



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 14

FIFTY-NINTH LEGISLATURE

Friday, January 27, 2006

19th Day - 2006 Regular Session

SENATE	SB 6235-S	SB 6257-S	SB 6262-S	SB 6263-S	SB 6381-S	SB 6382-S	SB 6396-S
	SB 6431-S	SB 6441-S	SB 6540-S	SB 6575-S	SB 6833	SB 6834	SB 6835
	SB 6836	SB 6837	SB 6838	SB 6839	SB 6840	SB 6841	SB 6842
	SB 6843	SB 6844	SB 6845	SB 6846	SB 6847	SB 6848	SB 6849
	SB 6850	SB 6851	SJM 8038				
HOUSE	HB 1142-S	HB 1371-S	HB 1374-S2	HB 1395-S2	HB 1430-S2	HB 2369-S	HB 2372-S
	HB 2387-S	HB 2403-S	HB 2422-S	HB 2447-S	HB 2538-S	HB 2563-S	HB 2836-S
	HB 3218	HB 3219	HB 3220	HB 3221	HB 3222	HB 3223	HB 3224
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This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2006>.

House Bills

HB 1142-S by House Committee on Commerce & Labor (originally sponsored by Representatives Chase, Conway, Pettigrew, Skinner, Ormsby, Condotta, Kessler, Armstrong, Linville, Eickmeyer, Morrell, Kenney, and Santos)

Prohibiting pyramid promotional schemes.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Prohibits pyramid promotional schemes.
Repeals RCW 19.102.010 and 19.102.020.

-- 2006 REGULAR SESSION --
Jan 25 CL - Majority; 1st substitute bill be substituted, do pass.
Jan 26 Passed to Rules Committee for second reading.

HB 1371-S by House Committee on Commerce & Labor (originally sponsored by Representatives Morrell, Conway, Moeller, Hasegawa, Cody, Green, Campbell, McCoy, Appleton, Simpson, Hudgins, Sells, Williams, Kenney, and Chase)

Concerning overtime requirements for health care facility employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Revises the mandatory overtime prohibition applicable to nurses, but only with respect to increasing the types of health care facilities that are subject to the prohibition from requiring nurses to perform overtime work and limiting the exceptions from the prohibition related to prescheduled on-call time and completion of patient care procedures.

-- 2006 REGULAR SESSION --
Jan 23 CL - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Jan 26 Referred to Appropriations.

HB 1374-S2 by House Committee on Housing (originally sponsored by Representatives Simpson, Schindler, Miloscia, Sells, Chase, and Holmquist)

Prohibiting restrictions on the location of mobile homes or manufactured homes based exclusively on age and dimensions.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)
Prohibits restrictions on the location of mobile homes or manufactured homes based exclusively on age and dimensions.

-- 2006 REGULAR SESSION --
Jan 24 HOUS - Majority; 2nd substitute bill be substituted, do pass.
Jan 26 Passed to Rules Committee for second reading.

HB 1395-S2 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway, and Condotta; by request of Department of Licensing)

Modifying provisions concerning the uniform regulation of business and professions.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)
Revises provisions concerning the uniform regulation of business and professions.
Repeals RCW 18.140.175 and 18.85.343.

-- 2006 REGULAR SESSION --

- Jan 23 CL - Majority; 2nd substitute bill be substituted, do pass.
 Jan 26 Passed to Rules Committee for second reading.

HB 1430-S2 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood and Condotta)

Authorizing the sale by spirit, beer, and wine licensees of malt liquor in containers that are capable of holding four gallons or more and are registered in accordance with RCW 66.28.200.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Authorizes the sale by spirit, beer, and wine licensees of malt liquor in containers that are capable of holding four gallons or more and are registered in accordance with RCW 66.28.200.

-- 2006 REGULAR SESSION --

- Jan 23 CL - Majority; 2nd substitute bill be substituted, do pass.
 Jan 26 Passed to Rules Committee for second reading.

HB 2369-S by House Committee on Commerce & Labor (originally sponsored by Representatives Quall, Conway, Clibborn, P. Sullivan, and Simpson; by request of Horse Racing Commission)

Authorizing the Washington horse racing commission to expend a statutorily limited amount of its operating funds for the development of the equine industry, improvement of racing facilities, and equine health research.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the Washington horse racing commission to expend a statutorily limited amount of its operating funds for the development of the equine industry, improvement of racing facilities, and equine health research.

-- 2006 REGULAR SESSION --

- Jan 23 CL - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Jan 26 Referred to Appropriations.

HB 2372-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Cox, Buri, Williams, Blake, Moeller, Buck, Conway, Sump, P. Sullivan, Springer, Haler, Ericks, Kretz, Simpson, Dunn, and Ormsby)

Encouraging volunteers to teach hunter education courses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, to encourage the participation of an adequate number of instructors for the training program, the commission shall develop nonmonetary incentives available to individuals who commit to serving as an instructor. The incentives may include additional hunting opportunities for instructors.

-- 2006 REGULAR SESSION --

- Jan 24 NREP - Majority; 1st substitute bill be substituted, do pass.

HB 2387-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives B. Sullivan and Chase; by request of Department of Natural Resources)

Allowing the department of natural resources to exchange certain state lands.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department of natural resources to exchange certain state lands.

-- 2006 REGULAR SESSION --

- Jan 24 NREP - Majority; 1st substitute bill be substituted, do pass.

HB 2403-S by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, B. Sullivan, and Miloscia)

Promoting distributive generation.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes a utility to solicit power purchase agreements to sell the qualifying facilities output to any other Washington utility. The local utility has the option to match the proposed price or must wheel the qualifying facility's output at a flat rate price not to exceed ten percent of the value of the power actually delivered under the contracted price. For purposes of this act, a qualifying facility is any generation facility having five hundred kilowatt capacity or less.

-- 2006 REGULAR SESSION --

- Jan 24 TEC - Majority; 1st substitute bill be substituted, do pass.
 Minority; without recommendation.
 Jan 26 Passed to Rules Committee for second reading.

HB 2422-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives B. Sullivan, Chase, and Conway)

Providing funding for state and local parks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the state parks and recreation commission has identified over three hundred million dollars in projects to eliminate the backlog of deferred maintenance projects, improve state park facilities, and provide new investments to implement the state park's centennial 2013 plan.

Finds that significant investments in state parks facilities are necessary to protect public health and safety, reduce current operating and maintenance costs, improve basic park services, and protect valuable cultural and natural resources.

Finds that revenues to the youth athletic facilities account to fund local parks projects have not materialized. Therefore, the legislature finds that new revenue sources are needed to support state and local parks for the benefit of all Washington citizens.

Creates the state parks centennial account in the state treasury. All receipts directed to the account from RCW 82.45.060 must be deposited in the account. Expenditures from the account require an appropriation and may be made only for implementation of the state parks' 2013 centennial plan and for capital improvements of the state parks system.

-- 2006 REGULAR SESSION --

- Jan 24 NREP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

HB 2447-S by House Committee on Finance (originally sponsored by Representatives Condotta and Armstrong)

Extending the state sales and use tax credit for certain public facilities districts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the governing body of a public facilities district created before September 1, 2006, under chapter 35.57 or 36.100 RCW that commences construction of a new regional center, before April 1, 2007, may impose a sales and use tax in accordance with the terms of chapter 82.14 RCW. The tax is in addition to other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the public facilities district. The rate of tax shall not exceed 0.033 percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

-- 2006 REGULAR SESSION --

- Jan 24 FIN - Majority; 1st substitute bill be substituted, do pass.
Jan 26 Passed to Rules Committee for second reading.

HB 2538-S by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Hudgins, and McCoy; by request of Department of Labor & Industries)

Authorizing the department to request and superior court to grant warrants pursuant to chapter 49.17 RCW.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that inspections performed under the Washington industrial safety and health act ensure safe and healthful working conditions for every person working in the state of Washington. Inspections must follow the mandates of Article II, section 35 of the state Constitution, and equal or exceed the requirements prescribed by the occupational safety and health act of 1970 (Public Law 91-596, 84 Stat. 1590). The legislature also intends that the inspections comply with the fourth and fourteenth amendments to the United States Constitution and Article I, section 7 of the state Constitution.

Requires the director or his or her authorized representative to obtain consent from the owner, manager, operator, or his or her on-site person in charge of the worksite when entering any worksite located on private property to carry out his or her duties under this act. Solely for the purpose of requesting the consent required by this provision, the director or his or her authorized representative shall, in a safe manner, enter a worksite at an entry point designated by the employer or, in the event no entry point has been designated, at a reasonably recognizable entry point.

Does not prohibit the director or his or her authorized representative from taking action consistent with a recognized exception to the warrant requirements of the federal and state Constitutions.

Does not require advance notice of an inspection.

Authorizes the director to apply to a court of competent jurisdiction for a search warrant authorizing access to any factory, plant, establishment, construction site, or other area, workplace, or environment where work is performed by an employee of an employer. The court may upon such application issue a search warrant for the purpose requested.

-- 2006 REGULAR SESSION --

- Jan 23 CL - Majority; 1st substitute bill be substituted, do pass.
Jan 26 Passed to Rules Committee for second reading.

HB 2563-S by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway, Fromhold, and Condotta; by request of Liquor Control Board)

Concerning the processing of liquor licenses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes provisions regarding the processing of liquor licenses.

-- 2006 REGULAR SESSION --

- Jan 23 CL - Majority; 1st substitute bill be substituted, do pass.
Jan 26 Passed to Rules Committee for second reading.

HB 2836-S by House Committee on Appropriations (originally sponsored by Representatives Sommers, Kagi, Green, and Kilmer)

Creating the reading achievement account.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the reading achievement account.

-- 2006 REGULAR SESSION --

- Jan 24 APP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Jan 26 Passed to Rules Committee for second reading.

HB 3218 by Representatives Strow, Williams, O'Brien, Sells, Ahern, and Green

Imposing mandatory minimum sentences on homicide-related crimes.

Imposes mandatory minimum sentences on homicide-related crimes.

-- 2006 REGULAR SESSION --

- Jan 26 First reading, referred to Criminal Justice & Corrections.

HB 3219 by Representative Takko

Expanding the definition of a bail bond recovery agent.

Expands the definition of a bail bond recovery agent.

-- 2006 REGULAR SESSION --

- Jan 26 First reading, referred to Commerce & Labor.

HB 3220 by Representatives Cox, Haler, Condotta, Jarrett, Kristiansen, Kretz, Dunn, and Woods

Consolidating statewide freight mobility planning and administration into the freight mobility strategic investment board.

Finds that: (1) Washington state is uniquely positioned as a gateway to the global economy. As the most trade-dependent state in the nation, per capita, Washington's economy is highly dependent on a freight mobility network that efficiently moves goods. Agricultural products compose a significant portion of the goods moved over the state's freight mobility network.

(2) The agricultural industry is a vital state economic interest. Once food and agricultural products have been processed, packaged, and shipped, the overall economic impact is estimated at thirteen percent of the state's total economy.

(3) A coordinated and comprehensive state policy on freight mobility is needed to facilitate freight movement to local, national, and international markets. Currently, the administration of freight mobility is conducted under two separate state entities: The department of transportation and the freight mobility strategic investment board.

Provides that, in order to provide a more coordinated and comprehensive state policy on freight mobility and increase coordination with the agricultural industry, it is the intent of the legislature that statewide freight mobility planning and administration be combined into one entity, the freight mobility strategic investment board, and that the membership of the freight mobility strategic investment board include the director of the department of agriculture or his or her designee.

Provides that all powers, duties, and functions of the department pertaining to freight rail mobility as described in this act are transferred to the board. The department's rail engineering and environmental services functions shall remain within the department.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

HB 3221 by Representatives Moeller, Buck, Blake, Clements, Eickmeyer, and Kretz

Revising provisions relating to alien firearm licenses.

Declares that, it is a class C felony for a nonimmigrant alien residing in Washington to carry or possess any firearm, without having first obtained an alien firearm license.

Requires the chief of police of a municipality or the sheriff of a county to within sixty days after the filing of an application of a nonimmigrant alien residing in the state of Washington, issue an alien firearm license to such person to carry or possess a firearm for the purposes of hunting and sport shooting. The permit shall be good for two years or until the nonimmigrant alien permanently leaves the state. The issuing authority shall not refuse to accept completed applications for alien firearm licenses during regular business hours. The applicant's privilege to bear arms may not be denied, unless the applicant's alien firearm license is in a revoked status, or the applicant: (1) Is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045;

(2) Is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080,

10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

(3) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense; or

(4) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Judiciary.

HB 3222 by Representatives Pettigrew, Haler, Chandler, Kretz, Hinkle, Kristiansen, Holmquist, and Linville

Modifying excise tax exemptions for the handling and processing of livestock manure.

Revises excise tax exemptions for the handling and processing of livestock manure.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Finance.

HB 3223 by Representatives Kretz, Condotta, Dunn, Clements, Buri, Chandler, Newhouse, Orcutt, B. Sullivan, Kristiansen, Skinner, Sump, Schindler, McCune, Grant, Hinkle, Haler, Roberts, and Ahern

Providing fairness in government control of private property.

Intends by this act to protect the use and value of private property while providing for a healthy environment and ensuring that government agencies do not damage the use or value of private property, except if necessary to protect the public health and safety.

Intends to recognize and promote the unique interests, knowledge, and abilities that private property owners have to protect the environment and land. To this end, government agencies must be required to identify and encourage participation in voluntary cooperative environmental enhancement programs with willing property owners.

Provides that eminent domain may not be used by a state agency or local public agency to acquire property for private use. Eminent domain is limited to the purpose of acquiring property for physical use by the public, such as for the physical siting of public facilities.

Provides that, prior to transferring any property acquired by a state or local public agency through eminent domain to private persons or entities under this act, the agency shall offer to sell the property to the person, persons, or entities from whom the property was acquired for an amount equal to what the person, persons, or entities received from the agency.

Requires that, prior to taking any action which may unnecessarily damage the use or value of private property, an agency must consider: The purpose of the regulation; any actual harm or public nuisance that is to be prevented by the regulation; the parcels of property that will be affected by the regulation; estimated damage to the use and value of the affected parcels; and steps the agency has taken or will take to accomplish the intended purpose by encouraging participation in voluntary cooperative environmental enhancement programs with willing property owners.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to Judiciary.

HB 3224 by Representatives Haigh, Kilmer, Sells, Roberts, and Green

Concerning military service.

Provides that a member who has served or shall serve in the uniformed services, as defined in RCW 73.16.031, and who left or shall leave an employer to enter such service shall be deemed to be on military leave of absence and shall receive service credit for such military leave of absence. This service credit shall be terminated if the member receives a dishonorable or bad conduct discharge, or is separated under other than honorable conditions, or is dismissed from the service as permitted under section 1161(a) of Title 10 U.S.C., or is dropped from the rolls pursuant to section 1161(b) of Title 10 U.S.C.

Provides that no club, society, association, corporation, employer, or organization shall inquire about a person's membership in the organized militia of this or any other state, territory, or commonwealth, or membership in the uniformed services, unless such membership or former membership is a condition of employment, or the employer has a formal written policy of providing preference in hiring to veterans or current members of the uniformed services, or unless such membership or former membership is a requirement for membership in the club, society, association, or organization.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to State Government Operations & Accountability.

HB 3225 by Representatives Green and Morrell

Providing for temporary management in boarding homes.

Provides that, if the department determines that the health, safety, or welfare of residents is immediately jeopardized by a boarding home's failure or refusal to comply with the requirements of chapter 18.20 RCW or the rules adopted under this chapter, and the department summarily suspends the boarding home license, the department may appoint a temporary manager of the boarding home, or the licensee may, subject to the department's approval, voluntarily participate in the temporary management program.

Declares that the purposes of the temporary management program are as follows: (1) To mitigate dislocation and transfer trauma of residents while the department and licensee may pursue dispute resolution or appeal of a summary suspension of license;

(2) To facilitate the continuity of safe and appropriate resident care and services;

(3) To protect the health, safety, and welfare of residents, by providing time for an orderly closure of the boarding home or for the deficiencies that necessitated temporary management to be corrected; and

(4) To preserve a residential option that meets a specialized service need or is in a geographical area that has a lack of available providers.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to Health Care.

HB 3226 by Representatives Green and Morrell

Providing for resident participation in the informal dispute resolution process.

Requires the department to provide an opportunity during the informal dispute resolution process for input from interested residents and resident representatives. This input shall be provided in a meeting, conducted either by telephone or in person, that is separate from the department's meeting with the licensee or its designee. "Resident representatives" means those individuals with authority to act on behalf of residents with diminished capacity, including guardians, trustees, agents holding durable power of attorney, and family members with authority under RCW 7.70.065. Representatives of the long-term care ombudsman program may also provide input at the request of residents, their representatives, or the department.

Provides that whenever the department conducts an informal dispute resolution process with the nursing home provider, following a licensing or certification survey or a complaint investigation, the department shall provide an opportunity for input from interested residents and resident representatives.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to Health Care.

HB 3227 by Representative Conway

Regulating rates of compensation for forest products harvesters or haulers.

Declares that it is in the public interest to ensure a reasonable rate of compensation for log harvesting and log hauling services and enacts this chapter to create a process whereby a system of rate setting through collective bargaining is established between large commercial landowners and log harvesters and log haulers.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to Commerce & Labor.

HB 3228 by Representatives Holmquist, Dunn, and Ahern

Reducing the impact on small businesses of general permits issued under chapter 90.48 RCW.

Establishes procedures to reduce the impact on small businesses of general permits issued under chapter 90.48 RCW.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to Economic Development, Agriculture & Trade.

HB 3229 by Representatives Hunt, Alexander, and Haler

Changing the population threshold for cities and counties eligible to use the design-build procedure.

Revises the population threshold for cities and counties eligible to use the design-build procedure.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to State Government Operations & Accountability.

HB 3230 by Representatives Strow, O'Brien, Schual-Berke, and Darneille

Requiring DNA evidence to be presented prior to imposition of the death penalty.

Declares an intent to: (1) Provide the court with a one hundred percent guarantee that the one that is facing possible capital punishment is, in fact, guilty of the crime committed; and

(2) Ensure that innocent people are not being executed for crimes they have not committed.

Provides that, notwithstanding any other provision of law, and without exception, the death penalty may not be imposed upon a person convicted of aggravated first degree murder unless DNA evidence was used in the person's conviction.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Judiciary.

HB 3231 by Representatives Conway and Darneille

Modifying provisions relating to state community justice facilities.

Requires the department to prepare a projected list of counties and rural multicounty geographic areas in which community facilities need to be sited during the fiscal year beginning July 1, 2006, and every biennium thereafter starting with the biennium beginning July 1, 2007, and transmit the list to the office of financial management and the counties on the list. The list may be updated as needed. In preparing the list, the department shall make substantial efforts to provide for the equitable distribution of community facilities among counties.

Requires the department to give great weight to the following factors in determining equitable distribution: (1) The locations of existing community facilities owned or operated by, or operated under contract with, the department in each county;

(2) The number and proportion of juvenile offenders committed to the department residing in the county or rural multicounty geographic area; and

(3) The number of juvenile registered sex offenders classified as level II or III and juvenile sex offenders registered as homeless per thousand persons residing in the county.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Criminal Justice & Corrections.

HB 3232 by Representatives Tom, Cody, and Nixon

Studying state policies on controlled substances.

Directs the Washington state institute for public policy to investigate and report to the legislature by January 1, 2007, on the fiscal and other costs and benefits to the various governments and people of the state of Washington from the implementation of current Washington state policies on controlled substances, excluding alcohol, tobacco, and pharmaceuticals.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Health Care.

HB 3233 by Representatives McIntire, Haler, Kenney, Armstrong, Quall, Darneille, and Chase

Extending the extension of local taxes to fund arts, cultural and heritage institutions and programs, tourism promotion, publicly owned sports and entertainment facilities, and other civic amenities.

Extends the extension of local taxes to fund arts, cultural and heritage institutions and programs, tourism promotion, publicly owned sports and entertainment facilities, and other civic amenities.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Economic Development, Agriculture & Trade.

HB 3234 by Representatives Miloscia, Hunt, Darneille, Chase, Holmquist, and Santos

Authorizing faith communities to host temporary homeless encampments subject to restrictions.

Declares that, due to concerns about maintaining freedom of religious expression, faith communities shall not be restricted from hosting temporary encampments for the homeless. A temporary encampment may be subject to reasonable compliance requirements related to public health and safety. However, no local government shall set less than ninety days as the maximum duration for homeless encampments.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Housing.

HB 3235 by Representative Ericksen

Using environmental mitigation moneys for agricultural preservation.

Provides that, for the purpose of environmental mitigation of transportation projects, any county may require the department of transportation to participate in the county's purchase of development rights program. If the county requires the department's participation, the department shall transfer to the county's purchase of development rights program environmental mitigation moneys for transportation projects. Rights in perpetuity to future development of any open space land, farm and agricultural land, and timber land which are so designated by the county may be used as environmental mitigation moneys for transportation projects in lieu of wetlands or other mitigation required for a specific transportation project.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

House Joint Resolutions

HJR 4225 by Representatives Holmquist, Newhouse, Ahern, Schindler, McDonald, Sump, Roach, Kristiansen, and Dunn

Amending the Constitution to require voter approval of property taxes.

Proposes an amendment to the state Constitution to require voter approval of property taxes.

-- 2006 REGULAR SESSION --
Jan 26 First reading, referred to Finance.

House Concurrent Resolutions

HCR 4417 by Representatives Kessler and Armstrong
Honoring the recipients of the State Medal of Valor in
Joint Session.
Honors the recipients of the State Medal of Valor in
Joint Session.

Senate Bills

SB 6235-S by Senate Committee on Government
Operations & Elections (originally sponsored
by Senators Kastama and Roach; by request of Secretary of
State)

Making technical changes to election laws.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Makes technical changes to election laws.

-- 2006 REGULAR SESSION --
Jan 24 GO - Majority; 1st substitute bill be
substituted, do pass.
Passed to Rules Committee for second
reading.

SB 6257-S by Senate Committee on Labor, Commerce,
Research & Development (originally
sponsored by Senator Delvin)

Exempting guest services or crowd management
employees from the requirements of chapter 18.170 RCW.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Exempts guest services or crowd management
employees who do not perform the duties of a security
officer from the requirements of chapter 18.170 RCW.

-- 2006 REGULAR SESSION --
Jan 25 LCRD - Majority; 1st substitute bill be
substituted, do pass.
Passed to Rules Committee for second
reading.

SB 6262-S by Senate Committee on Labor, Commerce,
Research & Development (originally
sponsored by Senators Kohl-Welles, Parlette, Honeyford,
Keiser, Prentice, and Kline; by request of Department of
Labor & Industries)

Establishing a pilot program to allow employers to assist
employees in completing applications for industrial
insurance benefits.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, by January 1, 2007, the department shall
develop and begin a pilot program to allow employers to
assist workers in completing an application for benefits.
This pilot program does not replace the current method for
reporting as provided in RCW 51.28.020. The department
shall develop requirements or rules for employers who

participate in the pilot program, including provisions to
ensure prompt reporting of the claim and communicating a
worker's rights and responsibilities under the pilot
program.

Provides that the pilot program shall include the
voluntary participation of employers that represent a
cross-section of industries, geographic areas, union and
nonunion workers, large and small businesses, and other
criteria established by the department with input of
business and labor leaders. The department will, to the
greatest extent possible, attempt to include in the pilot all
employers who volunteer.

Provides that, during the pilot period, the department
shall continue to expand the participation of employers and
shall consider steps to address the unique needs and issues
of small employers. The pilot program expires July 1,
2009.

-- 2006 REGULAR SESSION --
Jan 25 LCRD - Majority; 1st substitute bill be
substituted, do pass.
Passed to Rules Committee for second
reading.

SB 6263-S by Senate Committee on Labor, Commerce,
Research & Development (originally
sponsored by Senators Kohl-Welles, Prentice, and Keiser;
by request of Department of Labor & Industries)

Authorizing the department to request and superior court to
grant warrants pursuant to chapter 49.17 RCW.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent that inspections performed under the
Washington industrial safety and health act ensure safe and
healthful working conditions for every person working in
the state of Washington. Inspections must follow the
mandates of Article II, section 35 of the state Constitution,
and equal or exceed the requirements prescribed by the
occupational safety and health act of 1970 (Public Law
91-596, 84 Stat. 1590). The legislature also intends that the
inspections comply with the fourth and fourteenth
amendments to the United States Constitution and Article
I, section 7 of the state Constitution.

Declares that, except as otherwise provided in this act,
the director or his or her authorized representative shall
obtain consent from the owner, manager, operator, or his or
her on-site person in charge of the worksite when entering
any worksite located on private property to carry out his or
her duties under chapter 49.17 RCW.

Provides that solely for the purpose of requesting the
consent required by this act, the director or his or her
authorized representative shall, in a safe manner, enter a
worksite at an entry point designated by the employer or, in
the event no entry point has been designated, at a
reasonably recognizable entry point.

Does not prohibit the director or his or her authorized
representative from taking action consistent with a
recognized exception to the warrant requirements of the
federal and state Constitutions.

Does not require advance notice of an inspection.

Authorizes the director to apply to a court of competent
jurisdiction for a search warrant authorizing access to any
factory, plant, establishment, construction site, or other
area, workplace, or environment where work is performed
by an employee of an employer. The court may upon such

application issue a search warrant for the purpose requested.

-- 2006 REGULAR SESSION --

Jan 24 LCRD - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6381-S by Senate Committee on Transportation (originally sponsored by Senators Haugen and Deccio)

Providing a window tint exemption for law enforcement vehicles.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides a windshield tint exemption for law enforcement vehicles.

-- 2006 REGULAR SESSION --

Jan 25 TRAN - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6382-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Hewitt, Kohl-Welles, Rasmussen, Finkbeiner, Pflug, and Sheldon; by request of Horse Racing Commission)

Authorizing the Washington horse racing commission to expend a statutorily limited amount of its operating funds for the development of the equine industry, improvement of racing facilities, and equine health research.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the Washington horse racing commission to expend a statutorily limited amount of its operating funds for the development of the equine industry, improvement of racing facilities, and equine health research.

-- 2006 REGULAR SESSION --

Jan 24 LCRD - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6396-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Schmidt, Pridemore, Keiser, Franklin, Thibaudeau, Spanel, and Jacobsen)

Modifying the accumulation and use of sick leave accrued by part-time faculty.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the accumulation and use of sick leave accrued by part-time faculty.

-- 2006 REGULAR SESSION --

Jan 25 LCRD - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 6431-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kastama, Roach, Kline, and Benton)

Regarding the state interoperability executive committee.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that local governments need to have interoperable communications to ensure the public safety and welfare of all citizens in the state of Washington. In light of recent catastrophic events around the world, including in the United States, it is now more important than ever that all responders be able to communicate clearly and without interference or malfunction.

Finds that the legislature has learned that numerous states, the federal government, and some international governments have adopted the project-25 standard for interoperable communications. Local governments in Washington have started to purchase the project-25 interoperable communication standard equipment. In order to ensure that local governments continue to make smart purchasing decisions, they need certainty that the purchases will be interoperable with state equipment and that the state will adopt the national project-25 standards. It is the intent of this act to provide certainty to local governments that a statewide project-25 interoperable communications system will be in place throughout Washington in the near future, and the investments they are making are advantageous to the original intent of interoperable communications, thus ensuring the safety and welfare of Washington's citizens.

-- 2006 REGULAR SESSION --

Jan 25 GO - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6441-S by Senate Committee on Judiciary (originally sponsored by Senators Johnson and Kline)

Changing the law related to judicial orders concerning distraint of personal property.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, when there is probable cause to believe that there is property within the county subject to distraint pursuant to RCW 84.56.070 or 84.56.090, any judge of the superior court or district court in the county in which such property is located may, upon the request of the sheriff, county treasurer, or agent of the county treasurer, issue a warrant directed to the sheriff, county treasurer, or agent of the county treasurer commanding the search for and seizure of the property described in the request for warrant at the place or places described in the request for warrant.

Declares that the procedure for the issuance and execution and return of the warrant authorized by this act and for return of any property seized shall be the criminal rules of the superior court and the district court.

Provides that property seized under this act shall be disposed of as provided in RCW 84.56.070 or 84.56.090.

-- 2006 REGULAR SESSION --

Jan 23 JUD - Majority; 1st substitute bill be substituted, do pass.
Jan 24 Passed to Rules Committee for second reading.

SB 6540-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Parlette, and Keiser; by request of Liquor Control Board)

Concerning the processing of liquor licenses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes provisions regarding the processing of liquor licenses.

-- 2006 REGULAR SESSION --

Jan 24 LCRD - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6575-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Roach, Kastama, Brandland, Berkey, Doumit, Rockefeller, Shin, and Franklin; by request of Department of Agriculture)

Identifying accessory uses on agricultural lands.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 36.70A.177 relating to accessory uses on agricultural lands.

-- 2006 REGULAR SESSION --

Jan 25 ARED - Majority; 1st substitute bill be substituted, do pass.
And refer to Government Operations & Elections.
On motion, referred to Rules.

SB 6833 by Senators Mulliken and Rasmussen

Addressing the use of conservation easements.

Finds that it is in the best interest of the state to find innovative and economically sustainable ways to conserve and protect wildlife habitat and other natural resources.

Finds that working natural resource and wildlife habitat lands can be preserved through the creation of conservation easements that reduce the amount of land available for intensive development.

Recognizes the unique interests and knowledge that private property owners have about their land and about the most effective means available to protect the wildlife habitat and natural resources on that land.

Declares an intent to protect the use and value of private property and the wildlife habitat and other natural resources on that property by encouraging voluntary, cooperative environmental enhancement and protection programs with willing property owners.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

SB 6834 by Senators Roach, Benson, and Benton

Studying the special sex offender sentencing alternative.

Directs the department of community, trade, and economic development to contract with the Harborview medical center sexual assault center to conduct a study of the impact on victims of the special sex offender sentencing alternative from money appropriated by the legislature. The study shall include a geographically diverse sample of at least two hundred victims whose offenders received the sentencing alternative at least four years prior to the commencement of the study.

Requires the study to include, at a minimum, an analysis of: (1) Victims' attitudes and perceptions about the sentencing alternative before sentencing and after their offenders' participation in the sentencing alternative;

(2) If victims' attitudes and perceptions changed over time, the variables influencing the changes; and

(3) The relationship, if any, between victims' attitudes and perceptions about the sentencing alternative and their current psychological and social functioning.

Provides that, not later than December 1, 2007, the center shall report to the legislature on the results of this study. The report shall include a description of the methodology used to conduct the study, the findings and conclusions resulting from the analysis conducted in the study, and recommendations, if any, on ways to improve the sentencing alternative to better serve the purposes for which it was created.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Judiciary.

SB 6835 by Senators Roach and Rasmussen

Modifying property tax exemptions for persons with disabilities related to the performance of military duties.

Revises property tax exemptions for persons with disabilities related to the performance of military duties.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

SB 6836 by Senator Mulliken

Requiring senate confirmation for members of the growth management hearings boards.

Requires senate confirmation for members of the growth management hearings boards.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

SB 6837 by Senator Mulliken

Adjusting the development regulations review by counties with low population densities.

Provides that a county that has a population density of fewer than one hundred persons per square mile as determined by the office of financial management may opt to be exempt from the requirements of this act to review and revise its comprehensive plans and development regulations and to be exempt from the requirements of this act to review and revise its critical area and natural resource land ordinances.

Provides that any city located within a county where the county has a population density of fewer than one hundred persons per square mile may opt to be exempt from the requirements of this act in the same manner as provided for counties. However, any county or city opting to be exempt under this provision that has a county population density that grows to be equal to or more than one hundred persons per square mile must comply with all of the requirements of this act.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

SB 6838 by Senators Jacobsen and Honeyford

Regulating the sale of wine by a society or organization.

Declares that nothing in this act prohibits any director, officer, employee, agent, or representative of any manufacturer, importer, distributor, or authorized representative, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, from serving as a director, officer, or employee of a society or organization licensed under Title 66 RCW.

Declares that nothing in this act prohibits a society or organization licensed under Title 66 RCW from selling wine manufactured, imported, or distributed by any licensed person, including but not limited to a licensed person with a director, officer, employee, agent, or representative who is also a director, officer, or employee of the society or organization, as long as the sale is otherwise consistent with the terms of the society or organization's license.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

SB 6839 by Senator Haugen

Modifying transportation accounts and revenue distributions.

Revises transportation accounts and revenue distributions.

Provides that, by July 1, 2006, and by each July 1st thereafter, the state treasurer shall transfer from the transportation partnership account created in RCW 46.68.290: (1) One million dollars to the small city pavement and sidewalk account created in RCW 47.26.340;

(2) Two and one-half million dollars to the transportation improvement account created in RCW 47.26.084; and

(3) One and one-half million dollars to the county arterial preservation account created in RCW 46.68.090(2) (i).

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

SB 6840 by Senators Morton and Poulsen

Modifying energy efficiency provisions.

Revises energy efficiency provisions.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Water, Energy & Environment.

SB 6841 by Senators Stevens and Hargrove

Establishing the family assessment response demonstration program.

Declares an intent to establish an alternative, flexible approach to responding to allegations of child maltreatment in low-risk families who do not present immediate child safety concerns. This differential response is intended to reduce disruption to families and improve child safety by assessing a family's needs, engaging the family's protective capacities, and providing appropriate services to prevent future maltreatment.

Directs the Washington state institute for public policy to study the family assessment response demonstration

program and report to the legislature by January 31, 2009. In consultation with the department, the institute shall define the data to be gathered and maintained for the purpose of the study. At a minimum, the study must review child safety outcomes and referrals to child protective services.

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

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Human Services & Corrections.

SB 6842 by Senators Kohl-Welles and Honeyford

Concerning financial arrangements involving sports/entertainment facility license holders.

Declares that nothing in this act shall prohibit a manufacturer, importer, or distributor from entering into an arrangement with any holder of a sports/entertainment facility license or an affiliated business for brand advertising at the licensed facility or promoting events held at the sports/entertainment facility. The financial arrangement providing for the brand advertising or promotional events shall not be used as an inducement to purchase the products of the manufacturer, importer, distributor entering into the arrangement nor shall it result in the exclusion of brands or products of other companies.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

SB 6843 by Senators Thibaudeau, Pridemore, Fairley, Jacobsen, and Kohl-Welles

Creating the Washington death with dignity act.

Provides that an adult who is capable, is a resident of Washington state, and has been determined by the attending physician and consulting physician to be suffering from a terminal disease, and who has voluntarily expressed his or her wish to die, may make a written request for medication to end his or her life in a humane and dignified manner in accordance with this act.

Declares that a person does not qualify under this act solely because of age or disability.

Designates procedures to be followed.

Repeals RCW 70.122.100.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

SB 6844 by Senators Shin and Berkey

Evaluating the business climate in mature biotechnology and medical device manufacturing sectors.

Directs the joint legislative audit and review committee to evaluate the competitive business climate for encouraging a sustainable and mature biotechnology and medical device manufacturing sector. The committee shall review the top ten centers in the nation as listed in this act and identify the best practices in economic development and public policy to identify the measures Washington should take to encourage the formation and maturation, from start-up to commercial business activity, of

biotechnology and medical device manufacturing businesses in Washington.

Requires the report to be delivered to the appropriate committees of the legislature by December 15, 2006.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to International Trade & Economic Development.

SB 6845 by Senators Fraser, Kastama, and Pridemore

Changing the population threshold for cities and counties eligible to use the design-build procedure.

Revises the population threshold for cities and counties eligible to use the design-build procedure.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

SB 6846 by Senators McAuliffe, Pridemore, Weinstein, Thibaudeau, Kohl-Welles, Berkey, and Rasmussen

Creating the college in the high school program.

Finds that an effective means of increasing the number of students earning college credit in high school is to bring the college courses to the students. The legislature believes the ability to earn college credit during the regular high school day and on the high school campus may greatly expand students' willingness and ability to attempt college-credit-bearing courses.

Directs the superintendent of public instruction, the state board for community and technical colleges, and the public baccalaureate institutions to jointly develop and adopt rules governing the college in the high school program. The rules shall be written to encourage the maximum use of the program and shall not narrow or limit the enrollment options.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Early Learning, K-12 & Higher Education.

SB 6847 by Senator Finkbeiner

Reducing certain unfunded state retirement system liabilities.

Recognizes that returns on the investment of retirement plan assets are volatile, and market volatility is reflected in variations in the funded status of the state retirement plans over time. The legislature also recognizes that the long-term liability in the plans 1 of the public employees' retirement system and the teachers' retirement system remains independent from short-term investment returns in the market. The legislature seeks to avoid contribution rate volatility that may unfairly benefit or burden particular groups of taxpayers with disproportionate responsibilities for retiring the unfunded liability in the plans 1.

Declares an intent to provide for the systematic payment of the plans' 1 unfunded liability in a manner that promotes contribution rate adequacy and stability for the affected systems over time.

Repeals RCW 41.31A.010, 41.31A.020, 41.31A.030, and 41.31A.040.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

SB 6848 by Senators Kohl-Welles, Esser, Haugen, Benson, and Benton

Requiring disclosure of an import vehicle for sale or trade.

Declares that "import vehicle" means any vehicle originally manufactured for use in countries other than the United States.

Declares that the failure to disclose in writing on a separate document, as evidenced by the buyer's initials, that a vehicle is an import vehicle and any resulting possible ramifications, as determined by the department of licensing, when the vehicle dealer has or should have knowledge that the vehicle is an import vehicle is unlawful.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

SB 6849 by Senators Prentice, Delvin, Kohl-Welles, and McAuliffe

Extending the extension of local taxes to fund arts, cultural and heritage institutions and programs, tourism promotion, publicly owned sports and entertainment facilities, and other civic amenities.

Extends the extension of local taxes to fund arts, cultural and heritage institutions and programs, tourism promotion, publicly owned sports and entertainment facilities, and other civic amenities.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

SB 6850 by Senators Jacobsen and Keiser

Modifying provisions concerning the distribution of beer and wine.

Revises provisions concerning the distribution of beer and wine.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

SB 6851 by Senators Prentice and Fairley

Revising provisions concerning closure of mobile home parks and manufactured housing communities.

Revises provisions concerning closure of mobile home parks and manufactured housing communities.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

Senate Joint Memorials

SJM 8038 by Senators McAuliffe, Pridemore, Kohl-Welles, Shin, Berkey, Weinstein, Kline, and

Rasmussen; by request of Superintendent of Public Instruction

Petitioning Congress to raise funding levels of the No Child Left Behind Act.

Petitions Congress to raise funding levels of the No Child Left Behind Act.

-- 2006 REGULAR SESSION --

Jan 26 First reading, referred to Early Learning,
K-12 & Higher Education.