



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Edition No. 1 Supplement No. 28*

FIFTY-EIGHTH LEGISLATURE

Thursday, February 19, 2004

39th Day - 2004 Regular

SENATE

SB 6158
SB 6256-S
SB 6413-S
SB 6415-S
SB 6519-S
SB 6598

HOUSE

HB 1151-S2
HB 2354-S
HB 2356-S
HB 2441-S
HB 2469-S
HB 2479-S
HB 2513-S
HB 2545
HB 2556-S
HB 2650-S
HB 2769-S2
HB 2797-S
HB 2851-S
HB 2892-S
HB 3094

LIST OF BILLS IN EDITION NO. 1 SUPPLEMENTS

See Edition 1, Supplement 27 for List of Bills for Supplements 1 through 27

SENATE

HOUSE

House Bills

HB 1151-S2 by House Committee on Judiciary (originally sponsored by Representatives Lovick, Lantz, Jarrett, Miloscia, Delvin, Moeller, Wallace, G. Simpson and Upthegrove)

Regulating the keeping of dangerous wild animals.

(AS OF HOUSE 2ND READING 2/13/04)

Provides that a person may not own, possess, keep, harbor, bring into the state, or have custody or control of a dangerous or potentially dangerous wild animal unless that person holds a personal possession permit for that animal issued by an animal control authority.

Provides that a person shall not breed a potentially dangerous wild animal.

Provides that a person in legal possession of a potentially dangerous wild animal prior to the effective date of this act and who is the legal possessor of the animal may keep possession of the animal until July 1, 2009. The person must maintain veterinary records, acquisition papers for the animal, if available, or other documents or records that establish that the person possessed the animal prior to the effective date of this act. The person shall have the burden of proving that he or she possessed the animal prior to the effective date of this act.

Authorizes a person who possesses a potentially dangerous wild animal as allowed under this act to, prior to July 1, 2009, apply to the animal control authority for permission to maintain possession of the animal after July 1, 2009. The animal control authority may allow the possessor to maintain possession of the animal for a time period determined by the animal control authority and under conditions specified by the animal control authority.

Provides that the animal control authority shall not unreasonably deny permission for a person to maintain possession of a potentially dangerous wild animal after July 1, 2009, if the person has proper documentation establishing that the potentially dangerous wild animal was lawfully possessed by the person prior to the effective date of this act.

Requires the animal control authority to immediately confiscate a potentially dangerous wild animal if: (1) The animal is possessed after July 1, 2009, and the possessor has not been granted permission to maintain possession after July 1, 2009; or

(2) The animal control authority has probable cause to believe that the animal was acquired after the effective date of this act in violation of this act.

Authorizes an animal control authority to euthanize a potentially dangerous wild animal under this section only if all other reasonable placement options, including relocation to a wildlife sanctuary, zoo, or aquarium, are unavailable.

Authorizes a city or county to adopt an ordinance governing potentially dangerous wild animals that is more restrictive than this chapter. However, nothing in this act requires a city or county to adopt an ordinance to be in compliance with this act.

Provides that a person who acquires possession of a potentially dangerous wild animal after the effective date of this act, or who possesses a potentially dangerous wild animal after July 1, 2009, in violation of this act, is liable for a civil penalty of not less than two hundred dollars and not more than two thousand dollars for each animal with respect to which there is a violation and for each day the violation

continues.

Declares that the animal control authority and its staff and agents, local law enforcement agents, and county sheriffs are authorized and empowered to enforce the provisions of this chapter.

-- 2004 REGULAR SESSION --

- Feb 5 JUDI - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 13 2nd substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 60; nays, 36; absent, 2.

- IN THE SENATE -

- Feb 17 First reading, referred to Judiciary.

HB 2354-S by House Committee on Health Care (originally sponsored by Representatives Kristiansen, McMahan, Newhouse, Roach, McDonald, Sullivan, Ahern, G. Simpson, Pearson, Morrell, Bailey and Benson)

Allowing for a discount on medicare supplement insurance policies when premiums are deposited automatically. Revised for 1st Substitute: Allowing for a discount on medicare supplement insurance policies when premiums are deposited automatically. (REVISED FOR ENGROSSED: Concerning rates for a medicare supplement insurance policy.)

(AS OF HOUSE 2ND READING 2/11/04)

Declares that premiums shall be equal for all policyholders and certificate holders under a standardized medicare supplement benefit plan form, except that an issuer may vary premiums based on spousal discounts, frequency of payment, and method of payment including automatic deposit of premiums and may develop no more than two rating pools that distinguish between an insured's eligibility for medicare by reason of: (1) Age; or
(2) Disability or end-stage renal disease.

-- 2004 REGULAR SESSION --

- Jan 22 HC - Majority; 1st substitute bill be substituted, do pass.
- Jan 26 Passed to Rules Committee for second reading.
- Feb 2 Placed on second reading by Rules Committee.
- Feb 11 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 95; nays, 0; absent, 3.

- IN THE SENATE -

- Feb 16 First reading, referred to Health & Long-Term Care.

HB 2356-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Hinkle, Buck, Condotta, O'Brien, Pearson and Shabro)

Allowing off-road vehicles on nonhighway roads.

(AS OF HOUSE 2ND READING 2/13/04)

Finds that local, state, and federal jurisdictions should be given the flexibility to allow ORV use on nonhighway roads they own and manage or for which they are authorized to allow public ORV use under an easement granted by the owner.

Declares it is a traffic infraction for any person to operate any nonhighway vehicle on a nonhighway road without wearing upon his or her head a motorcycle helmet fastened securely while in motion.

Declares that it is lawful to operate an off-road vehicle upon a nonhighway road and in parking areas serving designated off-road vehicle areas unless the responsible governing body, including state, federal, or local authorities, prohibits the use of off-road vehicles.

Declares that an off-road vehicle operated on a nonhighway road under chapter 46.09 RCW is exempt from licensing requirements of RCW 46.16.010 and vehicle lighting and equipment requirements of chapter 46.37 RCW.

Provides that, except as specified in this act, no person under sixteen years of age may operate an off-road vehicle on or across a highway or nonhighway road in this state.

Authorizes persons under sixteen years of age to operate an off-road vehicle on a nonhighway road designated for off-road vehicle use under the direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under chapter 46.20 RCW.

Provides that an off-road vehicle operated on a nonhighway road under this section is exempt from licensing requirements of RCW 46.16.010 and vehicle lighting and equipment requirements of chapter 46.37 RCW.

-- 2004 REGULAR SESSION --

Jan 20 FEP - Majority; 1st substitute bill be substituted, do pass.
 Jan 23 Passed to Rules Committee for second reading.
 Feb 2 Placed on second reading by Rules Committee.
 Feb 13 1st substitute bill substituted.
 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 96; nays, 0; absent, 2.

- IN THE SENATE -

Feb 17 First reading, referred to Parks, Fish & Wildlife.

HB 2441-S by House Committee on Trade & Economic Development (originally sponsored by Representatives Chase, Wallace, Conway, D. Simpson, Condotta, Moeller, Morrell, Anderson, Upthegrove and Hudgins)

Creating a "Washington Made" logo. Revised for 1st Substitute: Authorizing the creation of a "Washington Made" logo to promote Washington products.

(AS OF HOUSE 2ND READING 2/13/04)

Creates a "Washington Made" logo.

Directs the department of community, trade, and economic development to announce a competition for the design of the "Washington Made" logo among students receiving an elementary, intermediate, secondary, or higher education in Washington.

Provides that the trademark rights to the winning "Washington Made" logo shall be vested in the state of Washington.

Requires the department of community, trade, and economic development to work with economic development councils, chambers of commerce, the economic development commission, industry organizations, and trade organizations to develop the advertising campaign and secure private and other public funds to support the advertising campaign.

-- 2004 REGULAR SESSION --

Jan 29 TED - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Feb 2 Passed to Rules Committee for second reading.
 Feb 9 Referred to Rules 2 Consideration.
 Feb 11 Placed on second reading by Rules Committee.
 Feb 13 1st substitute bill substituted.
 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 89; nays, 6; absent, 3.

- IN THE SENATE -

Feb 17 First reading, referred to Economic Development.

HB 2469-S by House Committee on Appropriations (originally sponsored by Representatives G. Simpson, Campbell, Conway, Clements, Upthegrove, O'Brien, Cody, Cooper, Bush, Dickerson, Dunshee, Darneille, Hunt, Wood, Chase, Linville, Moeller, Morrell, Rockefeller, Clibborn, Lantz and Schual-Berke)

Authorizing certain state agencies to purchase prescription drugs from Canadian wholesalers and pharmacies.

(AS OF HOUSE 2ND READING 2/13/04)

Provides that, in addition to price discounts negotiated with pharmaceutical manufacturers for state purchased health care programs and eligible individuals, the health care authority is authorized to purchase, or facilitate the purchase of, drugs approved by the food and drug administration from Canadian pharmacies and wholesalers. The health care authority shall develop an Internet web site and use the pharmacy connection program established under RCW 41.05.520 to provide information to Washington residents regarding opportunities to purchase prescription drugs from Canada and the best means to ensure that any prescription drugs they purchase have been safely manufactured, distributed, and stored.

Requires the attorney general to review the web site and the information provided through the pharmacy connection program and certify that they do not violate any applicable state or federal law.

Provides that agencies administering a state-purchased

health care program shall not implement the provisions of this act relating to the bulk purchasing of prescription drugs from Canada until federal statutory or regulatory action is taken to authorize such purchasing.

-- 2004 REGULAR SESSION --

- Feb 10 APP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 90; nays, 7; absent, 1.

- IN THE SENATE -

- Feb 17 First reading, referred to Judiciary.

HB 2479-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Kagi, Hinkle, Cooper and Upthegrove)

Concerning burn bans for solid fuel burning devices.

(AS OF HOUSE 2ND READING 2/13/04)

Establishes pm 2.5 burn ban triggers and enforcement.

Provides that, for the purpose of enforcement on a complaint basis in a wood smoke concentration area, it is unlawful for emissions, other than uncombined water vapor, from a solid fuel burning device to visibly enter that portion of a neighboring property that immediately surrounds a dwelling.

-- 2004 REGULAR SESSION --

- Feb 5 FEP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 11 Placed on second reading by Rules Committee.
- Feb 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 63; nays, 33; absent, 2.

- IN THE SENATE -

- Feb 17 First reading, referred to Natural Resources, Energy & Water.

HB 2513-S by House Committee on Commerce & Labor (originally sponsored by Representatives Hudgins, Holmquist and Pettigrew)

Regulating interior designers.

(AS OF HOUSE 2ND READING 2/13/04)

Provides that an applicant may qualify for registration as an interior designer if the applicant pays any applicable fee established by the department and shows to the satisfaction of the department that the applicant: (1)(a) Has a current certificate number issued by the national council for interior design qualification; and (b) Has six years combined work experience and formal education in interior design. At a minimum, there must be two years of formal education in interior design; or

(2) Provides the department, by July 1, 2007, with proof of fifteen years of work experience as an interior designer and two years of formal education in interior design prior to the effective date of this act.

Provides that the department must grant a certificate of registration to an applicant who meets the requirements of this act beginning July 1, 2005.

Provides that a person who violates a provision of this act or a rule adopted under it is guilty of a misdemeanor and may also be subject to a civil penalty in an amount not to exceed one thousand dollars for each offense.

Authorizes any public officer to initiate an action before the department to enforce the provisions of this act.

Authorizes the department to apply for relief by injunction without bond to restrain a person from committing any act that is prohibited by this act.

Declares that interior design limited to kitchen and bathroom design is exempt from registration requirements under this act. Notwithstanding the provisions of this act, persons practicing interior design limited to kitchen and bathroom design, may without registering under this chapter use the title "kitchen and bathroom interior designer."

Directs the department of licensing to conduct a review of the need for regulation of kitchen and bathroom interior designers using the public interest criteria set forth in RCW 18.118.010.

Requires the department of licensing to submit recommendations to the appropriate committees of the legislature by December 1, 2004, regarding: (1) The need for regulation of kitchen and bathroom interior design; and

(2) If some form of regulation is recommended, the minimum qualifications to meet the regulatory standard.

-- 2004 REGULAR SESSION --

- Feb 5 CL - Majority; 1st substitute bill be substituted, do pass.
Minority; without recommendation.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 55; nays, 42; absent, 1.

- IN THE SENATE -

- Feb 17 First reading, referred to Commerce & Trade.

HB 2545 by Representatives Condotta, Chase, Armstrong, Sump, Hunt, Chandler, Newhouse, Hinkle, Kristiansen, Holmquist, Clements, Schoesler and Skinner

Clarifying the meaning of ongoing agricultural activities.

(AS OF HOUSE 2ND READING 2/13/04)

Provides that outdoor burning of cultivated orchard trees, whether or not agricultural crops will be replanted on the land, shall be allowed as an ongoing agricultural activity under this act if a local horticultural pest and disease board formed under chapter 15.09 RCW, an extension office agent with Washington State University that has horticultural experience, or an entomologist employed by the department of agriculture, has determined in writing that burning is an appropriate method to prevent or control the spread of horticultural pests or diseases.

-- 2004 REGULAR SESSION --

Jan 15 First reading, referred to Fisheries, Ecology & Parks.
 Feb 6 FEP - Executive action taken by committee.
 FEP - Majority; do pass.
 Minority; do not pass.
 Passed to Rules Committee for second reading.
 Feb 12 Placed on second reading by Rules Committee.
 Feb 13 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 93; nays, 3; absent, 2.

- IN THE SENATE -

Feb 17 First reading, referred to Agriculture.

HB 2556-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Kagi, Carrell, Upthegrove, Miloscia, Lovick and Moeller)

Studying criminal background check processes.

(AS OF HOUSE 2ND READING 2/13/04)

Establishes a joint task force on criminal background check processes.

Directs the task force to review and make recommendations to the legislature and the governor regarding the criminal background check process.

Provides that, in consultation with the Washington State Patrol, the Washington association of sheriffs and police chiefs shall conduct a study on criminal background checks. The study shall focus on how Washington state can reduce delays in the criminal background check processing time and how Washington state can make criminal background checks more accessible and efficient.

Provides that the study shall include, but is not limited to: (1) A review and analysis of the criminal background check programs in states that have recently implemented or are soon to implement comprehensive criminal background check programs.

(2) Recommendations on how a comprehensive criminal background check program should be designed in Washington state, and how much a comprehensive program would cost to implement in Washington state.

(3) A review of how a comprehensive criminal background check program could be paid for in Washington state, which includes a determination on whether the

program could be funded solely by user fees.

Provides that the findings and recommendations from the Washington association of sheriffs and police chiefs shall be presented to the joint task force no later than November 30, 2004.

Requires the joint task force on criminal background check processes to report its findings and recommendations to the legislature by December 31, 2004.

-- 2004 REGULAR SESSION --

Feb 3 CJC - Majority; 1st substitute bill be substituted, do pass.
 Feb 5 Passed to Rules Committee for second reading.
 Feb 9 Placed on second reading suspension calendar by Rules Committee.
 Feb 11 Placed on second reading.
 Feb 13 1st substitute bill substituted.
 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 96; nays, 0; absent, 2.

- IN THE SENATE -

Feb 17 First reading, referred to Children & Family Services & Corrections.

HB 2650-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Flannigan, Cooper, Priest, Quall, Jarrett, Kessler, Tom, Rockefeller, Dunshee, Grant, Romero, Moeller, McDermott, O'Brien, Chase, Upthegrove, Hunt, G. Simpson, Kenney, Wallace, Wood and Kagi)

Recognizing important bird areas.

(AS OF HOUSE 2ND READING 2/14/04)

Declares that it is the goal of the legislature to promote: Partnerships with volunteers; rural economic development; nature tourism; and conservation of biodiversity by encouraging partnerships between state government agencies, volunteers, and nonprofit organizations to designate and conserve natural assets that attract nature tourists and bird watchers to Washington's rural areas.

Recognizes the scientific work by volunteer organizations to use internationally recognized scientific criteria and protocols to identify, conserve, and monitor areas of the state that are important for migrating and resident birds.

Declares an intent to have Washington state participate in the recognition portion of the important bird area program by directing the natural heritage program at the department of natural resources to officially recognize important bird areas.

Declares that the recognition of private property as an important bird area under this act, or the inclusion of private property in the program's data bank, does not confer nor imply any rights of access or trespass onto the important bird area without full knowledge and consent of the owner pursuant to any state statutory and common laws dealing with trespass and access to private property.

Declares that recognition of an important bird area does not require nor preclude critical area designation under chapter 36.70A RCW.

Provides that, prior to recognizing an important bird

area under this chapter, the department must: (1) Publish notice of the proposed important bird area in the Washington state register;

(2) Publish notice of the proposed important bird area in a newspaper of general circulation in the county where the proposed important bird area is located; and

(3) Conduct at least one public hearing in the county where the proposed important bird area is located.

-- 2004 REGULAR SESSION --

- Feb 6 AGNR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 14 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 95; nays, 0; absent, 3.

- IN THE SENATE -

- Feb 17 First reading, referred to Parks, Fish & Wildlife.

HB 2769-S2 by House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Benson, Kagi, Nixon, Miloscia, Tom, Darneille, Dickerson, Linville, Hunter, G. Simpson, Kirby, Moeller, Schual-Berke, Chase, Upthegrove, Morrell, Wood and Hudgins)

Reducing hunger.

(AS OF HOUSE 2ND READING 2/13/04)

Recognizes that hunger and food insecurity are serious problems in the state.

Recognizes the correlation between adequate nutrition and a child's development and school performance. This problem can be greatly diminished through improved access to federal nutrition programs.

Recognizes that improved access to federal nutrition and assistance programs, such as the federal food stamp program, can be a critical factor in enabling recipients to gain the ability to support themselves and their families. This is an important step towards self-sufficiency and decreased long-term reliance on governmental assistance and will serve to strengthen families in this state.

Requires school districts to implement a school lunch program in each public school in the district in which educational services are provided to children in any of the grades kindergarten through four and in which twenty-five percent or more of the enrolled students qualify for a free or reduced priced lunch. In developing and implementing its school lunch program, each school district may consult with an advisory committee including school staff, community members, and others appointed by the board of directors of the district.

Requires each school district to implement a summer food service program in each public school in the district in which a summer program of academic, enrichment, or remedial services is provided and in which fifty percent or more of the children enrolled in the school qualify for free or reduced-price lunch. However, the superintendent of

public instruction shall develop rules establishing criteria to permit an exemption for a school that can demonstrate availability of an adequate alternative summer feeding program.

Requires that, to the maximum extent allowable by federal law, the department shall implement simplified reporting for the food stamp program by October 31, 2004.

Declares that, for the purposes of this act, "simplified reporting" means the only changes in circumstance that a recipient of a benefit program must report between eligibility reviews are a change of address or an increase of income that would result in ineligibility for the benefit program.

Requires that, to the maximum extent allowable by federal law, beginning on October 31, 2005, the department shall provide transitional food stamp assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

- Feb 10 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 13 2nd substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 93; nays, 4; absent, 1.

- IN THE SENATE -

- Feb 17 First reading, referred to Children & Family Services & Corrections.

HB 2797-S by House Committee on Health Care (originally sponsored by Representatives Morrell, Cody, Linville, G. Simpson, Edwards, Kenney and Ormsby; by request of Insurance Commissioner)

Increasing access to health insurance options for certain persons eligible for the Federal Health Coverage Tax Credit under the Trade Act of 2002 (P.L. 107-210).

(AS OF HOUSE 2ND READING 2/14/04)

Declares that "health coverage tax credit program" means the program created by the Trade Act of 2002 (P.L. 107-210) that provides a federal tax credit that subsidizes private health insurance coverage for displaced workers certified to receive certain trade adjustment assistance benefits and for individuals receiving benefits from the pension benefit guaranty corporation.

Provides that "health coverage tax credit eligible enrollee" means individual workers and their qualified family members who lose their jobs due to the effects of international trade and are eligible for certain trade adjustment assistance benefits; or are eligible for benefits under the alternative trade adjustment assistance program; or are people who receive benefits from the pension benefit guaranty corporation and are at least fifty-five years old.

Declares that the administrator has the duty to determine the periodic premiums due the administrator from

health coverage tax credit eligible enrollees. Premiums due from health coverage tax credit eligible enrollees must be in an amount equal to the cost charged by the managed health care system provider to the state for the plan, plus the administrative cost of providing the plan to those enrollees and the premium tax under RCW 48.14.0201.

Directs the administrator to consider the impact of eligibility determination by the appropriate federal agency designated by the Trade Act of 2002 (P.L. 107-210) as well as the premium collection and remittance activities by the United States internal revenue service when determining the administrative cost charged for health coverage tax credit eligible enrollees.

Directs the administrator to establish a mechanism for receiving premium payments from the United States internal revenue service for health coverage tax credit eligible enrollees.

Directs the administrator to end the participation of health coverage tax credit eligible enrollees in the basic health plan if the federal government reduces or terminates premium payments on their behalf through the United States internal revenue service.

Provides that, if a person is seeking an individual health benefit plan due to his or her no longer being enrolled in the basic health plan as a health coverage tax credit program enrollee, a health carrier shall accept an application without a standard health questionnaire if application is made within ninety days prior to the date the enrollee's eligibility for the health coverage tax credit program will end and the effective date of the individual coverage applied for is the date the eligibility for the program ends, or within ninety days thereafter.

-- 2004 REGULAR SESSION --

- Feb 4 HC - Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 10 Made eligible to be placed on second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 14 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 95; nays, 0; absent, 3.

- IN THE SENATE -

- Feb 17 First reading, referred to Health & Long-Term Care.

HB 2851-S by House Committee on Health Care (originally sponsored by Representatives Clibborn, Campbell, Darneille and Edwards; by request of Department of Health)

Removing certificate of need limitations on bed capacity and redistribution for federally certified critical access hospitals.

(AS OF HOUSE 2ND READING 2/14/04)

Provides that a health care facility certified as a critical access hospital under 42 U.S.C. 1395i-4 may increase its total number of licensed beds to the total number of beds permitted under 42 U.S.C. 1395i-4 and may redistribute

beds permitted under 42 U.S.C. 1395i-4 among acute care and nursing home care without being subject to certificate of need review.

Provides that, if there is a nursing home licensed under chapter 18.51 RCW within twenty-seven miles of the critical access hospital, the critical access hospital is subject to certificate of need review except for: (1) Critical access hospitals which had designated beds to provide nursing home care, in excess of five swing beds, prior to December 31, 2003; or

(2) Up to five swing beds.

Declares that critical access hospital beds not subject to certificate of need review under this act will not be counted as either acute care or nursing home care for certificate of need review purposes.

Provides that if a health care facility ceases to be certified as a critical access hospital under 42 U.S.C. 1395i-4, the hospital may revert back to the type and number of licensed hospital beds as it had when it requested critical access hospital designation.

-- 2004 REGULAR SESSION --

- Feb 5 HC - Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 14 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 93; nays, 3; absent, 2.

- IN THE SENATE -

- Feb 17 First reading, referred to Health & Long-Term Care.

HB 2892-S by House Committee on Appropriations (originally sponsored by Representatives Upthegrove, Schual-Berke, G. Simpson, Cairnes, Wallace, Veloria, Wood, Kenney, Morrell and Conway)

Creating a center for advanced manufacturing.

(AS OF HOUSE 2ND READING 2/14/04)

Declares that, although manufacturing has long been subject to the ups and downs of regular market cycles, the increasing pace of globalization and the ability of the world's new manufacturing floor to export deflation has caused United States manufacturers to lose all pricing power. Despite the development of good cost control practices such as lean manufacturing, domestic manufacturers cannot compete on price alone.

Declares that, as our economy continues to evolve through changes to our existing manufacturing base, our manufacturers need assistance to continue to provide high quality products at a low cost. In order to make a radical change to an innovation focus, there must be a public and private partnership.

Provides that a feasibility study and economic analysis for the creation of a center for advanced manufacturing must be conducted by a qualified organization chosen by the department of community, trade, and economic development and should include, but is not limited to, a center for

advanced manufacturing that offers: (1) A research institution to transfer technology for commercial applications in small and mid-market manufacturers;

(2) A clearinghouse and national research library that locates best practices information, disseminates national research, and provides a publicly accessible research library; and

(3) Ongoing training, and curriculum and courses to develop a skilled work force, with a focus on quality efficiency practices.

Requires the feasibility study and economic analysis to be delivered to the appropriate committees of the legislature by December 31, 2005.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

- Feb 9 APP - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass.
- Feb 10 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 14 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 63; nays, 33; absent, 2.

- IN THE SENATE -

- Feb 17 First reading, referred to Economic Development.

HB 3094 by Representatives Ormsby, Cox, Haigh, Kagi, Priest, McCoy, Fromhold, Condotta, Chase, Upthegrove, Schual-Berke, Kenney and Morrell

Studying the expansion of high school skills centers.

(AS OF HOUSE 2ND READING 2/12/04)

Recognizes that these centers are extremely valuable tools for preparing students for future careers and supporting local businesses and economic development.

Finds that expansion of skills centers will benefit students, businesses, and local communities.

Requires the joint legislative audit and review committee to conduct a study of the vocational skills centers in Washington's public K-12 educational system. The review shall include: (1) An update on the success of skills centers in assisting high school students prepare for future jobs, including the utilization of centers, the types of progress offered in the centers, and the placement of students;

(2) An analysis of the annual fiscal resources available for these skills centers, including a breakdown of federal, state, local, and private funding;

(3) A description and analysis of any conflicts between the resource requirements of these skills centers and those of the school districts that are part of the consortium supporting the skills centers; and

(4) A description and analysis of those factors that both encourage and discourage student enrollments in the skills centers from participating school districts.

Requires a report to be submitted to the appropriate policy and fiscal committees of the legislature by March 15,

2005.

-- 2004 REGULAR SESSION --

- Jan 27 First reading, referred to Education.
- Feb 5 ED - Executive action taken by committee. ED - Majority; do pass.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 11 Placed on second reading by Rules Committee.
- Feb 12 Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 93; nays, 0; absent, 5.

- IN THE SENATE -

- Feb 16 First reading, referred to Education.

Senate Bills

SB 6158 by Senators Prentice, Benton and Winsley

Changing the scope of the Washington insurance guarantee association act. (REVISED FOR ENGROSSED: Creating the longshore and harbor workers' compensation act insurance guarantee committee.)

(AS OF SENATE 2ND READING 2/17/04)

Finds that the policyholders of United States longshore and harbor workers' compensation act insurers are not protected from the insolvency and liquidation of these insurers.

Finds that it is in the best interest of the citizens of this state to provide a mechanism to protect the policyholders from the insolvency of their insurer.

Requires the insurance commissioner to create a committee to determine the best method to provide protection to longshore and harbor workers' compensation act insurance policyholders and employees.

Requires the committee to make written recommendations to the legislature before December 1, 2004.

-- 2004 REGULAR SESSION --

- Jan 14 First reading, referred to Financial Services, Insurance & Housing.
- Jan 28 FSIH - Majority; do pass.
- Jan 29 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 17 Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 48; nays, 0; absent, 1.

- IN THE HOUSE -

- Feb 18 First reading, referred to Financial Institutions & Insurance.

SB 6256-S by Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Brandland, Kline, McCaslin, Roach, Winsley and Oke)

Authorizing collection of offenders' palmprints.

(AS OF SENATE 2ND READING 2/17/04)

Provides that any incarcerated adult or juvenile that is serving a jail or prison sentence for any criminal offense constituting a felony or gross misdemeanor shall be palmprinted anytime prior to release from incarceration.

Provides that an agency required to collect palmprints is authorized to charge a fee of not more than ten dollars to record and maintain palmprint records.

Declares that palmprints collected under this act may be transmitted to the Washington state patrol. The Washington state patrol is not required to accept palmprints collected under this act until it has created rules regarding the acceptance of palmprints and has the resources to utilize the palmprints as part of its automated fingerprint imaging system.

-- 2004 REGULAR SESSION --

- Jan 30 CFC - Majority; 1st substitute bill be substituted, do pass.
 Feb 2 Passed to Rules Committee for second reading.
 Feb 12 Placed on second reading by Rules Committee.
 Feb 17 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 46; nays, 0; absent, 3.

- IN THE HOUSE -

- Feb 18 First reading, referred to Criminal Justice & Corrections.

SB 6413-S by Senate Committee on Land Use & Planning (originally sponsored by Senators Mulliken, T. Sheldon, Swecker, Rasmussen, Esser, Hargrove, Murray and Stevens)

Modifying impact fee provisions.

(AS OF SENATE 2ND READING 2/13/04)

Provides that impact fees for residential construction shall only be collected by the county, city, or town imposing the impact fee either: (1) At the time of final inspection of the residence; or

(2) At the time the certificate of occupancy is issued.

Declares that impact fees imposed under this act shall become a lien upon real property, in the same manner as provided for under RCW 84.60.010, thirty days after the impact fees become due until the same are paid.

Declares that, for the purposes of this act, "residential construction" means construction of single-family dwellings, duplexes, apartments, condominiums, and other residential structures.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

- Feb 3 LU - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass.
 Feb 4 Passed to Rules Committee for second reading.
 Feb 9 Made eligible to be placed on second reading.
 Feb 11 Placed on second reading by Rules Committee.
 Feb 13 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 33; nays, 16; absent, 0.

- IN THE HOUSE -

- Feb 14 First reading, referred to Local Government.

SB 6415-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Morton, Doumit, Hewitt, Hargrove, Honeyford, T. Sheldon, Hale, Murray and Stevens)

Concerning storm water general discharge permits. Revised for 1st Substitute: Concerning the conditioning of industrial and construction storm water general discharge permits.

(AS OF SENATE 2ND READING 2/16/04)

Finds the department of ecology has been using general permits to permit categories of similar dischargers, including storm water associated with industrial and construction activities.

Finds general permits must comply with all applicable requirements of the federal clean water act and the state water pollution control act including technology and water quality-based permitting requirements.

Finds general permits may not always be the best solution for an individual discharger, especially when establishing water quality-based permitting requirements.

Encourages, to the extent allowed under existing state and federal law, an adaptive management approach to permitting storm water discharges.

Requires effluent limitations to be included in construction and industrial storm water general permits as required under the federal clean water act and implementing regulations. In accordance with federal clean water act requirements, effluent limitations must be included in construction and industrial storm water general permits if there is a reasonable potential to cause or contribute to an excursion of a state water quality standard.

Provides that, by January 1, 2005, the department shall initiate an inspection program of all permittees covered under the construction and industrial storm water general permits. The purpose of the inspections is to: (1) Provide technical assistance and survey for evidence of permit violations;

(2) Identify corrective actions for actual or imminent discharges that violate or could violate the state's water quality standards;

(3) Monitor the development and implementation of storm water pollution prevention plans; and

(4) Identify dischargers who would benefit from follow-up technical assistance programs.

Provides that the act shall be null and void if

appropriations are not approved.

-- 2004 REGULAR SESSION --

- Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
On motion, referred to Rules.
- Feb 11 Placed on second reading by Rules Committee.
- Feb 16 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 33; nays, 13; absent, 3.

- IN THE HOUSE -

- Feb 18 First reading, referred to Agriculture & Natural Resources.

SB 6519-S by Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Benton, Prentice, Winsley and Kline)

Regulating third party utility billings.

(AS OF SENATE 2ND READING 2/13/04)

Declares that the purpose of this act is to prevent landlords, either themselves or through a third party billing agent, from billing tenants for master metered or other unmetered utility services without proper notice and disclosure of billing practices to tenants, and to protect tenants from deceptive or fraudulent billing practices, and to establish uniform statewide standards for third party utility billing that do not permit the adoption of inconsistent or more restrictive standards by any city, code city, or county.

Does not prevent a landlord from including a tenant's cost of master metered or unmetered utility services within the rent set forth in a rental agreement, and the practice of including that cost within a tenant's rent is not a billing practice or methodology affected by this act.

Does not affect the practices used by public utilities to bill and collect residential multiunit building owners or landlords for master metered or unmetered utility services.

Declares that a landlord shall not bill tenants separately for utility services except as permitted in this act.

Provides that a landlord may or may authorize a third party billing agent to bill tenants of a multiunit building for master metered or unmetered utility services provided to the tenants, only if the requirements of the act are met.

-- 2004 REGULAR SESSION --

- Feb 3 FSIH - Majority; 1st substitute bill be substituted, do pass.
- Feb 4 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 40; nays, 8; absent, 1.

- IN THE HOUSE -

- Feb 16 First reading, referred to Technology, Telecommunications & Energy.

SB 6598 by Senators Esser, Schmidt, Mulliken, Rasmussen, Parlette and Stevens

Regulating the provision of wholesale telecommunications services by public utility districts.

(AS OF SENATE 2ND READING 2/16/04)

Provides that a public utility district providing wholesale telecommunications services shall not be required to but may establish a separate utility system or function for such purpose. In either case, a public utility district providing wholesale telecommunications services shall separately account for any revenues and expenditures for those services according to standards established by the state auditor pursuant to its authority in chapter 43.09 RCW and consistent with the provisions of Title 54 RCW.

-- 2004 REGULAR SESSION --

- Jan 26 First reading, referred to Technology & Communications.
- Feb 3 TC - Majority; 1st substitute bill be substituted, do pass.
- Feb 4 Passed to Rules Committee for second reading.
- Feb 12 Placed on second reading by Rules Committee.
- Feb 16 1st substitute bill not substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 47; nays, 0; absent, 2.

- IN THE HOUSE -

- Feb 18 First reading, referred to Technology, Telecommunications & Energy.