

of the State of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Supplement No. 20***

FIFTY-EIGHTH LEGISLATURE

Monday, February 10, 2003

29th Day - 2003 Regular

	SENA	TE		HOUSE	
SB 5006-S SB 5028-S SB 5086-S SB 5135-S SB 5148-S SB 5158-S SB 5225-S SB 5299-S SB 5384-S SB 5452-S SB 5705 SB 5706 SB 5706 SB 5707 SB 5708 SB 5709 SB 5709 SB 5710 SB 5711	SB 5712 SB 5713 SB 5714 SB 5715 SB 5716 SB 5716 SB 5717 SB 5718 SB 5719 SB 5720 SB 5721 SB 5722 SB 5722 SB 5722 SB 5723 SB 5724 SB 5725 SB 5725 SB 5725 SB 5725 SB 5726 SB 5727 SB 5728	SB 5729	HB 1057-S HB 1058-S HB 1160-S HB 1233-S HB 1339-S HB 1340-S HB 1367-S HB 1750 HB 1751 HB 1752 HB 1752 HB 1753 HB 1754 HB 1755 HB 1756 HB 1756 HB 1757 HB 1757 HB 1757	HB 1760 HB 1761 HB 1762 HB 1763 HB 1764 HB 1765 HB 1766 HB 1767 HB 1768 HB 1769	

House Bills

HB 1057-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Hatfield, Buck, Blake and Kessler)

Creating the license suspension review committee.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that existing law as it relates to the suspension of commercial fishing licenses does not take into account the real-life circumstances faced by the state's commercial fishing fleets. The nature of the commercial fishing industry, together with the complexity of fisheries regulations, is such that honest mistakes can be made by well-meaning and otherwise law-abiding fishers. Commercial fishing violations that occur within an acceptable margin of error should not result in the suspension of fishing privileges. Likewise, fishers facing the possibility of license suspension or revocation deserve the opportunity to explain any extenuating circumstances prior to having his or her professional privileges suspended.

Declares an intent, by creating the license suspension review committee, to provide a fisher with the opportunity to explain any extenuating circumstances that led to a commercial fishing violation.

Finds that gross abuses of fish stocks should not be tolerated. Individuals convicted of even one violation that is egregious in nature, causing serious detriment to a fishery or the competitive disposition of other fishers, should have his or her license suspended and revoked.

Provides that, if a person is convicted of two or more qualifying commercial fishing violations within a three-year period, the person's privileges to participate in the commercial fishery to which the violations applied may be suspended by the director for up to one year. A commercial fishery license that is suspended under this act may not be transferred after the director issues a notice of suspension, or used by an alternative operator or transferred during the period of suspension, if the person who is the subject of the suspension notice is the person who owns the commercial fishery license.

-- 2003 REGULAR SESSION --

Feb 6 FEP - Majority; 1st substitute bill be substituted, do pass.

Feb 7 Passed to Rules Committee for second reading.

HB 1058-S by House Committee on Children & Family Services (originally sponsored by Representatives Kagi, Boldt, McIntire, Nixon, Dickerson, Fromhold, O'Brien, Lantz, Linville, Kenney, Kessler, Clibborn, Talcott, Simpson and Wood)

Addressing educational attainment for foster children.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the educational attainment of children in foster care is significantly lower than that of children not in foster care.

Finds that many factors influence educational outcomes for children in foster care, including the disruption of the educational process because of repeatedly changing schools.

Recognizes and encourages the ongoing efforts of the department of social and health services and the office of the superintendent of public instruction to improve educational attainment of children in foster care.

Declares an intent that efforts continue such as recruiting foster homes in school districts with high rates of foster care placements, the development and dissemination of informational materials regarding the challenges faced by children in foster care, and the expansion to other school districts of best practices identified in pilot projects.

Declares that it is the policy of the state of Washington that, whenever practical and in the best interest of the child, children placed into foster care shall remain enrolled in the schools they were attending at the time they entered foster care.

Requires the department to establish an oversight committee composed of staff from the children's administration of the department, the office of the superintendent of public instruction, and advocacy agencies to develop strategies for maintaining foster children in the schools they were attending at the time they entered foster care

Directs the department to establish an oversight committee composed of staff from the children's administration of the department, the office of the superintendent of public instruction, and advocacy agencies to develop best practice standards to maintain foster children in their home school whenever practical.

Directs the department to work with the administrative office of the courts to develop protocols to ensure that educational stability is addressed during the shelter care hearing.

-- 2003 REGULAR SESSION --

Feb 5 CFS - Majority; 1st substitute bill be substituted, do pass.

Feb 7 Passed to Rules Committee for second reading.

HB 1160-S by House Committee on State Government (originally sponsored by Representatives Miloscia, Armstrong, Wallace, Tom, Shabro, Haigh, McDermott and Anderson; by request of Secretary of State)

Harmonizing election crimes and penalties.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes provisions relating to election crimes and penalties compatible.

-- 2003 REGULAR SESSION --

Feb 6 SG - Majority; 1st substitute bill be substituted, do pass.

Feb 7 Passed to Rules Committee for second reading.

HB 1233-S by House Committee on Children & Family Services (originally sponsored by Representatives Pettigrew, Boldt, Moeller, Kagi, Lovick, Orcutt, Dickerson, Chase, Darneille, Eickmeyer, O'Brien, Roach, Armstrong, Flannigan, Jarrett, Clibborn, Lantz, Kenney, Benson, Shabro, Nixon, Morrell, Mielke and Haigh)

Improving services for kinship caregivers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of social and health services to implement strategies to increase the number of children placed with willing and able relatives when out-of-home placement is required.

Directs the department to collaborate with one or more nonprofit community-based agencies to develop a grant proposal for submission to potential funding sources, including governmental entities and private foundations, to establish a minimum of two pilot projects to assist kinship caregivers with understanding and navigating the system of services for children in out-of-home care. The proposal must seek to establish at least one project in eastern Washington and one project in western Washington, each project to be managed by a participating community-based agency.

Requires the kinship care navigators funded through the proposal to be responsible for at least the following: (1) Understanding the various state agency systems serving kinship caregivers;

- (2) Working in partnership with local community service providers;
- (3) Tracking trends, concerns, and other factors related to kinship caregivers; and
- (4) Assisting in establishing stable, respectful relationships between kinship caregivers and department staff.

Declares that implementation of the kinship care navigator pilot projects is contingent upon receipt of nonstate or private funding for that purpose.

Requires the department of social and health services to brief the appropriate committees of the legislature on the implementation of the kinship care navigator pilot projects with recommendations on statewide implementation of the pilot projects one year following implementation of the

Provides that within existing resources, the department shall establish an oversight committee to monitor, guide, and report on kinship care recommendations and implementation activities.

Requires the kinship care oversight committee to brief the appropriate committees of the legislature on the status of kinship care issues by December 1, 2004.

-- 2003 REGULAR SESSION --

Feb 5 CFS - Majority; 1st substitute bill be substituted, do pass.

Referred to Appropriations. Feb 7

HB 1339-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Simpson, Benson and Schual-Berke; by request of Department of Financial Institutions)

Regulating escrow agents and officers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides for the regulation of escrow agents and officers.

-- 2003 REGULAR SESSION --

FII - Majority; 1st substitute bill be Feb 4 substituted, do pass.

Minority; do not pass.

Feb 7 Referred to Appropriations. HB 1340-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Cooper, Benson, Schual-Berke and McIntire; by request of Governor Locke)

Regulating check cashers and sellers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides for the regulation of check cashers and sellers.

-- 2003 REGULAR SESSION --

- Feb 4 FII - Majority; 1st substitute bill be substituted, do pass.
- Feb 7 Passed to Rules Committee for second reading.

HB 1367-S by House Committee on State Government (originally sponsored by Representatives Rockefeller, Alexander, Morris, Jarrett, Conway, Murray, Clibborn, Kenney, Wallace, McIntire, Anderson, Upthegrove, Berkey, Campbell, Kagi, McDermott, Darneille, Wood, Hudgins, Simpson and Ruderman)

Authorizing the legislative accountability board to conduct expanded performance measure reviews.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that performance measurement is integral to the efficient and effective management and operation of state agencies and programs, essential to the achievement of effective interagency cooperation and management, and integral to identifying priorities of government for purposes of funding biennial budgets.

Finds that reviews of outcome and performance measures are necessary for demonstrating the accountability of state government to the public. Thus, the legislature intends to expand its performance measure reviews to provide greater accountability to the public, to ensure that state government has effective measures for assessing and continuously improving performance, and to determine whether targeted funding investments and established priorities of government actually produce the intended and expected services and benefits.

Declares an intent that outcome and performance measures used by state agencies and programs and required by RCW 43.88.090 become a tool for the governor and the legislature in establishing priorities of government and developing biennial budgets.

-- 2003 REGULAR SESSION --

SG - Majority; 1st substitute bill be Feb 6 substituted, do pass.

HB 1750 by Representatives Grant, Mastin, Haigh, Chandler, Holmquist, Crouse, Condotta, Hatfield, Schoesler, Talcott and Newhouse

Modifying the inflationary adjustment to the minimum wage.

Revises the inflationary adjustment to the minimum wage.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Commerce & Labor.

HB 1751 by Representatives Fromhold, Boldt, Veloria, Cairnes, Gombosky, Roach, Orcutt, Mielke, Grant, Sullivan, Wallace, Moeller, Rockefeller, Chase, Nixon and Skinner

Providing tax incentives to support the state's semiconductor cluster.

Declares an intent to enact comprehensive tax incentives for the semiconductor cluster that address activities of the lead product industry and its suppliers and customers. Tax incentives for the semiconductor cluster are important in both retention and expansion of existing business and attraction of new businesses, all of which will strengthen this cluster.

Recognizes that the semiconductor industry involves major investment that results in significant construction projects, which will create jobs and bring many indirect benefits to the state during the construction phase.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Trade & Economic Development.

by Representatives Schindler, Romero, Edwards, Mielke, Upthegrove, Jarrett and Rockefeller

Transferring the assets and liabilities of certain fire protection districts.

Provides that, if all of a fire protection district is included in an area that incorporates as a city or town or is annexed to a city or town or fire protection district, all of the assets and liabilities of the fire protection district shall be transferred to the newly incorporated city or town on the date on which the fire protection district ceases to provide fire protection services pursuant to RCW 52.04.161 or to the city or town or fire protection district upon the annexation.

Repeals RCW 35.02.200, 35.02.202, 35.02.205, and 35A.14.400.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Local Government.

Concerning nursing practices in community-based and in-home care.

Revises provisions relating to nursing practices in community-based and in-home care.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Health Care.

HB 1754 by Representatives Eickmeyer, Schoesler, Sump, Hunt, Grant, Pettigrew, Haigh, McDermott, Blake, Quall, Rockefeller and Romero

Concerning the slaughter, preparation, and sale of certain poultry.

Provides that rules adopted by the state board of health, the department of health, or a local health jurisdiction, as defined in RCW 43.70.575, regulating food or food service establishments do not apply to the slaughter and preparation of one thousand or fewer poultry animals in a calendar year by the agricultural producer of the poultry for the sale of the whole or cut-up raw poultry by the producer directly to retail customers, or to such sale.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Agriculture & Natural Resources.

HB 1755 by Representatives Kirby, Romero, Conway, Jarrett, Rockefeller and Morrell

Creating alternative means for annexation of unincorporated island of territory.

Provides that any county planning under chapter 36.70A RCW may enter into an interlocal agreement, pursuant to chapter 39.34 RCW, with any city or town within the county for annexation of unincorporated territory within the city or town urban growth area designated under RCW 36.70A.110, if at least sixty percent of the boundaries of the area to be annexed are contiguous to the city or town or to more than one city or town.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Local Government.

HB 1756 by Representatives Conway, Kirby, Talcott, Flannigan, Darneille, Shabro, Edwards and Morrell

Authorizing additional funding for local governments. Provides for additional funding for local governments.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Finance.

HB 1757 by Representatives Holmquist, Grant, Hinkle, Clements, Chandler, Sump, Schoesler, Kristiansen, Newhouse, Delvin, Quall, Condotta, Mastin, Buck, Orcutt, Armstrong and Benson

Modifying water relinquishment provisions.

Declares that relinquishment under chapter 90.14 RCW may not occur except in accordance with the procedure set forth in this act or in a proceeding to determine water rights under RCW 90.03.105 through 90.03.245 or 90.44.220.

Provides that, for the purposes of this chapter, there is no relinquishment of any water right or any portion of a water right for full or partial nonuse of such a right that occurred more than fifteen years before the date upon which relinquishment proceedings are commenced under this act or the date upon which adjudication proceedings are commenced under RCW 90.03.105 through 90.03.245 or 90.44.220.

Provides that, for the purpose of determining relinquishment, the following must be used to determine the amount of water that has been beneficially used under a water right on an annual basis: The amount beneficially used is the amount of water used within the limits of the

right during the year in which the greatest volume of water was used under the right during the most current fifteen-year period.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Agriculture & Natural Resources.

HB 1758 by Representatives Schoesler and Haigh

Concerning the slaughter, preparation, and sale of one thousand or fewer chickens.

Establishes provisions relating to the slaughter, preparation, and sale of one thousand or fewer chickens.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Agriculture & Natural Resources.

HB 1759 by Representatives Schual-Berke and Benson

Providing financial institution law parity.

Provides for financial institution law parity.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Institutions & Insurance.

HB 1760 by Representatives Boldt, Anderson, Mielke and McMahan

Ensuring discovery of sex offenses against children.

Revises provisions to ensure discovery of sex offenses against children.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Criminal Justice & Corrections.

HB 1761 by Representatives Lovick, Ahern, O'Brien, Hatfield, Haigh, Rockefeller and Bush

Providing for financial restitution to victims of sexual assault from inmate funds and wages.

Provides that an additional five percent shall be deducted from the gross wages or gratuities of each inmate working in correctional industries work programs if such inmate has been convicted of a sex offense as defined in RCW 9.94A.030. The funds shall be deposited in the public safety and education account for the purpose of crime victims' compensation to be distributed to his or her victim of sexual assault.

Provides that, in addition to other benefits provided under chapter 7.68 RCW, victims of sexual assault are entitled to receive benefits from his or her perpetrator or perpetrators of the criminal act that gave rise to the claim, as provided under RCW 72.09.111(2).

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Criminal Justice & Corrections.

HB 1762 by Representatives Murray, Hankins, Cooper, McDermott, Rockefeller, Gombosky, Santos and Haigh

Authorizing an additional motor vehicle registration fee to fund environmental protection or cleanup.

Provides that, in addition to all other fees imposed under chapter 46.16 RCW, the following registration fees shall be imposed at the time of initial registration: (1) Ten dollars for all campers, motorcycles, or trailers;

- (2) Twenty dollars for all passenger cars and for hire vehicles;
- (3) Thirty dollars for all trucks, motor homes, combination of vehicles, commercial vehicles, and travel trailers.

Declares that vehicles licensed under chapter 46.87 RCW are exempt from the fees imposed under this act.

Requires the proceeds from the fee imposed under this act to be deposited in the state air quality account created by this act.

Expires July 1, 2040.

Provides that, notwithstanding RCW 39.36.020(1), air pollution control authorities created under chapter 70.94 RCW may at any time contract indebtedness or borrow money for any lawful authority purpose and may issue general obligation bonds or other evidences of indebtedness, secured by the pledge of one or more of the taxes, charges, or fees authorized to be imposed or received by the authority, including, without limitation, the state air quality account moneys to be distributed to the authority under this act.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Transportation.

https://dx.doi.org/10.1016/j.ps.com/https://dx.doi.org/10.1016/j.p

Providing for conditional scholarships for prospective teachers.

Directs the higher education coordinating board to offer conditional scholarships for full or part-time studies that may be forgiven in exchange for teaching service in Washington's public K-12 schools.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Higher Education.

HB 1764 by Representatives Lantz, Carrell, O'Brien, Flannigan and Moeller

Providing limited immunity for pretrial supervision.

Provides that a city, town, or county that provides pretrial supervision or pretrial release, its staff, and volunteers are not liable for civil damages resulting from any act or omission in the rendering of pretrial supervision or pretrial release unless the act or omission constitutes gross negligence. For purposes of this act, "volunteers" is defined according to RCW 51.12.035. For purposes of this act, "gross negligence" means the failure to exercise slight care, and is substantially and appreciably greater than ordinary negligence.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Judiciary.

HB 1765 by Representatives O'Brien, Campbell, Veloria, Cooper and Bush

Revising provisions for inmate labor. Revises provisions for inmate labor. Repeals RCW 43.19.535.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Criminal Justice & Corrections.

HB 1766 by Representatives Anderson and Benson

Modifying public disclosure restrictions on state investment board information.

Revises public disclosure restrictions on state investment board information.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to State Government.

HB 1767 by Representatives Lovick, Campbell, Mielke, Lantz and O'Brien; by request of Department of Social and Health Services

Permitting a forensic competency examination to be conducted in a jail, detention or correctional facility, or appropriate community setting by one examiner.

Provides that, whenever there is reason to doubt the competency of a defendant, the court on its own motion or on the motion of any party shall request the secretary to designate a qualified expert or professional person to examine, in a local jail or detention or correctional facility or in an appropriate community setting, and report upon the mental condition of the defendant. The designated expert or professional person shall be a developmental disabilities professional if the court is provided evidence by any party that the defendant may be developmentally disabled.

Provides that the report of the examination regarding competency must include the following: (1) A description of the nature of the examination;

- (2) A diagnosis of the mental condition of the defendant;
 - (3) An opinion as to competency; and
- (4) An opinion as to whether the defendant should be evaluated by a county designated mental health professional under chapter 71.05 RCW, and an opinion as to whether the defendant is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Judiciary.

HB 1768 by Representatives Haigh, Miloscia and Hunt

Including recreation facilities under a public facilities district's authority.

Includes recreation facilities under a public facilities district's authority.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Trade & Economic Development.

HB 1769 by Representatives Romero, Cooper, Dunshee, Linville and Edwards; by request of Governor Locke

Establishing a schedule of time limits under which local governments must develop or amend shoreline master plans.

Declares an intent to amend the shoreline management act to facilitate the implementation of guidelines that provide for review and amendment of local government shoreline master programs. To this end, the legislature affirms the schedule of time limits provided in RCW 90.58.080 for updating shoreline master programs by local governments and eliminates the limits on state funding of shoreline master program updating costs.

Declares an intent that the state provide funding to local governments that is reasonable and adequate to accomplish the task of updating shoreline master programs, and consistent with the schedule for the local governments to adopt the updates of shoreline master programs.

Provides that, except as specifically described in RCW 90.58.250 (1), nothing in this act is intended to alter the existing obligations, duties, and benefits provided by the shoreline management act to local governments and the department.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Local Government.

Senate Bills

SB 5006-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Jacobsen and Haugen)

Allowing nonconsumptive wildlife activities on public lands.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 79.01.244 and 79.68.050 to allow nonconsumptive wildlife activities on public lands.

Declares that such lands shall not be open and available for wildlife activities when access could endanger crops on the land or when access could endanger the person accessing the land.

-- 2003 REGULAR SESSION --

- Feb 6 NR Majority; 1st substitute bill be substituted, do pass.
- Feb 7 Passed to Rules Committee for second reading.

SB 5028-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Morton and Hale)

Clarifying the state's authority to regulate water pollution.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Designates the state's authority to regulate water pollution.

Declares that exercise of any water right claim, permit, or certificate granted under chapter 90.03, 90.14, or 90.44

RCW to withdraw or divert water does not constitute 'pollution" as defined by chapter 90.48 RCW.

Provides that the department must rely solely on its authority granted under chapters 90.03, 90.14, and 90.44 RCW to condition, limit, regulate, or control any claim, permit, or certificate to withdraw or divert water.

-- 2003 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass 1st substitute.

Passed to Rules Committee for second Feb 7 reading.

SB 5086-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Doumit, Hewitt, Deccio, Hale, Sheahan, Morton, Parlette, Mulliken and Rasmussen)

Concerning appeals of water quantity decisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person who is aggrieved or adversely affected by a water quantity decision may appeal the decision to the pollution control hearings board under RCW 43.21B.310, or to the superior court where the land is located upon which the water is or would be used. Any appeal to the superior court shall be de novo.

Provides that a person who appeals a decision to the pollution control hearings board under this act may appeal the board's decision directly to the court of appeals.

-- 2003 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Minority; do not pass.

Feb 7 Referred to Ways & Means.

SB 5135-S by Senate Committee on Higher Education (originally sponsored by Senators Carlson, Kohl-Welles, West, Horn, Schmidt and Rossi)

Creating tuition surcharges.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Adds provisions relating to increased tuition fees for excess credits taken at institutions of higher education.

-- 2003 REGULAR SESSION --

Feb 7 HIE - Majority; 1st substitute bill be substituted, do pass. And refer to Ways & Means. Referred to Ways & Means.

SB 5148-S by Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Winsley and Prentice; by request of Insurance Commissioner)

Providing confidentiality to certain insurance commissioner examinations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that working papers, documents, materials, or information produced by, obtained by, or disclosed to the commissioner or any other person in the course of a financial or market conduct examination are not required to be disclosed by the commissioner unless cited by the commissioner in connection with an agency action. A waiver of existing privilege or claim of confidentiality may not occur as a result of a disclosure to the commissioner under this act.

Requires the commissioner to notify a party that produced documents, materials, or information five days before disclosure in connection to an agency action. The notified party may seek injunctive relief to prevent disclosure of any documents, materials, or information it believes is confidential or privileged in a court of competent jurisdiction.

-- 2003 REGULAR SESSION --

Feb 7 FSIH - Majority; 1st substitute bill be substituted, do pass. Passed to Rules Committee for second reading.

SB 5158-S by Senate Committee on Higher Education (originally sponsored by Senators Carlson, McAuliffe, Hewitt, Kohl-Welles, Sheahan, West, Winsley, Johnson, Oke, Hale, Parlette, Mulliken, Brown, Schmidt, B. Sheldon and Shin)

Expanding the definition of resident student for purposes of higher education.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Includes any person who has completed the full senior year of high school and obtained a high school diploma, both at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an institution of higher education under this act; and who provides to the institution an affidavit indicating a willingness to file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.

-- 2003 REGULAR SESSION --

Feb 6 HIE - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second Feb 7 reading.

SB 5225-S by Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Benton, Prentice, Zarelli and Esser)

Providing rent vouchers for low-income persons to pay for rent and security deposits.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Recognizes that housing affordability has become a significant problem for a large portion of society in many parts of the state in recent years. To address this problem, there is a need to allocate funding from the surcharge of ten dollars per instrument charged by the county auditor for each document recorded as established under RCW 36.22.178, to provide low-income persons with rent vouchers to pay for permanent multifamily and single-family, private, for-profit, market rate rental housing.

Provides for rental assistance or vouchers for payment of first and last month's rent and security and other deposits required by a landlord, payable directly to the landlord by the agency administering the county funds, for housing that is affordable to very low-income persons with incomes at or below fifty percent of the area median income.

-- 2003 REGULAR SESSION --

Feb 7 FSIH - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5299-S by Senate Committee on Technology & Communications (originally sponsored by Senators Stevens, Reardon, Esser, Finkbeiner, Johnson and T. Sheldon)

Concerning promotional service offerings.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the commission shall not suspend a promotional tariff. For the purposes of this act, "promotional tariff" means a tariff that, for a period of up to ninety days, waives or reduces charges or conditions of service for existing or new subscribers for the purpose of retaining or increasing the number of customers who subscribe to or use a service.

Authorizes a telecommunications company to file a promotional offering to be effective, without receiving a special order from the commission, upon filing with the commission and publication. For the purposes of this act, "promotional offering" means a tariff or price list that, for a period of up to ninety days, waives or reduces charges or conditions of service for existing or new subscribers for the purpose of retaining or increasing the number of customers who subscribe to or use a service.

-- 2003 REGULAR SESSION --

Feb 6 TC - Majority; 1st substitute bill be substituted, do pass.

Feb 7 Passed to Rules Committee for second reading.

SB 5384-S by Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators West and Winsley)

Regulating utility services and connection charges for certain mobile home parks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that cities, towns, counties, local improvement districts, utility local improvement districts, municipal corporations, political subdivisions, or any other persons,

firms, or corporations are prohibited from requiring existing mobile home parks to pay a utility assessment, connection charge, or any other change associated with a utility until the mobile home park connects to a utility or no longer operates as a mobile home park under chapter 59.20 RCW. This act is remedial in nature and applies retroactively.

-- 2003 REGULAR SESSION --

Feb 7 FSIH - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5452-S by Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Winsley, Benton, Prentice, Keiser and Reardon; by request of Governor Locke)

Regulating check cashers and sellers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides for the regulation of check cashers and sellers.

-- 2003 REGULAR SESSION --

Feb 7 FSIH - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5705 by Senators Winsley, Thibaudeau, Carlson, Fraser and Shin; by request of Department of Services for the Blind

Conforming the department of services for the blind provisions with federal law.

Conforms the department of services for the blind provisions with federal law.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Government Operations & Elections.

SB 5706 by Senators Benton and Prentice

Defining security account under the uniform transfer on death security registration act.

Applies to an investment management or custody account with a trust company or a trust division of a bank with trust powers, including the securities in the account; a cash balance in the account; and cash, cash equivalents, interest, earnings, or dividends earned or declared on a security in the account, whether or not credited to the account before the owner's death.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5707 by Senators Benton and Prentice

Establishing replevin procedures.

Revises statutes relating to replevin procedures.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Judiciary.

SB 5708 by Senators Franklin, Esser, Haugen, Thibaudeau, Kline and Kohl-Welles

Providing a procedure for court-ordered contact with a child for nonparents.

Provides that a nonparent may initiate a court proceeding for contact with a child by filing a verified application to obtain court-ordered contact when all of the following criteria are satisfied: (1) The applicant is an individual with a parent-like relationship with the child. To satisfy this criterion, the applicant must show that: (a) His or her relationship with the child has been parent-like in nature for a substantial period of time; (b) A parent or custodian of the child consented to or allowed the formation and establishment of the relationship or the relationship was formed as a result of the unavailability or inability of any legal parent to perform caretaking functions; and (c) His or her relationship with the child is beneficial; and

(2) A parent or custodian has substantially interfered with the applicant's relationship with the child and the applicant has unsuccessfully attempted to resolve any disagreement with the parent or custodian before going to court.

Provides that the court shall order contact if it finds that the applicant has satisfied the burden of showing by clear and convincing evidence that: (1) The child would very likely suffer harm if contact is not awarded; and

(2) The parent's or custodian's denial of contact was unreasonable and not in the child's best interests.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Children & Family Services & Corrections.

SB 5709 by Senators Deccio, Thibaudeau, Franklin, Winsley and Shin; by request of Department of Social and Health Services and Department of Health

Concerning nursing practices in community-based and in-home care.

Revises provisions relating to nursing practices in community-based and in-home care.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Health & Long-Term Care.

SB 5710 by Senators Prentice, Fairley, T. Sheldon and Rasmussen

Regulating supermarket club cards.

Provides that, unless otherwise required by law, no personally identifiable cardholder information may be used in any legal proceeding, or in any employment action without the express consent of the cardholder. Consent must be obtained when the issuer of the supermarket club card releases cardholder information for a proceeding or action, and the cardholder must be informed that without consent the information may not be released.

Requires an issuer of supermarket club cards to provide a card to a consumer on request without requiring the consumer to provide any personal information, including

name, address, telephone number, email address, and social security number.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Commerce & Trade.

SB 5711 by Senators Prentice, Fairley, T. Sheldon and Rasmussen

Modifying private investigators' prohibited acts.

Provides that, in addition to the unprofessional conduct described in RCW 18.235.130, the director may take disciplinary action for obtaining, or attempting to obtain, information by false pretenses, including misrepresenting the identity or purpose of the private investigator, his or her employee, or the identity or purpose of the client.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5712 by Senators Prentice, Fairley, Rasmussen and Kline

Requiring telecommunications companies to protect customer information.

Provides that, except as required by law or with the express approval of the customer, a telecommunications company that receives or obtains customer proprietary network information by virtue of its provision of a telecommunications service shall only use, disclose, or permit access to individually identifiable customer proprietary network information in its provision of: (1) The telecommunications service from which such information is derived; or

(2) Services necessary to, or used in, the provision of such telecommunications service, including the publishing of directories.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Technology & Communications.

SB 5713 by Senators Honeyford, Prentice, Hewitt, Rasmussen, Mulliken, Sheahan and Oke

Modifying provisions concerning electricians. Revises provisions concerning electricians.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Commerce & Trade.

SB 5714 by Senators Benton and Prentice

Providing financial institution law parity.

Provides for financial institution law parity.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5715 by Senators Benton, Prentice, Winsley and Oke

Creating the financial fraud alert act.

Declares an intent to enable financial institutions and merchants, to the extent permitted by federal law, to exchange information for the purpose of preventing, detecting, deterring, and assisting in the prosecution of financial fraud, bank robbery, money laundering, and other financial crimes.

Declares that this act provides immunity from liability for financial institutions and merchants who participate in a fraud alert network and who comply with the provisions of this act.

Declares that it is the intent of this act to encourage the sharing of information consistent with federal law.

Declares that a fraud alert network is intended to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability, and is intended to be exempt from privacy disclosure requirements of the Gramm-Leach-Bliley Act of 1999.

Declares an intent that the Washington fair credit reporting act, chapter 19.182 RCW, does not apply to a fraud alert network. However, if it is determined that the federal fair credit reporting act applies to a fraud alert network, the Washington fair credit reporting act shall likewise be applicable.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5716 by Senators Prentice, Winsley, Benton, Kline, McCaslin and Rasmussen

Prohibiting manufacture or sale of fraudulent drivers' licenses and identicards.

Declares that it is a class C felony for any person to manufacture, sell, or deliver a forged, stolen, fictitious, counterfeit, fraudulently altered, or unlawfully issued driver's license or identicard, or to manufacture, sell, or deliver a blank driver's license or identicard except under the direction of the department.

Provides that, in a proceeding under this act that is related to an identity theft under RCW 9.35.020, the crime will be considered to have been committed in any locality where the victim resides, or in which any part of the offense took place, regardless of whether the defendant was ever actually in that locality.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5717 by Senators Winsley, Prentice and Benton

Criminalizing possession of instruments or equipment of financial fraud.

Makes possession of instruments or equipment of financial fraud a criminal offense.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5718 by Senators Winsley, Prentice, Roach, Fairley, Kastama, Fraser, Keiser, Kline, Shin, Kohl-Welles, Thibaudeau, Regala, B. Sheldon, Reardon, Brown, Hargrove, Franklin, Spanel, McAuliffe, Jacobsen, Haugen, Rasmussen, Doumit and Schmidt

Exempting bank account, social security, and credit card numbers from public disclosure.

Provides that, in order to prevent financial fraud and identity theft crimes, the legislature intends to exempt credit and debit card numbers, electronic check numbers, card expiration dates, bank or other financial account numbers, and federal social security numbers from public records disclosure requirements, except in cases where such disclosure is expressly required by law or governed by other law

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5719 by Senators Winsley, Prentice, Benton, Finkbeiner and Shin

Penalizing the fraudulent use of credit card scanning devices.

Establishes penalties for the fraudulent use of credit card scanning devices.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5720 by Senators Winsley, Prentice, Benton, Kline and Rasmussen

Allowing merchants to require additional identification when conducting credit and debit card sales.

Provides that any provision of a contract between a merchant or retailer and a credit or debit card issuer, financial institution, or other person that prohibits the merchant or retailer from verifying the identity of a customer who offers to pay for goods or services with a credit or debit card by requiring or requesting that the customer present additional identification is void for violation of public policy.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Financial Services, Insurance & Housing.

SB 5721 by Senators Winsley, Deccio, Thibaudeau, Swecker, Morton, Esser, Zarelli, McCaslin, Kohl-Welles, Stevens and Oke

Creating a pharmacy access program.

Creates a pharmacy access program with the intention of implementing strategies to reduce the cost of prescription drugs to the state and assuring state residents of continued access to necessary, appropriate, and affordable medications.

Directs the department to submit and, upon approval, implement a section 1115 research and demonstration waiver request to the federal centers for medicare and medicaid services to establish a medicaid senior prescription drug assistance program. The program shall: (1) Cover persons age sixty-five years old or older with household incomes up to one hundred fifty percent of the federal

poverty level who otherwise lack prescription drug insurance coverage;

- (2) Provide a pharmacy benefit as comprehensive as that provided in the current Washington medicaid state plan; and
- (3) Include reasonable enrollee premiums and cost sharing.

Requires the department to limit enrollment as necessary to prevent an over expenditure of the program's appropriation.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Health & Long-Term Care.

SB 5722 by Senators Deccio, Winsley, Swecker, Oke, T. Sheldon, Hewitt, Horn, Morton, Carlson, Honeyford, Mulliken, Schmidt, Johnson, Thibaudeau, Zarelli, Finkbeiner, Roach, Benton, McCaslin, Rasmussen and Kohl-Welles

Establishing the prescription drug access board and state purchasing consortium.

Creates the prescription drug access board to negotiate prescription drug prices on behalf of the consortium of prescription drug purchasing entities established under this act.

Directs the administrator to establish a broad-based consortium of prescription drug purchasing entities consisting of state, local, and private entities to reduce the cost of prescription drugs for consortium participants, their employees, members, or clients.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Health & Long-Term Care.

SB 5723 by Senators Haugen and Stevens

Adjusting procedures for postconviction DNA testing. Revises procedures for postconviction DNA testing.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Children & Family Services & Corrections.

SB 5724 by Senators Fairley, Kohl-Welles, Prentice, Thibaudeau, Fraser, Regala and Oke

Requiring that antifreeze be made unpalatable to humans and animals.

Provides that any antifreeze product containing by weight ten percent or more ethylene glycol and manufactured or sold in this state on or after July 1, 2004, must also contain an aversive agent, approved by the director, in a concentration sufficient to render that antifreeze product unpalatable to humans and animals.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Agriculture.

SB 5725 by Senators Zarelli, T. Sheldon, Carlson, Reardon, Benton, Hewitt, Winsley, Hale, Sheahan, Honeyford, Finkbeiner, Johnson and West

Providing tax incentives to support the state's semiconductor cluster.

Declares an intent to enact comprehensive tax incentives for the semiconductor cluster that address activities of the lead product industry and its suppliers and customers. Tax incentives for the semiconductor cluster are important in both retention and expansion of existing business and attraction of new businesses, all of which will strengthen this cluster.

Recognizes that the semiconductor industry involves major investment that results in significant construction projects, which will create jobs and bring many indirect benefits to the state during the construction phase.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Economic Development.

SB 5726 by Senators Morton, Rasmussen, Brandland, Parlette, Swecker and Jacobsen

Revising eligibility requirements for directors of cooperative associations.

Revises eligibility requirements for directors of cooperative associations.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Commerce & Trade.

SB 5727 by Senators Swecker, Jacobsen, Oke, Winsley, Deccio, Johnson, Haugen, Brandland, Stevens, Hewitt, Zarelli, Prentice, Sheahan, Schmidt, Honeyford, Mulliken, West and Rasmussen

Establishing the Distinguished Flying Cross license plate.

Provides that the special plates will commemorate the recipients of the Distinguished Flying Cross and provide for educational scholarships awarded to at-risk youth through the Northwest Chapter of the Distinguished Flying Cross Society and their educational foundation.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Highways & Transportation.

SB 5728 by Senators Brandland, McCaslin, T. Sheldon, Deccio, Schmidt, Parlette and

Hale

Providing for omnibus civil liability reform.

Provides for omnibus civil liability reform.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Judiciary.

SB 5729 by Senators West, Brown, Sheahan, Reardon and Schmidt

Authorizing a county sales and use tax to fund economic development.

Declares that it is the purpose of this act: (1) To provide county governments with the authority to utilize certain sales tax revenues specifically for economic development purposes consistent with those traditionally provided by an administrative development organization;

- (2) To provide funding for those public improvements necessary to implement a county's economic development plan;
- (3) To establish a local economic development advisory committee that will assist the county's legislative authority in identifying and prioritizing economic development programs and public improvement projects; and
 (4) To assist counties in their ability to attract business
- (4) To assist counties in their ability to attract business and encourage private investment or commercial development to promote and facilitate orderly development and the further creation of jobs.

-- 2003 REGULAR SESSION --

Feb 7 First reading, referred to Economic Development.

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