



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 56*

FIFTY-EIGHTH LEGISLATURE

Wednesday, April 2, 2003

80th Day - 2003 Regular

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House Bills

HB 1388 by Representatives Woods, Ericksen, Ahern, Schindler, Jarrett, Bush, Shabro, Anderson, Bailey, Talcott, Clements, Chandler, Mielke, Boldt, Newhouse, Schoesler, Nixon, Pearson, Pflug and McMahan

Providing incentives to increase transportation revenues by reforming laws limiting the provision of passenger-only ferry service.

(AS OF HOUSE 2ND READING 3/31/03)

Finds that the Washington state department of transportation should focus on its core ferry mission of moving automobiles on Washington state's marine highways.

Finds that current statutes impose barriers to entities other than the state operating passenger-only ferries.

Declares an intent to lift those barriers to allow entities other than the state to provide passenger-only ferry service.

Finds that the provision of this service and the improvement in the mobility of the citizens of Washington state is legally adequate consideration for the use of state facilities in conjunction with the provision of the service, and the legislature finds that allowing the operators of passenger-only ferries to use state facilities on the basis of legally adequate consideration does not evince donative intent on the part of the legislature.

Directs the department of transportation to make its terminal, dock, and pier space available to operators of passenger-only ferries if the space can be made available without limiting the operation of car ferries operated by the department. Charges for the equipment and space must be fair market value taking into account the public benefit derived from the passenger-only ferry service.

Provides that, in granting a certificate for passenger-only ferries and determining what conditions to place on the certificate, the commission shall consider and give substantial weight to the effect of its decisions on public agencies operating, or eligible to operate, passenger-only ferry service.

Declares that, until March 1, 2005, the commission shall not consider an application for passenger-only ferry service serving any county in Puget Sound, unless the public transportation benefit area authority or ferry district serving that county, by resolution, agrees to the application.

Authorizes the commission to cancel a certificate upon failure of a certificate holder for passenger-only ferry service in Puget Sound to initiate service by the conclusion of the twentieth month after the certificate has been granted.

-- 2003 REGULAR SESSION --

Jan 24	First reading, referred to Transportation.
Mar 14	TR - Executive action taken by committee. TR - Majority; do pass. Minority; do not pass. Passed to Rules Committee for second reading.
Mar 25	Placed on second reading by Rules Committee.
Mar 31	Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 94; nays, 2; absent, 2.

HB 1853-S by House Committee on Transportation (originally sponsored by Representatives Rockefeller, Woods, Haigh, Morris, Quall and Lantz)

Providing passenger ferry service.

(AS OF HOUSE 2ND READING 3/31/03)

Finds that passenger-only ferry service is a key element to the state's transportation system and that it is in the interest of the state to make provision for such services.

Finds that diminished state transportation resources require that local authorities be authorized to develop, operate, and fund needed services.

Recognizes that if the state eliminates passenger-only ferry service on one or more routes, it should provide an opportunity for locally sponsored service and the department of transportation should assist in this effort.

Declares an intent to encourage interlocal agreements to ensure passenger-only ferry service is maintained on routes that the Washington state ferry system eliminates.

Provides that a public transportation benefit area may, as part of a passenger ferry investment plan, recommend some or all of the following revenue sources as provided in this chapter: (1) A motor vehicle excise tax;

(2) A sales and use tax;

(3) Tolls for passengers and packages and, where applicable, parking; and

(4) Charges or licensing fees for advertising, leasing space for services to ferry passengers, and other revenue-generating activities.

Provides that taxes may not be imposed without an affirmative vote of the majority of the voters within the boundaries of the area voting on a single ballot proposition to both approve a passenger-only ferry investment plan and to approve taxes to implement the plan. Revenues from these taxes and fees may be used only to implement the plan and must be used for the benefit of the residents of the benefit area. A district may contract with the state department of revenue or other appropriate entities for administration and collection of any of the taxes or charges authorized in this act.

Provides a ten-mile rule exemption.

Authorizes the use of state ferry facilities.

Authorizes the legislative authority of a county with a population over one million persons and having a boundary on Puget Sound to adopt an ordinance creating a ferry district in all or a portion of the area of the county, including the area within the corporate limits of any city or town within the county. The ordinance may be adopted only after a public hearing has been held on the creation of a ferry district, and the county legislative authority makes a finding that it is in the public interest to create the district. A ferry district is limited to providing passenger-only ferry service.

-- 2003 REGULAR SESSION --

Mar 14	TR - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass. Passed to Rules Committee for second reading.
Mar 25	Placed on second reading by Rules Committee.
Mar 31	1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 96; nays, 0; absent, 2.

HB 2215-S by House Committee on Transportation
(originally sponsored by Representatives
Murray and Simpson)

Allowing car dealers to charge documentary service fees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that an amount not to exceed thirty-five dollars per vehicle sale or lease may be charged by a dealer to recover administrative costs for collecting motor vehicle excise taxes, licensing and registration fees and other agency fees, verifying and clearing titles, transferring titles, perfecting, releasing, or satisfying liens or other security interests, and other administrative and documentary services rendered by a dealer in connection with the sale or lease of a vehicle and in carrying out the requirements of this act or any other provisions of state law.

Declares that this act is null and void if House Bill No. 2231 does not become law by September 1, 2003.

-- 2003 REGULAR SESSION --

Mar 28 TR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Apr 1 Placed on second reading.

HB 2228-S by House Committee on Transportation
(originally sponsored by Representatives
Murray, Wallace, Cooper, Clibborn, Simpson, Rockefeller,
Hudgins and Hankins)

Extending commute trip reduction incentives.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that employers and property managers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before June 30, 2013, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed sixty dollars per employee per year.

Requires the director to on the 25th of February, May, August, and November of each year advise the state treasurer of the amount of credit taken under this act during the preceding calendar quarter ending on the last day of December, March, June, and September, respectively.

Provides that, on the last day of March, June, September, and December of each year, the state treasurer based upon information provided by the department shall deposit to the general fund a sum equal to the dollar amount of the credit provided under this act from the multimodal transportation account.

Directs the commute trip reduction task force to determine the effectiveness of the tax credit under this act as part of its ongoing evaluation of the commute trip reduction law and report to the legislative transportation committee and to the fiscal committees of the house of representatives and the senate. The report must include information on the amount of tax credits claimed to date and recommendations on future funding for the tax credit program. The report must be incorporated into the recommendations required in RCW 70.94.537(5).

Directs the department of transportation to administer a grant program for public agencies, nonprofit organizations, developers, and property managers who provide financial incentives for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, before June 30, 2013, to their own or other employees.

Takes effect January 1, 2004, but only if legislation that provides additional revenues, excluding transfers, for the multimodal transportation account is in effect on that date.

Repeals RCW 82.04.4453, 82.04.4454, 82.16.048, and 82.16.049.

-- 2003 REGULAR SESSION --

Mar 28 TR - Majority; 1st substitute bill be substituted, do pass.
Apr 1 Placed on second reading.

HB 2231-S by House Committee on Transportation
(originally sponsored by Representatives
Murray, Wallace, Cooper, Clibborn, Rockefeller, Simpson,
Hudgins and Hankins)

Authorizing transportation financing alternatives.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes transportation financing alternatives.

-- 2003 REGULAR SESSION --

Mar 28 TR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Apr 1 Placed on second reading.

HB 2237 by Representatives Linville, Chandler and Fromhold

Concerning water discharge fees.

Amends RCW 90.48.465 to provide that the fee for a general permit or an individual permit developed solely as a result of the federal court of appeals decision in *Headwaters, Inc. v. Talent Irrigation District*, 243 F.3rd 526 (9th Cir. 2001) is limited, until June 30, 2005, to a maximum of three hundred dollars. Such a permit is required only, and as long as, the interpretation of this court decision is not overturned or modified by future court rulings, administrative rule making, or clarification of scope by the United States environmental protection agency or legislative action. In such a case the department shall take appropriate action to rescind or modify these permits.

-- 2003 REGULAR SESSION --

Apr 1 First reading, referred to Appropriations.

HB 2238 by Representative Quall

Eliminating the communication portion of the WASL.
Deletes the communication portion of the WASL.

-- 2003 REGULAR SESSION --

Apr 1 First reading, referred to Appropriations.

Senate Bills

SB 6058 by Senator Oke; by request of Office of Financial Management

Modifying the distribution of state property taxes.

Provides that: (1) Out of taxes collected in calendar year 2005, an annual amount equal to three hundred dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund to be distributed to each school district based on three hundred dollars per full-time equivalent student for school year 2005-2006.

(2) Out of taxes collected in calendar year 2006, an annual amount equal to three hundred seventy-five dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund to be distributed to each school district based on three hundred seventy-five dollars per full-time equivalent student for school year 2006-2007.

(3) Out of taxes collected in calendar year 2007, an annual amount equal to four hundred fifty dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund to be distributed to each school district based on four hundred fifty dollars per full-time equivalent student for school year 2007-2008. Each subsequent year following the 2007-2008 school year, the amount deposited and distributed shall be adjusted for inflation as defined in RCW 43.135.025 (8).

-- 2003 REGULAR SESSION --

Apr 1 First reading, referred to Ways & Means.

SB 6059 by Senator Oke; by request of Office of Financial Management

Modifying teacher cost-of-living provisions.
Revises teacher cost-of-living provisions.

-- 2003 REGULAR SESSION --

Apr 1 First reading, referred to Ways & Means.

SB 6060 by Senator Mulliken

Increasing the time period local governments have to develop or amend a shoreline master program.

Requires local governments to develop or amend a master program for regulation of uses of shorelines within sixty months of adoption of guidelines under RCW 90.58.060.

-- 2003 REGULAR SESSION --

Apr 1 First reading, referred to Land Use & Planning.