



# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
Supplement No. 15\*

FIFTY-NINTH LEGISLATURE

Monday, January 31, 2005

22nd Day - 2005 Regular

## SENATE

SB 5009-S	SB 5570	SB 5587
SB 5085-S	SB 5571	SB 5588
SB 5108-S	SB 5572	SB 5589
SB 5161-S	SB 5573	SB 5590
SB 5266-S	SB 5574	SB 5591
SB 5558	SB 5575	SB 5592
SB 5559	SB 5576	SB 5593
SB 5560	SB 5577	SB 5594
SB 5561	SB 5578	SB 5595
SB 5562	SB 5579	SB 5596
SB 5563	SB 5580	SB 5597
SB 5564	SB 5581	SB 5598
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## HOUSE

HB 1050-S	HB 1577	HB 1594
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## LIST OF BILLS IN DIGEST SUPPLEMENTS

### SENATE

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SB 5000	Supp. 1	SB 5031	Supp. 1
SB 5001	Supp. 1	SB 5032	Supp. 1
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SB 5003	Supp. 1	SB 5034	Supp. 1
SB 5004	Supp. 1	SB 5035	Supp. 1
SB 5005	Supp. 1	SB 5036	Supp. 1
SB 5006	Supp. 1	SB 5037	Supp. 1
SB 5007	Supp. 1	SB 5038	Supp. 1
SB 5008	Supp. 1	SB 5039	Supp. 2
SB 5009	Supp. 1	SB 5040	Supp. 2
SB 5010	Supp. 1	SB 5041	Supp. 2
SB 5011	Supp. 1	SB 5042	Supp. 2
SB 5012	Supp. 1	SB 5043	Supp. 3
SB 5013	Supp. 1	SB 5044	Supp. 3
SB 5014	Supp. 1	SB 5045	Supp. 3
SB 5015	Supp. 1	SB 5046	Supp. 3
SB 5016	Supp. 1	SB 5047	Supp. 3
SB 5017	Supp. 1	SB 5048	Supp. 3
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SB 5024	Supp. 1	SB 5055	Supp. 3
SB 5025	Supp. 1	SB 5056	Supp. 3
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### HOUSE

HI 330	Supp. 12	HB 1028	Supp. 1
HI 336	Supp. 12	HB 1028-S	Supp. 14
HB 1000	Supp. 1	HB 1029	Supp. 1
HB 1001	Supp. 1	HB 1030	Supp. 1
HB 1002	Supp. 1	HB 1031	Supp. 1
HB 1003	Supp. 1	HB 1032	Supp. 2
HB 1004	Supp. 1	HB 1033	Supp. 2
HB 1005	Supp. 1	HB 1034	Supp. 2
HB 1006	Supp. 1	HB 1035	Supp. 2
HB 1007	Supp. 1	HB 1036	Supp. 2
HB 1008	Supp. 1	HB 1037	Supp. 2
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HB 1014	Supp. 1	HB 1043	Supp. 2
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HB 1015	Supp. 1	HB 1045	Supp. 2
HB 1016	Supp. 1	HB 1046	Supp. 2
HB 1017	Supp. 1	HB 1047	Supp. 2
HB 1018	Supp. 1	HB 1048	Supp. 3
HB 1019	Supp. 1	HB 1049	Supp. 3
HB 1020	Supp. 1	HB 1050	Supp. 3
HB 1021	Supp. 1	HB 1051	Supp. 3
HB 1022	Supp. 1	HB 1052	Supp. 3
HB 1023	Supp. 1	HB 1053	Supp. 3
HB 1024	Supp. 1	HB 1054	Supp. 3
HB 1025	Supp. 1	HB 1055	Supp. 3
HB 1026	Supp. 1	HB 1055-S	Supp. 14
HB 1027	Supp. 1	HB 1056	Supp. 3

\*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

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**House Bills**

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**HB 1050-S** by House (originally sponsored by Representatives Kenney, Hinkle, Kagi, Dunn, Quall, Clements, Morrell, McIntire, Schual-Berke, Haigh, Simpson, Linville, Santos and Chase)

Creating a foster care endowed scholarship program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of the program is to help students who were in foster care attend an institution of higher education in the state of Washington. The foster care endowed scholarship program shall be administered by the higher education coordinating board.

Creates the foster care endowed scholarship advisory board.

Authorizes the higher education coordinating board to deposit twenty-five thousand dollars of state matching funds into the foster care scholarship endowment fund when the board can match state funds with an equal amount of private cash donations.

Provides that, after the initial match of twenty-five thousand dollars, state matching funds from the foster care endowed scholarship trust fund shall be released to the foster care scholarship endowment fund semiannually so long as there are funds available in the foster care endowed scholarship trust fund.

Appropriates the sum of one hundred fifty thousand dollars, or as much thereof as may be necessary, from the general fund to the higher education coordinating board for the fiscal year ending June 30, 2006, to carry out the purposes of this act.

**-- 2005 REGULAR SESSION --**

Jan 25 HE - Majority; 1st substitute bill be substituted, do pass.

Jan 27 Referred to Appropriations.

**HB 1561** by Representatives Appleton, Roach, Santos, Kirby, Schual-Berke, Condotta, Williams and Chase

Prohibiting discrimination in life insurance based on lawful travel destinations.

Provides that no life insurer may deny or refuse to accept an application for insurance, or refuse to insure, refuse to renew, cancel, restrict, or otherwise terminate a policy of insurance, or charge a different rate for the same coverage, based upon the applicant or insured person's past or future lawful travel destinations.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Financial Institutions & Insurance.

**HB 1562** by Representatives Dunn, Holmquist, Sump, Buri, Crouse, Ahern, Roach, Orcutt, Haler, Talcott, Hinkle, Schindler, Condotta, Serben, Ericksen, Kristiansen and McCune

Prohibiting partial birth abortions.

Provides that, any physician who, in or affecting interstate or foreign commerce, knowingly performs a partial

birth abortion and thereby kills a human fetus shall be fined under this act or imprisoned not more than two years, or both.

Does not apply to a partial birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health Care.

**HB 1563** by Representatives Hinkle, Schindler, Sump, Miloscia, Curtis, Haler, Ericksen, Serben, Kristiansen, Ahern and Dunn

Prohibiting the sale of fetal body parts.

Declares that the body, including the body parts, body organs, body tissue, and body fluids, of a fetus whose death is the result of the application of any abortion procedure or technique may not be sold, donated, or otherwise transferred, with or without valuable consideration, for any use, but shall be disposed of as human remains by burial or cremation in accordance with the requirements of chapter 9.02 RCW and chapter 70.58 RCW.

Declares that this act is not intended, and may not be construed, to prevent a coroner, medical examiner, physician of the mother of the fetus, or prosecuting attorney from using that part of the body of a fetus whose death is the result of the application of any abortion procedure or technique that is necessary for the sole and exclusive purpose of diagnosing or determining: (1) A disease or condition or cause of death of the mother of the fetus if the abortion was performed because of such disease or condition of the mother of the fetus, or

(2) Cause of death of the fetus, if in either case no other reasonable means of making the diagnosis or determination is available without such use.

Provides that provisions of this act and RCW 68.50.610(3) are not intended, and may not be construed, to apply to the donation for medical research or use of any part of the body of a fetus whose death is the result of a miscarriage, stillbirth, ectopic pregnancy, sickness, disease, accident, or crime caused to the fetus or the mother by a third party without the knowledge and consent of the mother. However, the donation may only be made if a parent or guardian knows of and approves the donation for such medical research or use.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health Care.

**HB 1564** by Representatives Lovick, Clements, Ericks, O'Brien and Newhouse

Raising the mandatory retirement age for members of the Washington state patrol retirement system.

Raises the mandatory retirement age for members of the Washington state patrol retirement system to age sixty-one.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Appropriations.

**HB 1565** by Representatives Jarrett, Moeller, Tom, Simpson, Appleton, Linville, Sommers, Lantz and Dunshee

Addressing transportation concurrency strategies.

Declares that the transportation element required by RCW 36.70A.070 for counties and cities planning under RCW 36.70A.040 may include, in addition to those specified in RCW 36.70A.070(6)(b), multimodal transportation improvements or strategies concurrent with the development to satisfy the concurrency requirements of this chapter. Such improvements or strategies may include, but are not limited to, measures implementing or evaluating: (1) Multiple modes of transportation with peak and nonpeak hour capacity performance standards on locally owned transportation facilities; and

(2) Modal performance standards meeting the peak and nonpeak hour capacity performance standards.

Provides that jurisdictions implementing new transportation improvements or strategies in accordance with the provisions of this act or RCW 36.70A.070(6)(b) after December 31, 2005, shall prepare and submit to the department annual performance reports that include, at a minimum, an evaluation of the effectiveness of the improvements or strategies.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Local Government.

**HB 1566** by Representatives Jarrett, Linville, Alexander, Hunter, Nixon, Sommers, Priest, P. Sullivan, Anderson, Chase and Buck

Auditing state government.

Requires the governor and the governor's executive cabinet to develop a performance measurement system and conduct coordinated quarterly and annual management reviews of state agencies, departments, programs, and activities as related to the priorities of government using that system. The reviews shall include, but are not limited to, an assessment of cost measures, including unit cost where appropriate, quality measures, productivity measures, outcome measures, efficiency measures, timeliness of delivery of services, and comparative benchmarks.

Requires the governor to forward these management reviews to the legislative fiscal committees and the joint legislative audit and review committee and the appropriate sections of the reviews to the relevant policy committees of the legislature by January 1st of each year.

Provides that all fiscal and policy committees of the legislature and the joint legislative audit and review committee shall receive copies of the quarterly and annual management review reports issued by the governor and the office of financial management under RCW 43.88.090. The fiscal committees of the legislature shall consider these management review reports when developing the operating, capital, and transportation budgets, and when developing revenue strategies.

Requires the policy committees of the legislature to consider the relevant sections of these management review reports when developing policy for the state and make recommendations to the fiscal committees for appropriation of state funds that are consistent with state policy priorities. These recommendations shall focus on the integration of capital and operating expenditures and the alignment of appropriations with the state policy priorities.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to State Government Operations & Accountability.

**HB 1567** by Representatives Kristiansen, B. Sullivan, Roach, McDonald, Schindler, Bailey, Pearson, Nixon, O'Brien, Shabro, Buck and Condotta

Allowing agricultural lands that are not being used for the commercial production of food or other agricultural products to be used for recreational activities.

Allows agricultural lands that are not being used for the commercial production of food or other agricultural products to be used for recreational activities.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Local Government.

**HB 1568** by Representatives Haigh, Hinkle, Wallace, P. Sullivan, Conway, Chase, McCoy and Kenney; by request of Governor Gregoire

Concerning the activation of the national guard.

Amends RCW 38.08.040 and 38.24.010 relating to activation of the national guard.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to State Government Operations & Accountability.

**HB 1569** by Representatives Morrell, Clibborn, Skinner, Schual-Berke, Green, Moeller, Cody, Curtis, Condotta, Chase, O'Brien and Kenney

Regarding quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

Finds that sharing of quality assurance information between boarding homes, nursing homes, coordinated quality improvement plans, peer review organizations, and hospitals will promote safe patient care and ensure consistency of care across organizations and practices.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health Care.

**HB 1570** by Representatives McIntire, Simpson, Jarrett, Fromhold and Dunshee

Creating the Washington voluntary accounts program.

Finds that many workers do not have access to an employment-based retirement plan. Workers who are unable to build up pensions and savings risk living on low incomes in their old age and are more likely to become dependent on state services.

Declares that the Washington voluntary accounts program will provide a simple and inexpensive way for workers to save for retirement and employers to offer an employee benefit.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Appropriations.

**HB 1571** by Representatives Fromhold, Schual-Berke, Morrell, Linville, Moeller and Kenney

Revising the nursing facility payment system.

Revises the nursing facility payment system.

Declares that the insurance component rate allocation corresponds to the labor and industries workers' compensation insurance and property and casualty insurance premiums paid by a nursing facility.

Provides that, beginning July 1, 2005, the department shall establish each medicaid nursing facility's insurance component rate allocation by determining the incremental increase in each facility's insurance costs by comparing the facility's insurance related costs as reported in their 1999 cost report data and their 2003 cost report data, excluding that portion of the insurance costs included in the direct care component. The insurance component rate allocation shall be a per resident day amount using total days from the 2003 cost report.

Provides that, beginning July 1, 2006, the department shall establish each medicaid nursing facility's insurance component rate allocation by determining the incremental increase in each facility's insurance costs by comparing the facility's insurance related costs as reported in their 1999 cost report data and their 2004 cost report data, excluding that portion of the insurance costs included in the direct care component. The insurance component rate allocation shall be a per resident day amount using total days from the 2004 cost report.

Expires June 30, 2007.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Appropriations.

**HB 1572** by Representatives Bailey, Schindler, Condotta, Newhouse, Clibborn, Strow, Cody, Morrell, Ahern, Kristiansen, P. Sullivan, Nixon, Wood, Skinner and Buck

Excluding certain postage costs from taxation.

Exempts certain postage costs from taxation.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Finance.

**HB 1573** by Representatives P. Sullivan, Haler, Linville, Dunn, Skinner, Fromhold, Grant, Wallace, Ormsby, Morrell, Hasegawa, Kenney, Pettigrew, Holmquist, McCoy, Upthegrove, Clibborn, Santos and Kilmer

Modifying provisions of the linked deposit program.

Declares an intent that funds provided under the linked deposit program shall be used to create jobs and economic opportunity as well as to remedy the problem of a lack of access to capital by minority and women's business enterprises.

Encourages public depositories participating in the linked deposit program to increase the funds available to certified minority and women's business enterprises by taking full advantage of the linked deposit program loans to qualify for the community reinvestment act community programs under federal law (12 U.S.C.S. Sec. 2901 et seq.).

Repeals RCW 43.131.381 and 43.131.382.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Financial Institutions & Insurance.

**HB 1574** by Representatives Morrell, McDonald, Linville, Springer, Flannigan, Campbell,

Pettigrew, Conway, P. Sullivan, Holmquist, Ericks, Hinkle, Upthegrove, Williams and Hudgins

Providing sales and use tax relief for qualifying small businesses constructing manufacturing facilities.

Requires that application for deferral of taxes under this act must be made before initiation of the construction of the investment project or acquisition of equipment or machinery. The application shall be made to the department in a form and manner prescribed by the department. The application shall contain information regarding the location of the investment project, the applicant's average employment in the state for the prior year, estimated or actual new employment related to the project, estimated or actual wages of employees related to the project, estimated or actual costs, time schedules for completion and operation, and other information required by the department.

Directs the department to rule on the application within sixty days.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1575** by Representatives Morrell, McDonald, Wallace, Campbell, Springer, Kilmer, Blake, Kristiansen, Ericks, Flannigan, Linville, Pettigrew, P. Sullivan, Conway, Holmquist, Hinkle, Williams, Lantz, O'Brien, Kenney and Condotta

Providing a business and occupation tax credit for certain small business purchases.

Authorizes a business and occupation tax credit for certain small business purchases.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1576** by Representatives Morrell, Buri, Wallace, Springer, Chase, Flannigan, Kilmer, McDonald, Blake, Pettigrew, Ericks, Linville, Campbell, P. Sullivan, Conway, Hinkle, Williams, Eickmeyer, Hasegawa, Clibborn, Lantz, O'Brien, Kenney and Shabro

Providing a small business tax credit for job creation.

Authorizes a small business tax credit for job creation.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1577** by Representatives Lantz, Hankins, Morrell, Jarrett, Moeller, Clibborn, Flannigan, Darneille, Dunshee and Kilmer

Concerning capital projects for certain nonprofit organizations.

Revises provisions relating to capital projects for local nonprofit art, cultural, heritage, youth, and social service organizations.

Repeals 1999 c 295 s 4 (uncodified).

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Capital Budget.

**HB 1578** by Representatives McIntire, Ahern, Simpson, Santos, Schindler, Eickmeyer and Lantz

Authorizing additional taxing districts to seek voter approval for multiyear excess property tax levies.

Authorizes additional taxing districts to seek voter approval for multiyear excess property tax levies.

Declares that this act takes effect January 1, 2006, if the proposed amendment to Article VII of the state Constitution authorizing multiyear excess property tax levies (HJR....) is validly submitted to and is approved and ratified by the voters at the next general election. If the proposed amendment is not approved and ratified, this act is void in its entirety.

Repeals RCW 84.52.052.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Finance.

**HB 1579** by Representatives Campbell, Kirby, O'Brien, Lantz, P. Sullivan, Chase, McCoy, Moeller, Dunshee and Sump

Expanding the crime of animal fighting.

Declares that a person commits the crime of animal fighting if the person knowingly does any of the following: (1) Owns, possesses, keeps, breeds, trains, buys, sells, or advertises or offers for sale any animal with the intent that the animal shall be engaged in an exhibition of fighting with another animal;

(2) Promotes, organizes, conducts, participates in, advertises, or performs any service in the furtherance of an exhibition of animal fighting, transports spectators to an animal fight, or provides or serves as a stakeholder for any money wagered on an animal fight;

(3) Keeps or uses any place for the purpose of animal fighting, or manages or accepts payment of admission to any place kept or used for the purpose of animal fighting;

(4) Suffers or permits any place over which the person has possession or control to be occupied, kept, or used for the purpose of an exhibition of animal fighting; or

(5) Takes, leads away, possesses, confines, sells, transfers, or receives a stray animal or a pet animal, with the intent to deprive the owner of the pet animal, and with the intent of using the stray animal or pet animal for animal fighting, or for training or baiting for the purpose of animal fighting.

Declares that a person who violates this section is guilty of a class C felony punishable under RCW 9A.20.021.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Criminal Justice & Corrections.

**HB 1580** by Representatives Lovick, Darneille, Miloscia, O'Brien, Chase and Wood

Regulating stun guns.

Provides that no person or business may sell a projectile stun gun in the state of Washington unless the projectile stun gun: (1) Has a maximum charge of less than one hundred thousand volts;

(2) Has a maximum of less than nine joules of energy per pulse;

(3) Has an identification and tracking system which, upon deployment of remote electrodes, disperses coded material traceable to the purchaser through records kept by

the manufacturer on all projectile stun guns and all individual cartridges sold, which information shall be made available to any law enforcement agency upon request; and

(4) Is manufactured by a company that offers a training program.

Requires a person selling a projectile stun gun to register the identity of the purchaser with the manufacturer of the projectile stun gun. Such identification shall be verified with a government-issued identification, or by verifying the social security number and address of the purchaser.

Provides that no person or business may sell or give a projectile stun gun to any person who has been convicted of a felony. It is the responsibility of the person selling or giving the projectile stun gun to complete a national criminal history background check to determine if the person purchasing or receiving the projectile stun gun is a felon.

Declares that a person who violates this act is guilty of a misdemeanor.

Declares that any person who knowingly uses a projectile stun gun against a law enforcement officer is guilty of a class B felony.

Declares that the state of Washington fully occupies and preempts the entire field of regulation of projectile stun guns.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Judiciary.

**HB 1581** by Representatives O'Brien, Schindler, Jarrett, Dunn, Woods, McCune, Wood, Ericksen and Rodne

Revising the authority of a vehicle licensing subagent to recommend a successor.

Amends RCW 46.01.140 to revise the authority of a vehicle licensing subagent to recommend a successor.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Transportation.

**HB 1582** by Representatives O'Brien, Schindler, Jarrett, Dunn, Wood, Miloscia, Woods, Williams and Skinner

Increasing certain fees of licensing subagents.

Amends RCW 46.01.140 to increase certain fees of licensing subagents.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Transportation.

**HB 1583** by Representatives Hunt, Upthegrove, Williams, McDermott, Cody, Hasegawa, Chase, Moeller, Kenney and Wood

Making available relocation assistance payments to tenants.

Declares that the purpose of this act is to establish a process by which displaced tenants would receive funds for relocation from landlords who fail to provide safe and sanitary housing after due notice of building code or health code violations.

Declares that it is also the purpose of this act to provide enforcement mechanisms to cities, towns, counties, or municipal corporations including the ability to advance relocation funds to tenants who are displaced as a result of a landlord's failure to remedy building code or health code

violations and later to collect the full amounts of these relocation funds, along with interest and penalties, from landlords.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Housing.

**HB 1584** by Representatives McCoy, Dunshee, Linville and Chase

Recognizing interests based on federal laws in the management of state waters.

Amends RCW 90.54.020 relating to recognizing interests based upon federal laws in the management of state waters.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1585** by Representatives Nixon and O'Brien

Authorizing standards for housing for persons who are temporarily homeless.

Finds that, due to lack of a permanent address or other contact information, lack of skills and training, lack of reliable personal transportation, frequent health challenges, or other circumstances, homeless persons are vulnerable to exploitation as low-wage laborers.

Declares that, in 1995, the legislature recognized that the circumstances of another group of exploited low-wage laborers, migrant agricultural workers, necessitated the creation of standards for temporary worker housing to prevent those workers from being forced to obtain housing that is unsafe and unsanitary; those standards are reflected in chapter 70.114A RCW.

Finds that, due to their poverty, extreme need, and dire circumstances, similar exploitation of the labor of homeless persons also exists, and that, due to an inadequate supply of affordable housing and of space in permanent shelters for the homeless, they are likewise being forced to seek shelter in unsafe and unsanitary conditions.

Declares an intent to encourage temporary housing for homeless persons to be safe and sanitary by establishing a clear and concise set of regulations for temporary housing and encampments for homeless persons, substantially equivalent to those provided for temporary worker housing.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Housing.

**HB 1586** by Representatives Kenney, Santos, Hasegawa, Cody, McDermott, Conway, Ormsby, Roberts, Sells, Hunt, Upthegrove, Williams, Darneille, Chase, McCoy, Moeller, Lantz, Hudgins and McIntire

Permitting a college or university to maintain a diverse student population by considering race, color, ethnicity, or national origin in the admission and transfer process without using quotas, predetermined points, or set asides.

Declares an intent to give universities and colleges some flexibility in considering race, color, ethnicity, or national origin as positive factors in their admission and transfer policies to promote diversity by enrolling meaningful numbers of students from groups that would not otherwise be so represented. To ensure the highest quality

of education is provided at our universities and colleges, they must have the ability to engage in a holistic review of each applicant that includes all the positive qualities and experiences that an applicant possesses.

Declares it is not the intent to allow any form of quota or set aside system to be implemented by a university or college to insulate an applicant from comparison with all other candidates solely because of his or her racial status.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Higher Education.

**HB 1587** by Representatives Shabro, Morrell, Roach and Woods; by request of Department of Social and Health Services

Regarding capital facilities at the Rainier school.

Amends RCW 72.01.140 relating to capital facilities at the Rainier school.

Repeals RCW 28B.30.820 and 72.01.142.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Capital Budget.

**HB 1588** by Representatives Condotta, Linville, Kristiansen, Pettigrew, Kretz, Haler, Morrell, Williams, Eickmeyer, Anderson, Clibborn, Lovick, Chase, McCoy, McDonald and Dunn

Using television advertising to promote tourism in Washington.

Provides for using television advertising to promote tourism in Washington.

Appropriates the sum of one million seven hundred fifty thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the department of community, trade, and economic development for the purposes of this act.

Appropriates the sum of one million seven hundred fifty thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the department of community, trade, and economic development for the purposes of this act.

Declares that if there is no appropriation in the 2005-06 operating budget for the purposes of this act, the department of community, trade, and economic development must spend three million five hundred thousand dollars of existing funds or thirty-three percent of its total tourism budget, whichever is greater, for the purposes of this act.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1589** by Representatives Kenney, Jarrett, Kagi, Priest, Sells, Fromhold, Walsh, Ormsby, Linville, Hasegawa, Chase, Blake, McCoy, Moeller, O'Brien, Santos, Hudgins, Wood and McDermott

Increasing the amount of vocational education that qualifies as a work activity under WorkFirst.

Increases the amount of vocational education that qualifies as a work activity under WorkFirst from twelve to twenty-four months.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Children & Family Services.

**HB 1590** by Representatives Schual-Berke, Cody, Appleton, Dickerson, Williams, Clibborn, Moeller and Kagi

Decreasing administrative burdens for providers and plans participating in state purchased health care programs.

Provides that, to decrease administrative burdens for providers and plans participating in state purchased health care programs, the administrator, the assistant secretary for the medical assistance administration of the department of social and health services, and the director of the department of labor and industries, in collaboration with health carriers, health care providers, and the office of the insurance commissioner shall, within available resources: (1) Improve the timeliness of claims processing and the distribution of medical assistance program fee schedules, and more clearly define the scope of coverage under managed care contracts;

(2) Improve the capacity for electronic billing and claims submission and provide electronic access to eligibility, benefits, and exclusion information;

(3) Develop clear audit and data requirements for contracting managed health care plans and improve consistency between claims processing and published fee schedules;

(4) Conform billing codes with providers and between agencies with national and regional standards wherever possible;

(5) Take steps to implement cost-effective measures under this act by December 2006, and on or before December 1, 2005, provide a progress report to the relevant policy and fiscal committees of the legislature on the feasibility of implementation and any fiscal constraints or regulatory or statutory barriers; and

(6) Participate in a standardized, secure on-line health care information exchange program.

Appropriates the sum of one hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the department of social and health services to participate in a standardized, secure on-line health care information exchange program.

Appropriates the sum of one hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the department of social and health services to participate in a standardized, secure on-line health care information exchange program.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health Care.

**HB 1591** by Representatives Schual-Berke, Hinkle, Cody, Skinner and Moeller

Concerning assisted care facilities.

Declares that an assisted care home licensed under chapter 18.20 RCW may care for individuals with the same resident level of acuity as found in residents of adult family homes. The assisted care home shall meet all applicable care standards established by the department for residents under this act.

Requires the department to coordinate its boarding home facility construction review process with the department of social and health services. Inconsistencies or

conflicts between the agencies must be identified and eliminated. In conducting boarding home facility construction reviews, the department shall assist the facility to complete the construction and review process as quickly as possible. The department shall provide local agencies with relevant information derived from its construction review process.

Directs the department to report to the legislature regarding its implementation of this act by March 1, 2006.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health Care.

**HB 1592** by Representatives Strow, Talcott, Kenney, Woods, Darneille, Bailey, Green, Holmquist, Shabro, Moeller, Walsh, Williams, Skinner, Dunshee, Kristiansen, Pearson, Sommers, Dickerson, Conway, Clements, Linville, Haler, Upthegrove, Hasegawa, P. Sullivan, Clibborn, Lovick, Chase, Jarrett, Rodne, Blake, Ericks, Sells, Appleton, McCoy, McDonald, Dunn, DeBolt, Lantz, Santos, Roberts, Hudgins, Ahern, McCune, Alexander, Kretz, Hankins, Haigh, Tom, Kilmer, Schual-Berke, McDermott, Newhouse, Condotta and Kagi

Including women's contributions in the World War II oral history project.

Includes women's contributions in the World War II oral history project.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Education.

**HB 1593** by Representatives Linville, Clements, Pettigrew, O'Brien, Hasegawa, Grant, Kenney, McDermott, McDonald, Chase, Skinner, Williams, Santos, Schual-Berke and Kagi

Funding farmers market nutrition programs.

Finds that: (1) The farmers market nutrition programs promote health, alleviate hunger, prevent obesity, and encourage the development of good eating habits by enabling low-income women to purchase locally grown fresh fruit and vegetables for themselves and their young children and low-income and homebound seniors to purchase locally grown fresh fruit and vegetables for themselves through farmers markets, congregate meals sites, and senior housing.

(2) The farmers market nutrition programs support small farmers and rural economies through the promotion of Washington state agriculture.

Provides that, during the 2005-2007 biennium, an additional four hundred thousand dollars from the general fund--state are appropriated to the department of health to maintain 2004 participation levels for the farmers market nutrition program for women, infants, and children.

Provides that, during the 2005-2007 biennium, seven hundred fifty thousand dollars from the general fund--state are appropriated to the department of social and health services to maintain 2004 participation levels for the senior farmers market nutrition program.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1594** by Representatives Linville, Skinner, Fromhold, Grant, Haler, Dunshee, Dunn, Santos, Armstrong, Wallace, Morris, Holmquist, Pettigrew,

Schindler, Kenney, Morrell, Eickmeyer, Rodne, Upthegrove, Dickerson, Clibborn, Moeller and Hankins

Directing the state investment board to invest in start-up and expanding businesses within the state of Washington.

Finds that prudent targeted private equity investment by the state investment board would strengthen the local venture capital infrastructure, increase access to capital for local companies, support emerging businesses, create jobs for Washington citizens, and maximize the investment returns of pension funds.

Requires the state investment board to establish a fund of no less than five hundred million dollars of the board's investment portfolio in the Washington growing business fund, an account that shall be maintained separately and apart from other money invested by the board. Investments from the account may be made in start-up and expanding businesses based in Washington with a substantial employment base located in the state.

Declares that the purpose of the Washington growing business fund is to: (1) Increase the capital funds available to minority and women-owned business enterprises based in Washington; and

(2) Create jobs and economic opportunities within Washington.

Requires the board and its designees to include in their statement of investment principles: The extent, if at all, to which social, environmental, or ethical considerations are taken into account in their selection, retention, and realization of investments; and their policy, if any, in relation to the exercise of rights, including voting rights, attaching to investments.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1595** by Representatives McDermott, Woods, Cody, Jarrett, Clibborn and Dunn

Allowing port districts to lease land acquired from a commercial waterway district.

Authorizes a district to lease all lands, wharves, docks, and real and personal property it owns and controls that have been acquired from commercial waterway districts, for such purposes and upon such terms as the port commission deems proper. These properties are subject to all other statutes governing district leases.

Authorizes a port commission to, by resolution, authorize the managing official of a port district to sell and convey port district property obtained by the district from a commercial waterway district. The district shall sell and convey such property in accordance with all applicable statutes governing the sale of district property.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Local Government.

**HB 1596** by Representatives O'Brien, Hankins and Anderson

Authorizing a customer facility charge on rental car customers to finance consolidated rental car facilities.

Authorizes the municipality to impose a customer facility charge upon customers of rental car companies accessing the airport for the purposes of financing, designing, constructing, operating, and maintaining

consolidated rental car facilities and common use transportation equipment and facilities which are used to transport the customer between the consolidated car rental facilities and other airport facilities.

Provides that the airport operator may require the rental car companies to collect the facility charges, and any facility charges so collected shall be deposited in a trust account for the benefit of the airport operator and remitted at the direction of the airport operator.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Transportation.

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**House Joint Memorials**

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**HJM 4008** by Representatives Dunshee, O'Brien, Moeller, B. Sullivan, McCoy, Ericks, Sells, Lovick, Upthegrove and Hudgins

Naming part of SR 99 the William P. Stewart Memorial Highway.

Requests that the Washington State Transportation Commission commence proceedings to name State Route 99 in Snohomish county the "William P. Stewart Memorial Highway."

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Transportation.

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**House Joint Resolutions**

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**HJR 4206** by Representatives McIntire, Ahern, Simpson, Santos, Schindler, Chase and Appleton

Providing a constitutional amendment to modify voter-approved property tax levy limitations.

Proposes an amendment to the state Constitution to modify voter-approved property tax levy limitations.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Finance.

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**Senate Bills**

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**SB 5009-S** by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler and Shin; by request of Conservation Commission)

Changing conservation assistance revolving account provisions.



(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 89.08.550 relating to the conservation assistance revolving account.

**-- 2005 REGULAR SESSION --**

Jan 28 ARED - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5085-S** by Senate Committee on Transportation (originally sponsored by Senators Weinstein, Haugen, Jacobsen and Kline)

Holding child car seat installers harmless for damages.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person who has a current national certification as a child passenger safety technician and who in good faith and not for compensation provides inspection, adjustment, or educational services regarding child passenger restraint systems is not liable for civil damages resulting from any act or omission in providing the services, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

**-- 2005 REGULAR SESSION --**

Jan 28 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.

**SB 5108-S** by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fraser, Berkey, Fairley and Kline; by request of Department of Community, Trade, and Economic Development)

Increasing the administrative cap on the housing assistance program and the affordable housing program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Increases the administrative cap on the housing assistance program and the affordable housing program to five percent of the annual funds available for the programs.

**-- 2005 REGULAR SESSION --**

Jan 28 FHC - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass 1st substitute.  
And refer to Ways & Means.  
Referred to Ways & Means.

**SB 5161-S** by Senate Committee on Transportation (originally sponsored by Senators Eide and Swecker)

Including use of wireless communications in accident reports. Revised for 1st Substitute: Including reports of driving distractions in accident reports.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that distractions contributing to an accident must be reported on the accident form and include at least the following minimum reporting options: Not distracted; operating a handheld electronic telecommunication device; operating a hands-free wireless telecommunication device; other electronic devices (including, but not limited to, PDA's, laptop computers, navigational devices, etc.); adjusting an audio or entertainment system; smoking; eating or drinking; reading or writing; grooming; interacting with children, passengers, animals, or objects in the vehicle; other inside distractions; outside distractions; and distraction unknown.

**-- 2005 REGULAR SESSION --**

Jan 28 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5266-S** by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fairley, Benson, Prentice and Benton)

Reserving state authority to regulate customer financial transactions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that consumers, financial services providers, and financial institutions need uniformity and certainty in their financial transactions.

Declares an intent to reserve the authority to regulate customer financial transactions involving consumers, financial services providers, and financial institutions.

**-- 2005 REGULAR SESSION --**

Jan 28 FHC - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 5558** by Senators Brown, Swecker, Fraser, Keiser, Benson, Brandland, Weinstein, Roach, Rasmussen, McAuliffe, Pridemore, Shin, Rockefeller and Kohl-Welles

Establishing a prescription drug assistance foundation.

Declares that the purpose of this act is to provide assistance in accessing prescription drugs to the uninsured residents of Washington state with incomes below three hundred percent of the federal poverty level.

Declares that the foundation shall be administered in a manner that: (1) Begins providing assistance to qualified uninsured individuals by January 1, 2006;

(2) Defines the population that may receive assistance in accordance with this act; and

(3) Complies with the eligibility requirements necessary to obtain and maintain tax-exempt status under federal law.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health & Long-Term Care.

**SB 5559** by Senators Pflug, Kline, Schmidt and Roach

Revising procedures for amendment of governing documents for homeowners' associations.

Revises procedures for amendment of governing documents for homeowners' associations.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5560** by Senators Pflug, Kline, Benson and Schmidt

Protecting email addresses of members of homeowners' associations.

Protects email addresses of members of homeowners' associations.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5561** by Senators Pflug, Kline, Schmidt, Stevens, Benson, Sheldon and Rockefeller

Encouraging use of dispute resolution services for homeowners' associations.

Provides that a homeowners' association or an owner may use alternative dispute resolution services to resolve any controversy arising under the provisions of this act.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5562** by Senators Benson, Delvin, Oke, Hewitt, Schmidt, Carrell, Morton, McCaslin, Deccio, Brandland, Mulliken, Esser, Parlette, Finkbeiner, Honeyford, Roach and Sheldon

Increasing penalties for driving or physical control while under the influence.

Increases penalties for driving or physical control while under the influence of intoxicating liquor or any drug.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Judiciary.

**SB 5563** by Senators Franklin, Schmidt, Oke, Rasmussen, Thibaudeau, Kohl-Welles, Pflug, Regala, Parlette, Pridemore, Hargrove, Fraser, Hewitt, Doumit, Spanel, Prentice, Stevens, McAuliffe, Mulliken, Haugen, Berkey, Swecker, Carrell, Fairley, Kline, Keiser, Kastama, Shin, Delvin, Roach, Poulsen, Sheldon, Eide, Johnson and Rockefeller

Including women's contributions in the World War II oral history project.

Includes women's contributions in the World War II oral history project.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5564** by Senators Schmidt, Kastama, Weinstein, Roach, Shin, Rockefeller, Oke and Kohl-Welles

Requiring the secretary of state to prepare a manual of election laws and rules.

Provides that the secretary of state shall prepare a manual that explains all election laws and rules in easy-to-understand, plain language for use during the vote counting, recounting, tabulation, and canvassing process. The secretary of state shall print and distribute sufficient copies of the manual so that it is available for use in all vote-counting centers throughout the state. The secretary of state may also make the manual available in electronic form.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5565** by Senators Schmidt, Kastama, Weinstein, Roach, Keiser, Sheldon, Shin, Rockefeller, Oke and Kohl-Welles

Informing out-of-state, overseas, and service voters of rights and procedures.

Requires that the information on the outer return envelopes must include, but is not limited to, statements that:

- (1) Return postage is free;
- (2) The date written by the voter on the return envelope is considered the date of mailing;
- (3) The envelope must be signed by election day;
- (4) The signed declaration on the envelope is the equivalent of voter registration;
- (5) Faxed voted ballots are allowed if the voter agrees to waive secrecy;
- (6) Faxed documents must be accompanied by an original signed ballot by the day of election certification, which is fifteen days after the election;
- (7) E-mail is available under the federal Uniformed and Overseas Citizens Absentee Voting Act, which is administered at the county level, and allows for a ballot to be e-mailed to a voter, which the voter may print out, vote, and return by mail.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5566** by Senators Hargrove, Esser, Regala and Kline

Authorizing the use of enrollment cards issued by federally recognized Indian tribes.

Directs the liquor control board to adopt rules designating an enrollment card issued by a federally recognized Indian tribe as acceptable identification for the purpose of purchasing alcoholic beverages.

Takes effect January 1, 2006.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Labor, Commerce, Research & Development.

**SB 5567** by Senators Kohl-Welles, Esser, Prentice, Stevens, Thibaudeau, Rasmussen and McAuliffe

Creating an "investing in youth program."

Declares an intent to create incentives for local government investments in cost-effective intervention services that reduce crime by reimbursing local governments with a portion of the cost savings that accrue to the state as the result of local investments in such services.

Directs the department of community, trade, and economic development to establish a reinvesting in youth program that awards grants to counties for implementing research-based early intervention services that target juvenile justice-involved youth and reduce crime, subject to the availability of amounts appropriated for this specific purpose.

Provides that, effective July 1, 2005, and continuing through June 30, 2007, a reinvesting in youth pilot program shall be established. The pilot program will test methods for reinvestment of state savings that result from local investments in evidenced-based services for juvenile justice-involved youth.

Provides that participation in the pilot program shall be limited to three counties or groups of counties including at least one charter county with a population of over five hundred thousand residents and at least one county or group of counties with a combined population of three hundred thousand residents or less. Effective July 1, 2007, all counties shall become eligible to apply for participation in the program.

Provides that the department of community, trade, and economic development shall contract with the department of social and health services juvenile rehabilitation administration for the establishment of a state quality assurance program. The juvenile rehabilitation administration shall monitor the implementation of intervention programs reimbursed pursuant to this act and shall evaluate adherence to program design. The juvenile rehabilitation administration shall report any failures to comply with its quality assurance standards to the department of community, trade, and economic development.

Requires the Washington state institute for public policy to estimate the costs and benefits resulting from the implementation of the reinvesting in youth program and provide a report to the appropriate committees of the legislature, the governor, and to the department of community, trade, and economic development on December 1, 2007, and every four years thereafter.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Human Services & Corrections.

**SB 5568** by Senator Benton

Requiring the state to pay costs associated with record checks for certificated employees under certain circumstances.

Provides that the state shall pay costs associated with subsequent record checks for certificated employees for whom the subsequent record check is required due to a lapsed certificate or a return to the profession before the certificate has lapsed.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Early Learning, K-12 & Higher Education.

**SB 5569** by Senators Keiser, Benson and McAuliffe

Revising the nursing facility payment system.

Revises the nursing facility payment system.

Declares that the insurance component rate allocation corresponds to the labor and industries workers' compensation insurance and property and casualty insurance premiums paid by a nursing facility.

Provides that, beginning July 1, 2005, the department shall establish each medicaid nursing facility's insurance component rate allocation by determining the incremental increase in each facility's insurance costs by comparing the facility's insurance related costs as reported in their 1999 cost report data and their 2003 cost report data, excluding that portion of the insurance costs included in the direct care component. The insurance component rate allocation shall be a per resident day amount using total days from the 2003 cost report.

Provides that, beginning July 1, 2006, the department shall establish each medicaid nursing facility's insurance component rate allocation by determining the incremental increase in each facility's insurance costs by comparing the facility's insurance related costs as reported in their 1999 cost report data and their 2004 cost report data, excluding that portion of the insurance costs included in the direct care component. The insurance component rate allocation shall be a per resident day amount using total days from the 2004 cost report.

Expires June 30, 2007.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health & Long-Term Care.

**SB 5570** by Senators Haugen, Pflug, Keiser, Kastama, McAuliffe, Kline, Carrell, Fairley, Benson, Roach, Rasmussen, Mulliken and Eide

Discontinuing the nursing facility bed tax.

Repeals RCW 74.46.091, 74.46.535, 82.71.010, 82.71.020, and 82.71.030.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health & Long-Term Care.

**SB 5571** by Senators Benson, Schoesler, Carrell, Keiser, Kastama and Mulliken

Regarding the boarding home business and occupation tax.

Revises provisions regarding the boarding home business and occupation tax.

Repeals RCW 82.04.4337 and 82.04.2908.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Ways & Means.

**SB 5572** by Senators Rasmussen, Hewitt, Berkey, Oke, Benson, Deccio, Delvin and Jacobsen

Authorizing additional funding for minor league baseball facilities.

Creates the minor league baseball account in the state treasury. During each fiscal year the state treasurer shall deposit in the minor league baseball account all receipts from the state lottery designated for this account under RCW 67.70.240.

Provides that money in the minor league baseball account shall be distributed annually to a governmental agency responsible for the operation of a minor league baseball stadium as defined in this act. Money shall be distributed on a per capita basis based on the population of the city in which the minor league baseball stadium is located as determined by the office of financial management on the effective date of this act.

Declares that money distributed from the minor league baseball account shall be used solely for the purpose of paying for the operation, maintenance, repair, rehabilitation, financing, equipping, and reequipping of a minor league baseball stadium and associated parking facilities.

Declares that three million dollars shall be distributed under this act during the calendar year 2006. During subsequent years, the distribution shall equal the prior year's distributions increased by four percent.

Provides that distributions under this act shall cease at the latter of: The date when distributions cease under RCW 67.70.240(4) or fifteen years from the effective date of this act.

Authorizes the legislative authority of a county in which a minor league baseball team plays in an existing minor league baseball stadium to impose a special stadium sales and use tax upon retail car rentals within the county that are taxable by the state under chapters 82.08 and 82.12 RCW.

Authorizes the legislative authority of a city or town in which a minor league baseball team plays in an existing minor league baseball stadium to impose a tax of up to one cent on twenty cents or fraction thereof to be paid by the person who pays an admission charge to the events in the minor league baseball stadium. The tax authorized in this provision may also be imposed on any parking charges or fees imposed in parking facilities associated with the minor league baseball stadium.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5573** by Senators Fairley, Swecker, Eide, Regala, Fraser, Hewitt, Kline and Kohl-Welles

Authorizing local governments to seek voter approval for a fixed multiyear regular property tax dollar rate.

Authorizes the local government to set a maximum regular levy dollar rate to be levied every year by any taxing district other than the state, for up to six consecutive years and subject to statutory dollar limitations, for the purpose of maintaining at least approximate levels of municipal services. The ballot title must state the maximum regular levy dollar rate to be used and the final year property taxes will be collected on this rate.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5574** by Senators Kline, Roach, Regala, Stevens, Rasmussen, Delvin, McCaslin, Prentice, Weinstein, Kastama and Kohl-Welles

Regulating stun guns.

Provides that no person or business may sell a projectile stun gun in the state of Washington unless the projectile stun gun: (1) Has a maximum charge of less than one hundred thousand volts;

(2) Has a maximum of less than nine joules of energy per pulse;

(3) Has an identification and tracking system which, upon deployment of remote electrodes, disperses coded material traceable to the purchaser through records kept by the manufacturer on all projectile stun guns and all individual cartridges sold, which information shall be made available to any law enforcement agency upon request; and

(4) Is manufactured by a company that offers a training program.

Requires a person selling a projectile stun gun to register the identity of the purchaser with the manufacturer of the projectile stun gun. Such identification shall be verified with a government-issued identification, or by verifying the social security number and address of the purchaser.

Provides that no person or business may sell or give a projectile stun gun to any person who has been convicted of a felony. It is the responsibility of the person selling or giving the projectile stun gun to complete a national criminal history background check to determine if the person purchasing or receiving the projectile stun gun is a felon.

Declares that a person who violates this act is guilty of a misdemeanor.

Declares that any person who knowingly uses a projectile stun gun against a law enforcement officer is guilty of a class B felony.

Declares that the state of Washington fully occupies and preempts the entire field of regulation of projectile stun guns.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Judiciary.

**SB 5575** by Senators Kohl-Welles, Pridemore, Shin, Brown, Rockefeller, McAuliffe, Berkey, Thibaudeau, Franklin, Kline, Regala, Jacobsen and Keiser

Permitting a college or university to maintain a diverse student population by considering race, color, ethnicity, or national origin in the admission and transfer process without using quotas, predetermined points, or set asides.

Declares an intent to give universities and colleges some flexibility in considering race, color, ethnicity, or national origin as positive factors in their admission and transfer policies to promote diversity by enrolling meaningful numbers of students from groups that would not otherwise be so represented. To ensure the highest quality of education is provided at our universities and colleges, they must have the ability to engage in a holistic review of each applicant that includes all the positive qualities and experiences that an applicant possesses.

Declares it is not the intent to allow any form of quota or set aside system to be implemented by a university or college to insulate an applicant from comparison with all other candidates solely because of his or her racial status.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Early Learning, K-12 & Higher Education.

**SB 5576** by Senators Poulsen, Swecker, Weinstein, Haugen and Rockefeller

Exempting fare cards from the unclaimed property act.

Declares that "fare card" means any pass or instrument, and value contained therein, purchased to utilize public transportation facilities or services. "Fare card" does not include "gift card" or "gift certificate" as those terms are defined in RCW 19.240.010.

Declares that chapter 63.29 RCW does not apply to fare cards.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5577** by Senators Fairley, Keiser, Kline, Fraser, Poulsen and Kohl-Welles

Making available relocation assistance payments to tenants.

Declares that the purpose of this act is to establish a process by which displaced tenants would receive funds for relocation from landlords who fail to provide safe and sanitary housing after due notice of building code or health code violations.

Declares that it is also the purpose of this act to provide enforcement mechanisms to cities, towns, counties, or municipal corporations including the ability to advance relocation funds to tenants who are displaced as a result of a landlord's failure to remedy building code or health code violations and later to collect the full amounts of these relocation funds, along with interest and penalties, from landlords.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5578** by Senators Kohl-Welles, Schmidt, Pridemore, Rockefeller, Rasmussen, Shin, McAuliffe and Kline

Increasing the amount of vocational education that qualifies as a work activity under WorkFirst.

Increases the amount of vocational education that qualifies as a work activity under WorkFirst from twelve to twenty-four months.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Human Services & Corrections.

**SB 5579** by Senators Keiser, Benton, Fairley, Berkey, Thibaudeau, McAuliffe, Zarelli, Kastama, Hewitt, Delvin and Shin

Regulating insurance overpayment recovery practices.

Provides that an insurer may not retroactively deny, adjust, or seek recoupment or refund of a paid claim for health care expenses submitted by a health care provider for any reason, other than fraud or coordination of benefits, after the expiration of one year from the date that the initial claim was paid.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Health & Long-Term Care.

**SB 5580** by Senators Regala, Swecker, Haugen, Esser, Weinstein, Rasmussen, Schoesler, Fraser, Poulsen, Mulliken and McAuliffe

Revising marking requirement for disabled persons' parking places.

Amends RCW 46.61.581 to revise marking requirement for disabled persons' parking places.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Transportation.

**SB 5581** by Senators Brown, Finkbeiner, Kohl-Welles, Parlette, Rasmussen, Zarelli, Prentice, Hewitt, Fairley, Esser, Doumit, Keiser, Haugen, McAuliffe and Shin; by request of Governor Gregoire

Establishing the life sciences discovery fund.

Declares it to be a clear public purpose and governmental function to promote life sciences research to foster the next generation of health-related innovations, to enhance the competitive position of Washington state in this vital sector of the economy, and to improve the quality and delivery of health care for the people of Washington.

Declares that the purpose of this act is to establish a life sciences discovery fund authority, to grant that authority the power to contract with the state to receive revenues under the master settlement agreement, and to contract with other entities to receive other funds, and to disburse those funds consistent with the purpose of this act.

Declares that the life sciences discovery fund is intended to promote the best available research in life sciences disciplines through diverse Washington institutions and to foster improved health care outcomes across this state and the world. The research investments of the life sciences discovery fund are intended to further the goals of the "Bio 21" report and to support future statewide, comprehensive strategies to lead the nation in life sciences-related research and employment.

-- 2005 REGULAR SESSION --

Jan 28 First reading, referred to Labor, Commerce, Research & Development.

**SB 5582** by Senators Regala, Hargrove, Stevens, Carrell, Franklin, McAuliffe and Kohl-Welles

Clarifying how demographic factors are used with regard to sexually violent predators.

Finds that the decisions in *In re Young*, 120 Wn. App. 753, *review denied*, \_\_ Wn.2d \_\_ (2004) and *In re Ward*, \_\_ Wn. App. \_\_ (2005) illustrate an unintended consequence of language in chapter 71.09 RCW.

Declares that the *Young* and *Ward* decisions are contrary to the legislature's intent set forth in RCW 71.09.010 that civil commitment pursuant to chapter 71.09 RCW address the "very long-term" needs of the sexually violent predator population for treatment and the equally long-term needs of the community for protection from these offenders.

Finds that the mental abnormalities and personality disorders that make a person subject to commitment under

chapter 71.09 RCW are severe and chronic and do not remit due solely to advancing age or changes in other demographic factors.

Declares that the *Young* and *Ward* decisions are contrary to the legislature's intent that the risk posed by persons committed under chapter 71.09 RCW will generally require prolonged treatment in a secure facility followed by intensive community supervision in the cases where positive treatment gains are sufficient for community safety.

Finds that, in some cases, a committed person may appropriately challenge whether he or she continues to meet the criteria for commitment. Because of this, the legislature enacted RCW 71.09.070 and 71.09.090, requiring a regular review of a committed person's status and permitting the person the opportunity to present evidence of a relevant change in condition from the time of the last commitment trial proceeding.

Declares that these provisions are intended only to provide a method of revisiting the indefinite commitment due to a relevant change in the person's condition, not an alternate method of collaterally attacking a person's indefinite commitment for reasons unrelated to a change in condition. Where necessary, other existing statutes and court rules provide ample opportunity to resolve any concerns about prior commitment trials.

Declares an intent to clarify the "so changed" standard.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Human Services & Corrections.

**SB 5583** by Senators Regala, Hargrove, McAuliffe, Stevens, Carrell, Kline, Rasmussen and Kohl-Welles

Requiring training of children's administration employees concerning older children who are victims of abuse or neglect.

Requires the department to develop a curriculum designed to train the staff of the department's children's administration on how to screen and respond to referrals to child protective services when those referrals may involve victims of abuse or neglect between the ages of eleven and eighteen.

Provides that, as it develops its curriculum pursuant to this act, the department shall request that the office of the family and children's ombudsman review and comment on its proposed training materials. The department shall consider the comments and recommendations of the office of the family and children's ombudsman as it develops the curriculum required by this act.

Requires the department to complete the curriculum materials required by this act no later than April 30, 2005.

Requires the department to use the curriculum required by this act to train all staff employed by the children's administration by August 31, 2005.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Human Services & Corrections.

**SB 5584** by Senators Jacobsen, Swecker and Haugen

Authorizing a customer facility charge on rental car customers to finance consolidated rental car facilities.

Authorizes the municipality to impose a customer facility charge upon customers of rental car companies accessing the airport for the purposes of financing,

designing, constructing, operating, and maintaining consolidated rental car facilities and common use transportation equipment and facilities which are used to transport the customer between the consolidated car rental facilities and other airport facilities.

Provides that the airport operator may require the rental car companies to collect the facility charges, and any facility charges so collected shall be deposited in a trust account for the benefit of the airport operator and remitted at the direction of the airport operator.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Transportation.

**SB 5585** by Senators Poulsen, Esser and Prentice

Allowing port districts to lease land acquired from a commercial waterway district.

Authorizes a district to lease all lands, wharves, docks, and real and personal property it owns and controls that have been acquired from commercial waterway districts, for such purposes and upon such terms as the port commission deems proper. These properties are subject to all other statutes governing district leases.

Authorizes a port commission to, by resolution, authorize the managing official of a port district to sell and convey port district property obtained by the district from a commercial waterway district. The district shall sell and convey such property in accordance with all applicable statutes governing the sale of district property.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5586** by Senators Haugen, Swecker and Kastama; by request of County Road Administration Board

Adjusting population thresholds for membership on the county road administration board.

Amends RCW 36.78.040 to adjust population thresholds for membership on the county road administration board.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Transportation.

**SB 5587** by Senators Haugen, Swecker and Kastama; by request of County Road Administration Board

Revising the definition of "county engineer."

Provides that "county engineer" means the county road engineer, county engineer, and engineer, and shall refer to the statutorily required position of county engineer appointed under RCW 36.80.010, and may include the county director of public works when the person in that position also meets the requirements of a licensed professional engineer and is duly appointed by the county legislative authority under RCW 36.80.010.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Transportation.

**SB 5588** by Senators Haugen, Swecker and Kastama; by request of County Road Administration Board

Revising county road project reporting.

Amends RCW 36.77.065 and 36.81.130 relating to county road construction projects reporting requirements.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Transportation.

**SB 5589** by Senators Haugen and Spanel

Providing for proceedings for excluding agricultural land from the boundaries of a charter or noncharter code city.

Provides that proceedings for excluding agricultural land from the boundaries of a charter code city or noncharter code city may be commenced by the filing of a petition which is sufficient as determined by RCW 35A.01.040 by property owners of the agricultural land proposed to be excluded, in the following manner which is alternative to other methods provided in this chapter: (1) A petition for exclusion of agricultural land from the incorporated area of a code city shall be filed with the legislative body of the municipality. The petition for exclusion must be signed by the owners of not less than one hundred percent of the agricultural land for which exclusion is sought and, if residents exist within the area proposed for exclusion, a majority of the registered voters residing in the area for which exclusion is petitioned.

(2) Following the hearing, if the legislative body determines to effect the exclusion from city boundaries, they shall do so by ordinance. The ordinance may exclude all or any portion of the proposed territory but may not include in the exclusion any territory not described in the petition. The ordinance shall contain a legal description of the territory and declare it no longer a part of the code city.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5590** by Senators Fairley and Delvin

Dissolving joint housing authorities.

Establishes procedures for dissolving joint housing authorities.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5591** by Senator Honeyford

Modifying the zoning authority of local jurisdictions over gambling activities.

Declares that an ordinance, resolution, or other legislative act by any city, town, city-county, or county conflicts with chapter 9.46 RCW if the act: (1) Changes, or purports to change, any provision within the scope of a license issued under this chapter; or

(2)(a) Is not an ordinance enacted or enforced in conformance with section 3 or 4 of this act; and (b) applies or is enforced differently upon an entity required to possess a gambling license issued under this chapter than it would be

applied or enforced if the entity were not required to possess a gambling license issued under this chapter.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Labor, Commerce, Research & Development.

**SB 5592** by Senators McAuliffe, Oke, Fairley, Shin, Keiser, Thibaudeau, Kohl-Welles and Weinstein

Prohibiting smoking in public places.

Recognizes the increasing evidence that tobacco secondhand smoke creates a danger to the health of the citizens of this state. In order to protect the health and welfare of those citizens, it is necessary to prohibit smoking in public places.

Provides that a person who violates RCW 70.160.050 is guilty of an infraction punishable by: (1) A warning to the owner or person in charge for the first violation that occurs within a calendar year;

(2) A fine not exceeding one hundred dollars for a second violation that occurs within a calendar year; and

(3) A fine not exceeding five hundred dollars for each additional violation that occurs within a calendar year.

Declares that nothing in chapter 70.160 RCW prevents a city, town, or county from adopting ordinances more restrictive than this chapter or regulations adopted under this chapter that restrict or prohibit smoking in public places situated within its jurisdiction.

Repeals RCW 70.160.040 and 70.160.060.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health & Long-Term Care.

**SB 5593** by Senators Fairley and Kline

Banning .50 caliber BMG rifles.

Provides that no person in this state shall manufacture, possess, purchase, sell, or otherwise transfer any .50 BMG rifle, except as authorized by this act. Any .50 BMG rifle the manufacture, possession, purchase, sale, or other transfer of which is prohibited under this act is a public nuisance.

Does not apply to any of the following: (1) The possession of an unloaded .50 BMG rifle for the purpose of permanently relinquishing it to a law enforcement agency in this state. Any .50 BMG rifle relinquished pursuant to this provision shall be destroyed;

(2) The transfer of any .50 BMG rifle by a licensed manufacturer or dealer to a law enforcement agency in this state for use by that agency or its employees for law enforcement purposes;

(3) The possession of a .50 BMG rifle that was legally possessed on the effective date of this act, but only if the person legally possessing the .50 BMG rifle has complied with all of the requirements of this act;

(4) The possession of a .50 BMG rifle that has been permanently disabled so that it is incapable of discharging a projectile.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Judiciary.

**SB 5594** by Senators Kohl-Welles, Keiser, Franklin, Thibaudeau and Kline

Regulating stem cell research and human cloning.

Declares that it is the policy of Washington state that research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation, is permitted upon full consideration of the ethical and medical implications of this research.

Requires a physician, surgeon, or other health care provider delivering fertility treatment to provide his or her patient with timely, relevant, and appropriate information to allow the individual to make an informed and voluntary choice regarding the disposition of any human embryos remaining following the fertility treatment. The information must include the option of storing unused embryos, donating unused embryos to another individual, discarding unused embryos, or donating unused embryos for research.

Requires a patient who chooses to donate unused embryos for research after a consultation under this act to provide written consent.

Provides that a person may donate human embryonic tissue or human cadaveric fetal tissue for research purposes.

Provides that a person may not knowingly, for valuable consideration, purchase or sell human embryonic tissue or human cadaveric fetal tissue for research purposes.

Declares that a person who violates this act is guilty of a felony and upon conviction is subject to a fine not to exceed fifty thousand dollars or imprisonment not to exceed five years, or both.

Declares that no person may knowingly engage or assist in the cloning or attempted cloning of a human being.

Authorizes the attorney general to bring an action to enjoin any person from violating this act.

Declares that any person who violates this act is subject to a civil penalty not to exceed three hundred thousand dollars for each violation. Civil penalties authorized by this provision may be imposed in any civil action brought by the attorney general.

Declares that nothing in this act shall be construed to restrict areas of biomedical, agricultural, and scientific research not specifically prohibited by this act, including somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Labor, Commerce, Research & Development.

**SB 5595** by Senators Schoesler, Hewitt, Morton, Delvin and Mulliken

Exempting public work performed by fire district employees from competitive bidding requirements.

Exempts public work performed by fire district employees from competitive bidding requirements.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Labor, Commerce, Research & Development.

**SB 5596** by Senators Finkbeiner, Johnson and Oke

Apportioning the votes of presidential electors proportionate to the popular vote.

Provides for apportioning the votes of presidential electors proportionate to the popular vote.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.

**SB 5597** by Senators Rasmussen, Schoesler, Brown, Prentice, Roach, Jacobsen, Kastama, Shin, Fraser, Kline and Kohl-Welles

Funding farmers market nutrition programs.

Finds that: (1) The farmers market nutrition programs promote health, alleviate hunger, prevent obesity, and encourage the development of good eating habits by enabling low-income women to purchase locally grown fresh fruit and vegetables for themselves and their young children and low-income and homebound seniors to purchase locally grown fresh fruit and vegetables for themselves through farmers markets, congregate meals sites, and senior housing.

(2) The farmers market nutrition programs support small farmers and rural economies through the promotion of Washington state agriculture.

Provides that, during the 2005-2007 biennium, an additional four hundred thousand dollars from the general fund--state are appropriated to the department of health to maintain 2004 participation levels for the farmers market nutrition program for women, infants, and children.

Provides that, during the 2005-2007 biennium, seven hundred fifty thousand dollars from the general fund--state are appropriated to the department of social and health services to maintain 2004 participation levels for the senior farmers market nutrition program.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Agriculture & Rural Economic Development.

**SB 5598** by Senators Franklin, Benton, Thibaudeau, Keiser, Benson, Kline and McAuliffe

Modifying the composition of the nursing care quality assurance commission.

Revises the composition of the nursing care quality assurance commission.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health & Long-Term Care.

**SB 5599** by Senators Franklin, Kastama, Thibaudeau, Benson, Kline and McAuliffe

Providing for a central resource center for the nursing work force.

Declares that Washington state is experiencing a critical shortage of registered nurses. To safeguard and promote patient safety and quality of care, the legislature finds that a central resource center for the nursing work force is critical and essential in addressing the nursing shortage and ensuring that the public continue to receive safe, quality care.

Provides that, in addition to the licensing fee for registered nurses and licensed practical nurses licensed under chapter 18.79 RCW, the department shall impose an additional surcharge of five dollars per year on all initial licenses and renewal licenses for registered nurses and



licensed practical nurses issued under this chapter. Advanced registered nurse practitioners are only required to pay the surcharge on their registered nurse licenses.

Directs the department, in consultation with the commission, to use the proceeds from the surcharge imposed under this act to provide grants to a central nursing resource center.

Requires the central nursing resource center to submit a report of all progress, collaboration with other organizations and government entities, and activities conducted by the center to the relevant committees of the legislature by November 30, 2008.

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Health & Long-Term Care.

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**Senate Concurrent Resolutions**

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**SCR 8405** by Senators Honeyford, Spanel, Hewitt, Parlette, Pridemore, Delvin, Morton, Mulliken, Benton, Fraser and McAuliffe

Naming the Columbia Room.

Resolves that the public space created in the center of the first floor of the Legislative Building be named "The Columbia Room."

**-- 2005 REGULAR SESSION --**

Jan 28 First reading, referred to Government Operations & Elections.







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# LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

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