii) The applicant has certification or a diploma or other
24 credentials that the director determines has licensure requirements
25 that are substantially equivalent to the degree listed in (a) of this
26 subsection.

27 **Sec. 17.** RCW 18.16.170 and 2015 c 62 s 6 are each amended to
28 read as follows:

29 (1) Subject to subsection (2) of this section, licenses issued
30 under this chapter expire as follows:

31 (a) A salon/shop, personal services, or mobile unit license
32 expires one year from issuance or when the insurance required by RCW
33 18.16.175(1)(g) expires, whichever occurs first;

34 (b) A school license expires one year from issuance; and

35 (c) Cosmetologist, hair designer, barber, (~~manicurist,~~)
36 esthetician, master esthetician, and instructor licenses expire two
37 years from issuance.

1 (2) The director may provide for expiration dates other than
2 those set forth in subsection (1) of this section for the purpose of
3 establishing staggered renewal periods.

4 **Sec. 18.** RCW 18.16.175 and 2015 c 62 s 7 are each amended to
5 read as follows:

6 (1) A salon/shop or mobile unit shall meet the following minimum
7 requirements:

8 (a) Maintain an outside entrance separate from any rooms used for
9 sleeping or residential purposes;

10 (b) Provide and maintain for the use of its customers adequate
11 toilet facilities located within or adjacent to the salon/shop or
12 mobile unit;

13 (c) Any room used wholly or in part as a salon/shop or mobile
14 unit shall not be used for residential purposes, except that toilet
15 facilities may be used for both residential and business purposes;

16 (d) Meet the zoning requirements of the county, city, or town, as
17 appropriate;

18 (e) Provide for safe storage and labeling of chemicals used in
19 the practices under this chapter;

20 (f) Meet all applicable local and state fire codes; and

21 (g) Certify that the salon/shop or mobile unit is covered by a
22 public liability insurance policy in an amount not less than one
23 hundred thousand dollars for combined bodily injury and property
24 damage liability.

25 (2) The director may by rule determine other requirements that
26 are necessary for safety and sanitation of salons/shops, personal
27 services, or mobile units. The director may consult with the state
28 board of health and the department of labor and industries in
29 establishing minimum salon/shop, personal services, and mobile unit
30 safety requirements.

31 (3) Personal services license holders shall certify coverage of a
32 public liability insurance policy in an amount not less than one
33 hundred thousand dollars for combined bodily injury and property
34 damage liability.

35 (4) Upon receipt of a written complaint that a salon/shop or
36 mobile unit has violated any provisions of this chapter, chapter
37 18.235 RCW, or the rules adopted under either chapter, or at least
38 once every two years for an existing salon/shop or mobile unit, the
39 director or the director's designee shall inspect each salon/shop or

1 mobile unit. If the director determines that any salon/shop or mobile
2 unit is not in compliance with this chapter, the director shall send
3 written notice to the salon/shop or mobile unit. A salon/shop or
4 mobile unit which fails to correct the conditions to the satisfaction
5 of the director within a reasonable time shall, upon due notice, be
6 subject to the penalties imposed by the director under RCW
7 18.235.110. The director may enter any salon/shop or mobile unit
8 during business hours for the purpose of inspection. The director may
9 contract with health authorities of local governments to conduct the
10 inspections under this subsection.

11 (5) A salon/shop, personal services, or mobile unit shall obtain
12 a certificate of registration from the department of revenue.

13 (6) This section does not prohibit the use of motor homes as
14 mobile units if the motor home meets the health and safety standards
15 of this section.

16 (7) Salon/shop or mobile unit licenses issued by the department
17 must be posted in the salon/shop or mobile unit's reception area.

18 (8) Cosmetology, hair design, barbering, esthetics, and master
19 esthetics(~~(, and manicuring)~~) licenses issued by the department must
20 be posted at the licensed person's work station.

21 **Sec. 19.** RCW 18.16.190 and 2015 c 62 s 9 are each amended to
22 read as follows:

23 It is a violation of this chapter for any person to engage in the
24 commercial practice of cosmetology, hair design, barbering,
25 esthetics, or master esthetics, (~~(or manicuring,)~~) except in a
26 licensed salon/shop or the home, office, or other location selected
27 by the client for obtaining the services of a personal service
28 operator, or with the appropriate individual license when delivering
29 services to placebound clients. Placebound clients are defined as
30 persons who are ill, disabled, or otherwise unable to travel to a
31 salon/shop.

32 **Sec. 20.** RCW 18.16.200 and 2015 c 62 s 10 are each amended to
33 read as follows:

34 In addition to the unprofessional conduct described in RCW
35 18.235.130, the director may take disciplinary action against any
36 applicant or licensee under this chapter if the licensee or
37 applicant:

- 1 (1) Has been found to have violated any provisions of chapter
2 19.86 RCW;
- 3 (2) Has engaged in a practice prohibited under RCW 18.16.060
4 without first obtaining, and maintaining in good standing, the
5 license required by this chapter;
- 6 (3) Has engaged in the commercial practice of cosmetology, hair
7 design, barbering, (~~manicuring,~~) esthetics, or master esthetics in
8 a school;
- 9 (4) Has not provided a safe, sanitary, and good moral environment
10 for students in a school or the public;
- 11 (5) Has failed to display licenses required in this chapter; or
12 (6) Has violated any provision of this chapter or any rule
13 adopted under it.

14 **Sec. 21.** RCW 18.16.290 and 2015 c 62 s 11 are each amended to
15 read as follows:

16 (1) If the holder of an individual license in good standing
17 submits a written and notarized request that the licensee's
18 cosmetology, hair design, barber, (~~manicurist,~~) esthetician and
19 master esthetician, or instructor license be placed on inactive
20 status, together with a fee equivalent to that established by rule
21 for a duplicate license, the department shall place the license on
22 inactive status until the expiration date of the license. If the date
23 of the request is no more than six months before the expiration date
24 of the license, a request for a two-year extension of the inactive
25 status, as provided under subsection (2) of this section, may be
26 submitted at the same time as the request under this subsection.

27 (2) If the holder of a license placed on inactive status under
28 this section submits, by the expiration date of the license, a
29 written and notarized request to extend that status for an additional
30 two years, the department shall, without additional fee, extend the
31 expiration date of: (a) The licensee's individual license; and (b)
32 the inactive status for two years from the expiration date of the
33 license.

34 (3) A license placed on inactive status under this section may
35 not be extended more frequently than once in any twenty-four month
36 period or for more than six consecutive years.

37 (4) If, by the expiration date of a license placed on inactive
38 status under this section, a licensee is unable, or fails, to request

1 that the status be extended and the license is not renewed, the
2 license shall be canceled.

3 **Sec. 22.** RCW 18.96.010 and 2009 c 370 s 2 are each amended to
4 read as follows:

5 In order to safeguard human health and property, and to promote
6 the public welfare, any person in either public or private capacity
7 practicing or offering to practice landscape architecture for hire
8 (~~shall be required to submit evidence that he or she is qualified so~~
9 ~~to practice and shall be licensed under the provisions of this~~
10 ~~chapter~~) must register with Washington effective licensing port in
11 accordance with section 2 of this act.

12 **Sec. 23.** RCW 18.96.020 and 2009 c 370 s 3 are each amended to
13 read as follows:

14 (1) It is unlawful for any person to practice or offer to
15 practice in this state, landscape architecture, or to use in
16 connection with his or her name or otherwise assume, use, or
17 advertise any title or description including the phrases "landscape
18 architect," "landscape architecture," "landscape architectural," or
19 language tending to imply that he or she is a landscape architect,
20 unless the person is (~~licensed or authorized to practice in the~~
21 ~~state of Washington under this chapter~~) registered with Washington
22 effective licensing port.

23 (2) A person may use the title "intern landscape architect" after
24 graduation from an accredited degree program in landscape
25 architecture and working under the direct supervision of a
26 (~~licensed~~) landscape architect registered with Washington effective
27 licensing port.

28 (3) This section does not affect the use of the phrases
29 "landscape architect," "landscape architecture," or "landscape
30 architectural" where a person does not practice or offer to practice
31 landscape architecture.

32 **Sec. 24.** RCW 18.96.030 and 2009 c 370 s 4 are each amended to
33 read as follows:

34 The definitions in this section apply throughout this chapter,
35 unless the context clearly requires otherwise.

36 (1) "Administration of (~~the construction~~) contracts" means the
37 periodic observation of materials and work to observe the general

1 compliance with the construction contract documents, and does not
2 include responsibility for supervising construction methods and
3 processes, site conditions, equipment operations, personnel, or
4 safety on the worksite.

5 ~~(2) ("Board" means the state board of licensure for landscape
6 architects.~~

7 ~~(3) "Certificate of licensure" means the certificate issued by
8 the director to newly licensed landscape architects.~~

9 ~~(4) "Department" means the department of licensing.~~

10 ~~(5) "Design" means the conceiving, planning, delineation, siting,
11 and arrangement of natural and built features. Where applied to the
12 discussion of structures or utility systems, design does not include
13 the act of engineering such features.~~

14 ~~(6) "Director" means the director of licensing.~~

15 ~~(7) "Engineer" means an individual who is registered as an
16 engineer under chapter 18.43 RCW.~~

17 ~~(8) "Engineering" means the "practice of engineering" as defined
18 in RCW 18.43.020.~~

19 ~~(9)) "Landscape architect" means an individual who engages in
20 the practice of landscape architecture.~~

21 ~~((10))~~ (3) "Landscape architecture" means the rendering of
22 professional services in connection with consultations,
23 investigations, reconnaissance, research, planning, design,
24 construction document preparation, construction administration, or
25 teaching supervision in connection with the development of land areas
26 where, and to the extent that, the dominant purpose of such services
27 is the preservation, enhancement, or determination of proper land
28 uses, natural land features, ground cover and planting, naturalistic
29 and aesthetic values, the settings and approaches to structures or
30 other improvements, or natural drainage and erosion control. This
31 practice includes the location, design, and arrangement of such
32 tangible objects as pools, walls, steps, trellises, canopies, and
33 such features as are incidental and necessary to the purposes in this
34 chapter. Landscape architecture involves the design and arrangement
35 of land forms and the development of outdoor space including, but not
36 limited to, the design of public parks, trails, playgrounds,
37 cemeteries, home and school grounds, and the development of
38 industrial and recreational sites.

1 ~~((11) "Licensed" means holding a currently valid certificate of~~
2 ~~licensure issued by the director authorizing the practice of~~
3 ~~landscape architecture.~~

4 ~~(12))~~ (4) "Person" means any individual, partnership,
5 professional service corporation, corporation, joint stock
6 association, joint venture, or any other entity authorized to do
7 business in the state.

8 ~~((13))~~ (5) "Practice of landscape architecture" means the
9 rendering of services where landscape architectural education,
10 training, experience, and the application of mathematical, physical,
11 and social science principles are applied in consultation,
12 evaluation, planning, design including, but not limited to, the
13 preparation and filing of plans, drawings, specifications, and other
14 contract documents, and administration of contracts relative to
15 projects principally directed at the functional and aesthetic use and
16 preservation of land.

17 **Sec. 25.** RCW 18.240.005 and 2016 c 41 s 19 are each amended to
18 read as follows:

19 ~~((The certification of animal massage therapists is in the~~
20 ~~interest of the public health, safety, and welfare.))~~ While
21 veterinarians and certain massage therapists may perform animal
22 massage techniques, the legislature finds that meeting all of the
23 requirements of those professions can be unnecessarily cumbersome for
24 those individuals who would like to limit their practice only to
25 animal massage. Requiring animal massage therapists to register with
26 Washington effective licensing port will ensure adequate protection
27 of public health, safety, and welfare.

28 **Sec. 26.** RCW 18.240.010 and 2016 c 41 s 20 are each amended to
29 read as follows:

30 The definition~~((s))~~ in this section ~~((apply))~~ applies throughout
31 this chapter unless the context clearly requires otherwise.

32 ~~((1) "Board" means the veterinary board of governors established~~
33 ~~in chapter 18.92 RCW.~~

34 ~~(2))~~ "~~((Certified))~~ Animal massage ~~((therapist))~~" means ~~((an~~
35 ~~individual who provides))~~ external manipulation or pressure of soft
36 tissues by use of the hands, body, or device designed and limited to
37 providing massage. "Animal massage" may include techniques such as
38 stroking, percussions, compressions, friction, Swedish gymnastics or

1 movements, gliding, kneading, range of motion or stretching, and
2 fascial or connective tissue stretching, with or without the aid of
3 superficial heat, cold, water, lubricants, or salts. "Animal massage"
4 does not include: Diagnosis, prognosis, or all treatment of diseases,
5 deformities, defects, wounds, or injuries of animals; attempts to
6 adjust or manipulate any articulations of the animal's body or spine
7 or mobilization of these articulations by the use of a thrusting
8 force; acupuncture involving the use of needles; or mechanical
9 therapies that are restricted to the field of veterinary medicine.
10 Animal massage may be performed solely for purposes of patient well-
11 being.

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

13 ~~(4) "Secretary" means the secretary of health or the secretary's~~
14 ~~designee.))~~

15 **Sec. 27.** RCW 18.240.020 and 2016 c 41 s 21 are each amended to
16 read as follows:

17 No person may practice ~~((as a certified))~~ animal massage
18 ~~((therapist))~~ in this state ~~((without having a certification issued~~
19 ~~by the secretary unless he or she))~~ unless he or she meets one of the
20 following requirements:

21 (1) Registers with Washington effective licensing port in
22 accordance with section 2 of this act; or

23 (2) Is exempt under RCW 18.240.040.

24 **Sec. 28.** RCW 67.08.100 and 2012 c 99 s 6 are each amended to
25 read as follows:

26 (1) The department upon receipt of a properly completed
27 application and payment of a nonrefundable fee, may grant an annual
28 license to an applicant for the following: (a) Promoter; (b) manager;
29 (c) boxer; (d) second; (e) wrestling participant; (f) inspector; (g)
30 judge; (h) timekeeper; (i) ~~((announcer;—(j)))~~ event physician;
31 ~~((+k))~~ (j) event chiropractor; ~~((+l))~~ (k) referee; ~~((+m))~~ (l)
32 matchmaker; ~~((+n))~~ (m) kickboxer; ~~((+o))~~ (n) martial arts
33 participant; ~~((+p))~~ (o) training facility; and ~~((+q))~~ (p) amateur
34 sanctioning organization.

35 (2) The application for the following types of licenses shall
36 include a physical performed by a physician, as defined in RCW
37 67.08.002, which was performed by the physician with a time period
38 preceding the application as specified by rule: (a) Boxer; (b)

1 wrestling participant; (c) kickboxer; (d) martial arts participant;
2 and (e) referee.

3 (3) An applicant for the following types of licenses for the
4 sports of boxing, kickboxing, and martial arts shall provide annual
5 proof of certification as having adequate experience, skill, and
6 training from an organization approved by the department, including,
7 but not limited to, the association of boxing commissions, the
8 international boxing federation, the international boxing
9 organization, the Washington state association of professional ring
10 officials, the world boxing association, the world boxing council, or
11 the world boxing organization for boxing officials, and the united
12 full contact federation for kickboxing and martial arts officials:
13 (a) Judge; (b) referee; (c) inspector; (d) timekeeper; or (e) other
14 officials deemed necessary by the department.

15 (4) No person shall participate or serve in any of the above
16 capacities unless licensed as provided in this chapter.

17 (5) The referees, judges, timekeepers, event physicians,
18 chiropractors, and inspectors for any boxing, kickboxing, or martial
19 arts event shall be designated by the department from among licensed
20 officials.

21 (6) The referee for any wrestling event shall be provided by the
22 promoter and shall be licensed as a wrestling participant.

23 (7) The department shall immediately suspend the license or
24 certificate of a person who has been certified pursuant to RCW
25 74.20A.320 by the department of social and health services as a
26 person who is not in compliance with a support order. If the person
27 has continued to meet all other requirements for reinstatement during
28 the suspension, reissuance of the license or certificate shall be
29 automatic upon the department's receipt of a release issued by the
30 department of social and health services stating that the licensee is
31 in compliance with the order.

32 (8) The director shall suspend the license of any person who has
33 been certified by a lending agency and reported to the director for
34 nonpayment or default on a federally or state-guaranteed educational
35 loan or service-conditional scholarship. Prior to the suspension, the
36 agency must provide the person an opportunity for a brief
37 adjudicative proceeding under RCW 34.05.485 through 34.05.494 and
38 issue a finding of nonpayment or default on a federally or state-
39 guaranteed educational loan or service-conditional scholarship. The
40 person's license may not be reissued until the person provides the

1 director a written release issued by the lending agency stating that
2 the person is making payments on the loan in accordance with a
3 repayment agreement approved by the lending agency. If the person has
4 continued to meet all other requirements for licensure during the
5 suspension, reinstatement is automatic upon receipt of the notice and
6 payment of any reinstatement fee the director may impose.

7 (9) A person may not be issued a license if the person has an
8 unpaid fine outstanding to the department.

9 (10) A person may not be issued a license unless they are at
10 least eighteen years of age.

11 (11) This section shall not apply to contestants or participants
12 in events at which only amateurs are engaged in contests and/or
13 fraternal organizations and/or veterans' organizations chartered by
14 congress or the defense department excluding any recognized amateur
15 sanctioning body recognized by the department. Upon request of the
16 department, a promoter, contestant, or participant shall provide
17 sufficient information to reasonably determine whether this chapter
18 applies.

19 NEW SECTION. **Sec. 29.** A new section is added to chapter 67.08
20 RCW to read as follows:

21 Any boxing announcer working in this state must register with
22 Washington effective licensing port in accordance with section 2 of
23 this act.

24 **Sec. 30.** RCW 77.65.010 and 2015 c 97 s 3 are each amended to
25 read as follows:

26 (1) Except as otherwise provided by this title, a person must
27 have a license or permit issued by the director in order to engage in
28 any of the following activities:

29 (a) Commercially fish for or take food fish or shellfish;

30 (b) Deliver from a commercial fishing vessel food fish or
31 shellfish taken for commercial purposes in offshore waters. As used
32 in this subsection, "deliver" means arrival at a place or port, and
33 includes arrivals from offshore waters to waters within the state and
34 arrivals from state or offshore waters;

35 (c) Operate a charter boat or commercial fishing vessel engaged
36 in a fishery; or

37 (d) Engage in processing or wholesaling food fish or shellfish(+/

38 ~~or~~

1 ~~(e) Act as a food fish guide or game fish guide for personal use,~~
2 ~~except that a charter boat license is required to operate a vessel~~
3 ~~from which a person may for a fee fish for food fish in state waters~~
4 ~~listed in RCW 77.65.150(4)(b)).~~

5 (2) No person may engage in the activities described in
6 subsection (1) of this section unless the licenses or permits
7 required by this title are in the person's possession, and the person
8 is the named license holder or an alternate operator designated on
9 the license and the person's license is not suspended.

10 (3) A valid Oregon license that is equivalent to a license under
11 this title is valid in the concurrent waters of the Columbia river if
12 the state of Oregon recognizes as valid the equivalent Washington
13 license. The director may identify by rule what Oregon licenses are
14 equivalent.

15 (4) No license or permit is required for the production or
16 harvesting of private sector cultured aquatic products as defined in
17 RCW 15.85.020 or for the delivery, processing, or wholesaling of such
18 aquatic products. However, if a means of identifying such products is
19 required by rules adopted under RCW 15.85.060, the exemption from
20 licensing or permit requirements established by this subsection
21 applies only if the aquatic products are identified in conformance
22 with those rules.

23 **Sec. 31.** RCW 77.65.370 and 2015 c 103 s 2 and 2015 c 97 s 4 are
24 each reenacted and amended to read as follows:

25 (1) A person shall not offer or perform the services of a food
26 fish guide without ~~((a food fish guide license))~~ registering with
27 Washington effective licensing port in accordance with section 2 of
28 this act in the taking of food fish for personal use, except that a
29 charter boat license is required to operate a vessel from which a
30 person may for a fee fish for food fish in state waters listed in RCW
31 77.65.150(4)(b). A person must be at least sixteen years of age to
32 register with Washington effective licensing port as a food fish
33 guide.

34 (2) A person shall not offer or perform the services of a game
35 fish guide without ~~((a game fish guide license))~~ registering with
36 Washington effective licensing port in accordance with section 2 of
37 this act in the taking of game fish for personal use.

1 ~~((3) Only an individual at least sixteen years of age may hold a~~
2 ~~food fish guide or game fish guide license. No individual may hold~~
3 ~~more than one food fish guide or game fish guide license.~~

4 ~~(4) An application for a food fish guide or game fish guide~~
5 ~~license must include the information required in RCW 77.65.560.~~

6 ~~(5) A food fish guide license purchased by a person, firm, or~~
7 ~~business on behalf of an employee is subject to RCW 77.65.600.)~~

8 **Sec. 32.** RCW 77.65.480 and 2015 c 103 s 3 are each amended to
9 read as follows:

10 (1) A taxidermy license allows the holder to practice taxidermy
11 for commercial purposes, as that term is defined in RCW 77.15.110.
12 The fee for this license is one hundred eighty dollars. The
13 application fee is seventy dollars.

14 (2) A fur dealer's license allows the holder to purchase,
15 receive, or resell raw furs for commercial purposes, as that term is
16 defined in RCW 77.15.110. The fee for this license is one hundred
17 eighty dollars. The application fee is seventy dollars.

18 ~~(3)((a) A game fish guide license allows the holder to offer or~~
19 ~~perform the services of a game fish guide in the taking of game fish.~~
20 ~~The fee for this license is one hundred eighty dollars for a resident~~
21 ~~and six hundred dollars for a nonresident. The application fee is~~
22 ~~seventy dollars. An application for a game fish guide license must~~
23 ~~include the information required in RCW 77.65.560.~~

24 ~~(b) A game fish guide license purchased by a person, firm, or~~
25 ~~business on behalf of an employee is subject to RCW 77.65.600.~~

26 ~~(4))~~ (4) A game farm license allows the holder to operate a game
27 farm to acquire, breed, grow, keep, and sell wildlife under
28 conditions prescribed by the rules adopted pursuant to this title.
29 The fee for this license is seventy-two dollars for the first year
30 and forty-eight dollars for each following year. The application fee
31 is seventy dollars.

32 ~~((5))~~ (4) A game fish stocking permit allows the holder to
33 release game fish into the waters of the state as prescribed by rule
34 of the commission. The fee for this permit is twenty-four dollars.
35 The application fee is seventy dollars.

36 ~~((6))~~ (5) A fishing or field trial permit allows the holder to
37 promote, conduct, hold, or sponsor a fishing or field trial contest
38 in accordance with rules of the commission. The fee for a fishing
39 contest permit is twenty-four dollars. The fee for a field trial

1 contest permit is twenty-four dollars. The application fee is seventy
2 dollars.

3 ((+7)) (6)(a) An anadromous game fish buyer's license allows the
4 holder to purchase or sell steelhead trout and other anadromous game
5 fish harvested by Indian fishers lawfully exercising fishing rights
6 reserved by federal statute, treaty, or executive order, under
7 conditions prescribed by rule of the director. The fee for this
8 license is one hundred eighty dollars. The application fee is one
9 hundred five dollars.

10 (b) An anadromous game fish buyer's license is not required for
11 those businesses that buy steelhead trout and other anadromous game
12 fish from Washington licensed game fish dealers and sell solely at
13 retail.

14 **Sec. 33.** RCW 77.65.490 and 2001 c 253 s 56 are each amended to
15 read as follows:

16 (1) A license issued by the director is required to:

17 (a) Practice taxidermy for commercial purposes;

18 (b) Deal in raw furs for commercial purposes;

19 (c) ~~((Act as a fishing guide;~~

20 ~~(d))~~ Operate a game farm; or

21 ~~((e))~~ (d) Purchase or sell anadromous game fish.

22 (2) A permit issued by the director is required to:

23 (a) Conduct, hold, or sponsor hunting or fishing contests or
24 competitive field trials using live wildlife;

25 (b) Collect wild animals, wild birds, game fish, food fish,
26 shellfish, or protected wildlife for research or display;

27 (c) Stock game fish; or

28 (d) Conduct commercial activities on department-owned or
29 controlled lands.

30 (3) Aquaculture as defined in RCW 15.85.020 is exempt from the
31 requirements of this section, except when being stocked in public
32 waters under contract with the department.

33 **Sec. 34.** RCW 18.92.060 and 2000 c 93 s 11 are each amended to
34 read as follows:

35 Nothing in this chapter applies to:

36 (1) Commissioned veterinarians in the United States military
37 services or veterinarians employed by Washington state and federal
38 agencies while performing official duties;

- 1 (2) A person practicing veterinary medicine upon his or her own
2 animal;
- 3 (3) A person advising with respect to or performing the
4 castrating and dehorning of cattle, castrating and docking of sheep,
5 castrating of swine, caponizing of poultry, or artificial
6 insemination of animals;
- 7 (4)(a) A person who is a regularly enrolled student in a
8 veterinary school or training course approved under RCW 18.92.015 and
9 performing duties or actions assigned by his or her instructors or
10 working under the direct supervision of a licensed veterinarian
11 during a school vacation period or (b) a person performing assigned
12 duties under the supervision of a veterinarian within the established
13 framework of an internship program recognized by the board;
- 14 (5) A veterinarian regularly licensed in another state consulting
15 with a licensed veterinarian in this state;
- 16 (6) A veterinary technician or veterinary medication clerk acting
17 under the supervision and control of a licensed veterinarian. The
18 practice of a veterinary technician or veterinary medication clerk is
19 limited to the performance of services which are authorized by the
20 board;
- 21 (7) An owner being assisted in practice by his or her employees
22 when employed in the conduct of the owner's business;
- 23 (8) An owner being assisted in practice by some other person
24 gratuitously;
- 25 (9) The implanting in their own animals of any electronic device
26 for identifying animals by established humane societies and animal
27 control organizations that provide appropriate training, as
28 determined by the veterinary board of governors, and/or direct or
29 indirect supervision by a licensed veterinarian;
- 30 (10) The implanting of any electronic device by a public fish and
31 wildlife agency for the identification of fish or wildlife; or
- 32 (11) A person offering or performing, whether for compensation or
33 not, the animal husbandry service commonly referred to as horse teeth
34 floating that consists of the removal of enamel from equine teeth, so
35 long as the person is registered with the Washington effective
36 licensing port in accordance with section 2 of this act.

37 **Sec. 35.** RCW 77.65.440 and 2011 c 339 s 28 are each amended to
38 read as follows:

1 The director shall issue the personal licenses listed in this
 2 section according to the requirements of this title. The licenses and
 3 their annual fees are:

Personal License	Annual Fee		Applica- tion Fee	Governing Section
	Resident	Nonresident		
(1) Alternate Operator	\$ 35	\$ 35	\$ 70	RCW 77.65.130
(2) Geoduck Diver	\$185	\$295	\$ 70	RCW 77.65.410
((3) Food-Fish Guide	\$130	\$630	\$ 70	RCW 77.65.370)
	(plus \$20)	(plus \$100)		

15 NEW SECTION. **Sec. 36.** The following acts or parts of acts are
 16 each repealed:

- 17 (1) RCW 18.11.060 (Administration of chapter—Fees) and 1986 c 324
 18 s 3 & 1982 c 205 s 2;
- 19 (2) RCW 18.11.121 (Surety bond or security required) and 1987 c
 20 336 s 2 & 1986 c 324 s 8;
- 21 (3) RCW 18.11.130 (Written contract required—Penalty) and 1986 c
 22 324 s 9 & 1982 c 205 s 11;
- 23 (4) RCW 18.11.140 (Written records required—Penalty) and 1986 c
 24 324 s 10 & 1982 c 205 s 12;
- 25 (5) RCW 18.11.170 (Unauthorized practice—Penalties) and 1986 c
 26 324 s 13 & 1982 c 205 s 15;
- 27 (6) RCW 18.11.180 (Compensation of nonlicensed person—Penalties)
 28 and 2002 c 86 s 210, 1986 c 324 s 14, & 1982 c 205 s 16;
- 29 (7) RCW 18.11.190 (Actions for compensation for services) and
 30 1986 c 324 s 15 & 1982 c 205 s 17;
- 31 (8) RCW 18.11.205 (Director—Authority to impose administrative
 32 fines) and 1986 c 324 s 17;
- 33 (9) RCW 18.11.210 (Newspaper advertisements—Name and license
 34 number required—Penalty) and 1986 c 324 s 19 & 1984 c 189 s 1;
- 35 (10) RCW 18.11.270 (License, certificate, or registration
 36 suspension—Nonpayment or default on educational loan or scholarship)
 37 and 1996 c 293 s 4;

1 (11) RCW 18.11.280 (Uniform regulation of business and
2 professions act) and 2002 c 86 s 212;

3 (12) RCW 18.96.040 (Licensure board for landscape architects—
4 Members—Qualifications) and 2011 c 336 s 501, 2009 c 370 s 5, 1993 c
5 35 s 1, 1985 c 18 s 1, & 1969 ex.s. c 158 s 4;

6 (13) RCW 18.96.060 (Board—Adoption of rules—Executive director)
7 and 2009 c 370 s 6, 2002 c 86 s 234, & 1969 ex.s. c 158 s 6;

8 (14) RCW 18.96.070 (Qualifications of applicants) and 2009 c 370
9 s 7 & 1969 ex.s. c 158 s 7;

10 (15) RCW 18.96.080 (Applications for licensure and examinations—
11 Fees) and 2009 c 370 s 8, 1993 c 35 s 2, 1985 c 7 s 74, 1975 1st
12 ex.s. c 30 s 85, & 1969 ex.s. c 158 s 8;

13 (16) RCW 18.96.090 (Examinations) and 2009 c 370 s 9, 1993 c 35 s
14 3, 1985 c 18 s 2, & 1969 ex.s. c 158 s 9;

15 (17) RCW 18.96.100 (Reciprocity) and 2009 c 370 s 10, 1993 c 35 s
16 4, 1985 c 7 s 75, 1975 1st ex.s. c 30 s 86, & 1969 ex.s. c 158 s 10;

17 (18) RCW 18.96.110 (Renewals) and 2009 c 370 s 11 & 1993 c 35 s
18 5;

19 (19) RCW 18.96.120 (Unprofessional conduct—Grounds for
20 disciplinary action) and 2009 c 370 s 12, 2002 c 86 s 235, 1997 c 58
21 s 827, & 1969 ex.s. c 158 s 12;

22 (20) RCW 18.96.140 (Reissuance of lost or destroyed certificates)
23 and 2009 c 370 s 13, 2002 c 86 s 236, 1985 c 7 s 77, 1975 1st ex.s. c
24 30 s 88, & 1969 ex.s. c 158 s 14;

25 (21) RCW 18.96.150 (Certificates of licensure—Issuance—Contents
26 —Seal) and 2009 c 370 s 14, 1993 c 35 s 6, & 1969 ex.s. c 158 s 15;

27 (22) RCW 18.96.180 (Certificate of licensure suspension—
28 Noncompliance with support order—Reissuance) and 2009 c 370 s 15 &
29 1969 ex.s. c 158 s 18;

30 (23) RCW 18.96.190 (Certificate of licensure suspension—
31 Nonpayment or default on educational loan or scholarship) and 2009 c
32 370 s 16 & 1996 c 293 s 15;

33 (24) RCW 18.96.200 (Uniform regulation of business and
34 professions act) and 2002 c 86 s 237;

35 (25) RCW 18.96.210 (Landscape architects' license account) and
36 2009 c 370 s 17;

37 (26) RCW 18.96.230 (Military training or experience) and 2011 c
38 351 s 7;

1 (27) RCW 18.240.030 (Certification requirements) and 2007 c 70 s
2 4;
3 (28) RCW 18.240.050 (Secretary's authority) and 2007 c 70 s 6;
4 (29) RCW 18.240.060 (Examinations) and 2007 c 70 s 7;
5 (30) RCW 18.240.070 (Applicant certification—Fees) and 2007 c 70
6 s 8;
7 (31) RCW 18.240.080 (Renewal of certification) and 2007 c 70 s 9;
8 (32) RCW 18.240.090 (Application of uniform disciplinary act) and
9 2007 c 70 s 10; and
10 (33) RCW 77.65.560 (Application for food fish guide license/game
11 fish guide license—Required information) and 2015 c 97 s 10 & 2013 c
12 314 s 1.

13 NEW SECTION. **Sec. 37.** Sections 1 through 4 of this act
14 constitute a new chapter in Title 18 RCW.

15 NEW SECTION. **Sec. 38.** This act takes effect September 1, 2017.

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