

Sec. 10. Section 4, chapter 183, Laws of 1985 and RCW 26.44.115 are each amended to read as follows:

If a child is taken into custody by child protective services pursuant to a court order issued under RCW 13.34.050, the child protective services worker shall take reasonable steps to advise the parents immediately, regardless of the time of day, that the child has been taken into custody, the reasons why the child was taken into custody, and general information about the child's placement. ~~((Notice may be given by any means reasonably certain of notifying the parents, including but not limited to, written, telephonic, or in-person oral notification. If the initial notification is provided by a means other than writing, the information shall also be provided to the parent in writing as soon thereafter as possible))~~ The department shall comply with RCW 13.34.060 when providing notice under this section.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House March 8, 1990.  
 Passed the Senate March 7, 1990.  
 Approved by the Governor March 28, 1990.  
 Filed in Office of Secretary of State March 28, 1990.

## CHAPTER 247

[House Bill No. 2526]

### ALTERNATE OPERATOR SERVICE COMPANIES

AN ACT Relating to registration of telecommunication companies; amending RCW 80.36.350 and 80.36.530; adding new sections to chapter 80.36 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

**\*Sec. 1. Section 7, chapter 450, Laws of 1985 and RCW 80.36.350 are each amended to read as follows:**

***Each telecommunications company not operating under tariff in Washington on January 1, 1985, shall register with the commission before beginning operations in this state. The registration shall be on a form prescribed by the commission and shall contain such information as the commission may by rule require, but shall include as a minimum the name and address of the company; the name and address of its registered agent, if any; the name, address, and title of each officer or director; its most current balance sheet; its latest annual report, if any; and a description of the telecommunications services it offers or intends to offer.***

***The commission may require as a precondition to registration the procurement of a performance bond sufficient to cover any advances or deposits***

*the telecommunications company may collect from its customers, or order that such advances or deposits be held in escrow or trust.*

*The commission may deny registration to any telecommunications company which:*

- (1) Does not provide the information required by this section;*
- (2) Fails to provide a performance bond, if required;*
- (3) Does not possess adequate financial resources to provide the proposed service; or*
- (4) Does not possess adequate technical competency to provide the proposed service.*

*The commission shall take action to approve or issue a notice of hearing concerning any application for registration within thirty days after receiving the application. The commission may approve an application with or without a hearing. The commission may deny an application after a hearing.*

*A telecommunications company may also submit a petition for competitive classification under RCW 80.36.310 at the time it applies for registration. The commission may act on the registration application and the competitive classification petition at the same time.*

\*Sec. 1 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 2. A new section is added to chapter 80.36 RCW to read as follows:

All alternate operator service companies providing services within the state shall register with the commission as a telecommunications company before providing alternate operator services. The commission may deny an application for registration of an alternate operator services company if, after a hearing, it finds that the services and charges to be offered by the company are not for the public convenience and advantage. The commission may suspend the registration of an alternate operator services company if, after a hearing, it finds that the company does not meet the service or disclosure requirements of the commission. Any alternate operator services company that provides service without being properly registered with the commission shall be subject to a penalty of not less than five hundred dollars and not more than one thousand dollars for each and every offense. In case of a continuing offense, every day's continuance shall be a separate offense. The penalty shall be recovered in an action as provided in RCW 80.04.400.

NEW SECTION. Sec. 3. A new section is added to chapter 80.36 RCW to read as follows:

The commission may adopt rules that provide for minimum service levels for telecommunications companies providing alternate operator services. The rules may provide a means for suspending the registration of a company providing alternate operator services if the company fails to meet minimum service levels or if the company fails to provide appropriate disclosure to consumers of the protection afforded under this chapter.

Sec. 4. Section 3, chapter 91, Laws of 1988 and RCW 80.36.530 are each amended to read as follows:

In addition to the penalties provided in this title, a violation of RCW 80.36.510 ((or)), 80.36.520 , or section 3 of this act constitutes ((a)) an unfair or deceptive act in trade or commerce in violation of chapter 19.86 RCW, the consumer protection act. Acts in violation of RCW 80.36.510, 80.36.520, or section 3 of this act are not reasonable in relation to the development and preservation of business, and constitute matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. It shall be presumed that damages to the consumer are equal to the cost of the service provided plus two hundred dollars. Additional damages must be proved.

Passed the House March 5, 1990.

Passed the Senate March 2, 1990.

Approved by the Governor March 28, 1990, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 28, 1990.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 1, House Bill No. 2526 entitled:

"AN ACT Relating to registration of telecommunication companies."

The provisions of section 1 of this bill are identical to the provisions of Senate Bill No. 6510, which has already been enacted into law. To avoid duplication, I have vetoed section 1 of this bill.

With the exception of section 1, House Bill No. 2526 is approved."

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## CHAPTER 248

[House Bill No. 2542]

### CONTROLLED SUBSTANCES—VEHICLE FORFEITURES

AN ACT Relating to the forfeiture of vehicles involved in illegal transfers of controlled substances; amending RCW 69.50.101 and 69.50.505; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 69.50.101, chapter 308, Laws of 1971 ex. sess. as last amended by section 429, chapter 9, Laws of 1989 1st ex. sess. and RCW 69.50.101 are each amended to read as follows:

As used in this chapter:

(a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

- (1) a practitioner, or
- (2) the patient or research subject at the direction and in the presence of the practitioner.