



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 28

SIXTIETH LEGISLATURE

Friday, February 16, 2007

40th Day - 2007 Regular Session

SENATE	SB 5093-S2	SB 5141-S	SB 5216-S	SB 5219-S	SB 5221-S	SB 5246-S	SB 5269-S
	SB 5292-S	SB 5307-S	SB 5573-S	SB 5665-S	SB 5735-S	SB 5745-S	SB 5760-S
	SB 6038	SB 6039	SB 6040	SB 6041	SB 6042	SB 6043	SB 6044
	SB 6045	SB 6046	SB 6047	SB 6048	SB 6049	SB 6050	SB 6051
	SB 6052	SB 6053	SJM 8016				
HOUSE	HB 1008-S	HB 1135-S	HB 1277-S	HB 1597-S	HB 2257	HB 2258	HB 2259
	HB 2260	HB 2261	HB 2262	HB 2263	HB 2264	HB 2265	HB 2266
	HB 2267	HB 2268	HB 2269	HB 2270	HB 2271	HB 2272	HJM 4018

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=2007>.

House Bills

HB 1008-S by House Committee on Judiciary (originally sponsored by Representatives Moeller, Lovick, Kagi, Cody, Appleton, Conway, Morrell, Kenney, Simpson, B. Sullivan, Goodman, and Lantz)

Protecting vulnerable adults.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the administrative office of the courts to develop and prepare instructions required under RCW 74.34.110, standard petition and order for protection forms, and a court staff handbook on the protection order process. The standard petition and order for protection forms must be used after September 1, 2007, for all petitions filed and orders issued under this chapter.

Directs the administrative office of the courts to determine the significant non-English-speaking or limited-English-speaking populations in the state. The administrator shall then arrange for translation of the instructions required by this act, which shall contain a sample of the standard petition and order for protection forms, into the languages spoken by those significant non-English-speaking populations, and shall distribute a master copy of the translated instructions to all court clerks by September 1, 2007.

-- 2007 REGULAR SESSION --

- Jan 17 Public hearing in committee.
- Feb 13 Executive session in committee.
JUDI - Majority; 1st substitute bill be substituted, do pass.
- Feb 15 Passed to Rules Committee for second reading.

HB 1135-S by House Committee on Local Government (originally sponsored by Representatives Appleton, Rolfes, Lantz, Seaquist, and Clibborn)

Allowing certain cities to designate aquifer conservation zones.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any city coterminous with, and comprised only of, an island that relies solely on groundwater aquifers for its potable water source and does not have reasonable access to a potable water source outside its jurisdiction may designate one or more aquifer conservation zones.

Declares that aquifer conservation zones may only be designated for the purpose of conserving and protecting potable water sources.

Authorizes any city to consider whether an area is within an aquifer conservation zone when determining the residential density of that particular area. The residential densities within conservation zones, in combination with other densities of the city, must be sufficient to accommodate projected population growth under RCW 36.70A.110.

-- 2007 REGULAR SESSION --

- Feb 6 Public hearing in committee.
- Feb 9 Executive session in committee.
LG - Majority; 1st substitute bill be substituted, do pass.
- Feb 12 Passed to Rules Committee for second reading.
- Feb 15 Placed on second reading by Rules Committee.

HB 1277-S by House Committee on Community & Economic Development & Trade (originally sponsored by Representatives Kelley, Simpson, Wood, P.

Sullivan, Conway, Kenney, Ericks, Rolfes, and Morrell; by request of Governor Gregoire)

Expanding competitive local infrastructure financing tools projects.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Expands competitive local infrastructure financing tools projects.

-- 2007 REGULAR SESSION --

- Feb 7 Public hearing in committee.
- Feb 12 Executive session in committee.
CEDT - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 15 Referred to Finance.

HB 1597-S by House Committee on Commerce & Labor (originally sponsored by Representative Moeller)

Requiring plumbing, electrical, and conveyance workers to have licenses, certificates, or permits in their possession while working.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that dishonest construction contractors sometimes hire workers without proper licenses, certificates, and permits to do electrical, plumbing, and conveyance work. This practice gives these contractors an unfair competitive advantage and leaves workers and customers vulnerable. Requiring workers to have their licenses, certificates, and permits in their possession while doing such work will help address the problems of the underground economy in the construction industry, level the playing field for honest contractors, and protect workers and consumers.

Provides that the certificate shall be wallet size, made of a durable material, and include a photograph of the holder.

Directs the department of labor and industries to convene a work group to develop recommendations for enforcement of laws requiring persons performing plumbing, electrical, and conveyance work to have proper licenses, certificates, and permits.

Requires the work group to report its recommendations to the house commerce and labor committee and the senate labor, commerce, research, and development committee by December 1, 2007. Any recommendations requiring amendments or additions to the plumbing, electrical, or conveyance code shall include proposed legislation. Any recommendations requiring appropriations shall include proposed decision packages.

-- 2007 REGULAR SESSION --

- Feb 8 Executive session in committee.
- Feb 9 Executive session in committee.
CL - Majority; 1st substitute bill be substituted, do pass.
- Feb 12 Referred to Appropriations.
- Feb 19 Scheduled for public hearing in committee. (Subject to change)

HB 2257 by Representatives Curtis, Moeller, Takko, Ross, Anderson, Skinner, Armstrong, Orcutt, and Eddy

Implementing public legislative hearings for fiscal audits of the department of social and health services.

Provides that, in order for the legislature to deliberate the fiscal performance processes of the department of social and health services, and allow the public the opportunity to comment, there is created in the legislature a joint committee for audit review of the department of social and health services.

-- 2007 REGULAR SESSION --

- Feb 15 First reading, referred to State Government & Tribal Affairs.

HB 2258 by Representatives Appleton, Kirby, Roach, Hurst, Santos, Kelley, and Simpson

Requiring a study of implementing a database for small loans.

Requires the director of the department of financial institutions to study the merits of implementing a real-time database that allows licensees to verify if a consumer has an outstanding small loan. The director shall study the cost of a database and the effectiveness of a database in limiting the possibility of an excessive number of contemporaneous loans. The director must provide the findings of this study to the committees of the legislature that address financial regulation no later than November 30, 2007. The director may include recommendations based upon the study.

-- 2007 REGULAR SESSION --

- Feb 15 First reading, referred to Insurance, Financial Services & Consumer Protection.

HB 2259 by Representatives Goodman, O'Brien, and Roberts

Providing immunity for department of corrections officers when assistance is requested from a law enforcement officer.

Provides that community corrections officers may collaborate with law enforcement officers to monitor offenders under the supervision of the department.

Provides that a community corrections officer who is assigned by the department to partner with law enforcement as permitted under this act, and is participating in a patrol with a law enforcement officer, is not liable for civil damages arising from an act or omission which occurs when the community corrections officer provides assistance to a law enforcement officer during the course of the patrol, so long as the community corrections officer was acting at the request of the law enforcement officer, unless the act or omission constitutes gross negligence.

-- 2007 REGULAR SESSION --

- Feb 15 First reading, referred to Judiciary.

HB 2260 by Representatives Orcutt, Ericks, Buri, Fromhold, Schindler, Kessler, and Hinkle

Providing for the state administration and collection of local business and occupation taxes and public utility taxes.

Declares that for the purposes of administration and collection under chapter 35.102 RCW, municipal business and occupation and public utility tax classifications are to be uniform to the extent determined by the department with the state business and occupation and public utility tax classifications. Such classifications are to be determined by the department in consultation with the cities and the association of Washington businesses.

Provides that all business and occupation taxes and public utility taxes imposed by a city are to be collected and administered by the department of revenue as provided in this act and in accordance with the provisions of chapter 82.32 RCW.

Requires the department to conduct a study of the net fiscal impacts of this act, with particular emphasis on the revenue impacts of developing uniform classifications for public utility taxes collected under chapter 35.102 RCW and the standardization of reporting thresholds. In conducting the study, the department shall consult with the cities and association of Washington businesses. The department shall report the final results of the study to the fiscal committees of the legislature by November 30, 2007. Such report must include the department's recommendations to address any adverse revenue impacts to local jurisdictions.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Finance.

HB 2261 by Representatives Campbell, Hudgins, Morrell, and Hunt

Providing for the evaluation of additional measures to reduce wood smoke emissions.

Finds that there are communities in the state which exceed the national ambient air quality standards for particulate matter 2.5, primarily due to wood smoke emissions. The current strategies are not sufficient to reduce wood smoke emissions to levels which comply with the federal standards. The legislature finds that it is in the state's interest and to the benefit of the people of the state to evaluate additional measures to reduce wood smoke emissions and update the state wood smoke control program.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Select Committee on Environmental Health.

HB 2262 by Representatives Barlow, McCoy, Hunter, Seaquist, Eddy, Fromhold, and Ormsby

Providing salary bonuses for individuals certified by the national board for professional teaching standards.

Finds and declares: (1) The national board for professional teaching standards has established high and rigorous standards for what highly accomplished teachers should know and be able to do in order to increase student learning results;

(2) The national board certifies teachers who meet these standards through a rigorous, performance-based assessment process;

(3) A certificate awarded by the national board attests that a teacher has met high and rigorous standards and has demonstrated the ability to make sound professional judgments about how to best meet students' learning needs

and effectively help students meet challenging academic standards; and

(4) Teachers who attain national board certification should be acknowledged and rewarded in order to encourage more teachers to pursue certification for the benefit of Washington students.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Education.

HB 2263 by Representatives Blake, Moeller, Orcutt, and Newhouse

Regarding the phosphorus content in dishwashing detergent.

Amends RCW 70.95L.020 regarding the phosphorus content in dishwashing detergent.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Agriculture & Natural Resources.

HB 2264 by Representatives Pettigrew and Jarrett

Concerning public facilities.

Concerns public facilities.

Amends RCW 36.100.010, 36.100.030, 82.14.0485, 82.14.0494, 82.14.360, 67.28.180, and 82.14.049.

Reenacts and amends RCW 82.29A.130.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Finance.

HB 2265 by Representatives Goodman, Rodne, Dunshee, Kenney, Kagi, Miloscia, Roberts, Lovick, Lantz, Hunter, Upthegrove, and Hurst

Regarding county supervised community options.

Provides that the sentencing court shall give the offender credit for all time served before the sentencing in an available county supervised community option if that time was solely in regard to the offense for which the offender is being sentenced.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Human Services.

HB 2266 by Representative Chase

Exempting certain unlicensed complementary and alternative health care practitioners from the prohibitions under chapter 18.71 RCW.

Exempts certain unlicensed complementary and alternative health care practitioners from the prohibitions under chapter 18.71 RCW.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Health Care & Wellness.

HB 2267 by Representative Roach

Including luring of a child or person with a developmental disability in the crime seriousness level table.

Includes luring of a child or person with a developmental disability in the crime seriousness level table.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Public Safety & Emergency Preparedness.

HB 2268 by Representatives Lantz, Lovick, Strow, Kagi, Eddy, Ericks, Green, B. Sullivan, McCoy, and Moeller

Revising provisions relating to possession of dangerous weapons on school facilities.

Revises provisions relating to possession of dangerous weapons on school facilities.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Judiciary.
 Feb 20 Scheduled for public hearing in committee. (Subject to change)

HB 2269 by Representatives Kirby, Warnick, and Williams

Allowing attorneys to recover actual costs for service of process.

Authorizes attorneys to recover actual costs for service of process.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Judiciary.

HB 2270 by Representatives Newhouse, Orcutt, Hailey, Dunn, Armstrong, Buri, Kristiansen, Schindler, Skinner, Strow, Chandler, and Roach

Eliminating tax, interest, and penalty provisions for land valued under the open space program.

Eliminates tax, interest, and penalty provisions for land valued under the open space program.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Finance.

HB 2271 by Representatives Orcutt, Newhouse, Armstrong, Dunn, Kristiansen, Schindler, and Skinner

Authorizing forest products operations of statewide significance.

Encourages investments in Washington's natural resource-based economy by permitting new timber mills that process only wood grown in Washington to be built with materials and labor that are not subject to state taxes, to allow these mills to have guaranteed permit timelines, to allow these mills to be sited outside of the growth management act, and exempt trucks serving the mill from transportation taxes and fees.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Community & Economic Development & Trade.

HB 2272 by Representatives Roach, Orcutt, Armstrong, Buri, Kristiansen, Schindler, Skinner, Chandler, and Newhouse

Limiting property taxes by reducing the state levy, limiting property tax increases to one percent by reenacting the provisions of Initiative Measure No. 747, and allowing valuation increases to be spread over time.

Limits property taxes by reducing the state levy, limiting property tax increases to one percent by reenacting the provisions of Initiative Measure No. 747, and allowing valuation increases to be spread over time.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Finance.

House Joint Memorials

HJM 4018 by Representative Roach

Requesting the withdrawal of the United States from participation in the Security and Prosperity Partnership of North America.

Requests the withdrawal of the United States from participation in the Security and Prosperity Partnership of North America.

-- 2007 REGULAR SESSION --
 Feb 15 First reading, referred to Community & Economic Development & Trade.

Senate Bills

SB 5093-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Marr, Keiser, Franklin, Shin, Fairley, Hobbs, Weinstein, Kauffman, Pridemore, Oemig, Eide, Brown, Tom, Kohl-Welles, Regala, McAuliffe, Spanel, Rockefeller, and Rasmussen; by request of Governor Gregoire)

Concerning access to health care services for children.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that healthy children are ready to learn. In order to provide students with the opportunity to become responsible citizens, to contribute to their own economic well-being and to that of their families and communities, and to enjoy productive and satisfying lives, the state recognizes the importance that access to appropriate health services and improved health brings to the children of Washington state. In addition, fully immunized children are themselves protected, and in turn protect others, from contracting communicable diseases.

Provides that, consistent with the goals established in RCW 74.09.402, through the program authorized in this act, the department shall provide affordable health care coverage to children under the age of nineteen who reside in Washington state and whose family income at the time of enrollment is not greater than two hundred fifty percent of the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services, and effective January 1, 2009, and only to the extent that funds are specifically appropriated therefor, to children whose family income is not greater than three hundred percent of the federal poverty level. In administering the program, the department shall take such actions as may be necessary to ensure the receipt of federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now

available or may become available in the future. The department and the caseload forecast council shall estimate the anticipated caseload and costs of the program established in this act.

Requires the department, in collaboration with the department of health, health carriers, local public health jurisdictions, children's health care providers including pediatricians, family practitioners, and pediatric subspecialists, parents, and other purchasers, to identify explicit performance measures that indicate that a child has an established and effective medical home, such as: (1) Childhood immunization rates;

(2) Well child care utilization rates, including the use of validated, structured developmental assessment tools that include behavioral and oral health screening;

(3) Care management for children with chronic illnesses;

(4) Emergency room utilization; and

(5) Preventive oral health service utilization.

Requires performance measures and targets for each performance measure to be completed by September 1, 2007.

Declares that it is the goal of Washington state to ensure that: (1) By 2010, all K-12 districts have school health advisory committees that advise school administration and school board members on policies, environmental changes, and programs needed to support healthy food choice and physical activity and childhood fitness; and

(2) By 2010, only healthy food and beverages shall be available on school campuses.

Repeals RCW 74.09.405, 74.09.415, 74.09.425, 74.09.435, and 74.09.450.

-- 2007 REGULAR SESSION --

Jan 22 Public hearing in committee.

Jan 29 Executive session in committee.

Feb 6 Public hearing in committee.

Feb 12 Executive session in committee.

Feb 14 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

Placed on second reading by Rules Committee.

2nd substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 38; nays, 9; absent, 0; excused, 2.

-- IN THE HOUSE --

Feb 15 First reading, referred to Appropriations.

Feb 20 Scheduled for public hearing in committee. (Subject to change)

SB 5141-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Fraser and Swecker)

Affirming the applicability of land use regulations to divisions of land created by testamentary provisions or the laws of descent.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Affirms the applicability of land use regulations to divisions of land created by testamentary provisions or the laws of descent.

-- 2007 REGULAR SESSION --

Feb 8 Public hearing in committee.

Feb 12 Executive session in committee.

Feb 14 GO - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

SB 5216-S by Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Jacobsen and Sheldon)

Maintaining Washington's working forest land base.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to provide greater state financial assistance to maintain Washington's working forest land base through the creation of a funding board to make grants and loans on a competitive basis that support protection of working forest land and that assist in developing innovative strategies for supporting economically and environmentally healthy forests and forest-dependent communities.

-- 2007 REGULAR SESSION --

Jan 29 Public hearing in committee.

Feb 12 Executive session in committee.

Feb 14 NROR - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Minority; without recommendation.

Referred to Ways & Means.

SB 5219-S by Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senator Jacobsen)

Regarding the Northwest weather and avalanche center.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to ensure, in continued cooperation with federal and private sources, that the NWAC receives the resources necessary to continue providing weather and avalanche forecasts for the benefit of Washington state.

Directs the state parks and recreation commission to invite the United States forest service, the national weather service, and the national park service to cooperatively develop an intergovernmental plan and recommendations that seek to ensure that the Northwest weather and avalanche center program has the resources to continue operating at its current level of service into the future.

Requires the state parks and recreation commission to, by December 1, 2007, provide an update on the development of the plan and recommendations to the appropriate policy and fiscal committees of the senate and house of representatives. The state parks and recreation commission shall, by December 1, 2008, provide the final plan and recommendations to the appropriate policy and fiscal committees of the senate and house of representatives.

-- 2007 REGULAR SESSION --

Jan 24 Public hearing in committee.

Feb 12 Executive session in committee.

Feb 14 NROR - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5221-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Marr, Stevens, Carrell, Eide, Regala, Brandland, Kilmer, and Rasmussen; by request of Indeterminate Sentence Review Board)

Revising provisions relating to the release of offenders.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in setting a new minimum term, the board may consider the length of time necessary for the offender to complete treatment and programming as well as other factors that relate to the offender's release under RCW 9.95.420. The board's rules shall permit an offender to petition for an earlier review if circumstances change or the board receives new information that would warrant an earlier review.

Declares that the board retains the jurisdiction to issue a certificate of discharge after the expiration of the offender's or parolee's maximum statutory sentence. If not earlier granted and any and all legal financial obligations have been paid, the board shall issue a final order of discharge three years from the date of parole unless the parolee is on suspended or revoked status at the expiration of the three years.

Provides that the discharge, regardless of when issued, shall have the effect of restoring all civil rights lost by operation of law upon conviction, and the certification of discharge shall so state.

Declares that this restoration of civil rights shall not restore the right to receive, possess, own, or transport firearms.

Directs the board to issue a certificate of discharge to the offender in person or by mail to the offender's last known address.

-- 2007 REGULAR SESSION --

Jan 16 Public hearing in committee.
Feb 9 Executive session in committee.
Feb 13 HSC - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5246-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Brandland, McAuliffe, and Stevens; by request of Department of Social and Health Services)

Changing provisions affecting the placement of children.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions affecting the placement of children.

Declares that the department or agency supervising the child's placement has the authority to place the child, subject to review and approval by the court: (1) With a relative as defined in RCW 74.15.020(2)(a);

(2) In a foster family home or group care facility licensed pursuant to chapter 74.15 RCW; or

(3) In the home of another suitable person if the child or family has a preexisting relationship with that person, and the person has completed all required criminal history background checks and otherwise appears to the

department or supervising agency to be suitable and competent to provide care for the child. Absent good cause, the department or supervising agency shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260. The department or supervising agency may only place a child with a person not related to the child as defined in RCW 74.15.020(2)(a) when the court finds that such placement is in the best interest of the child.

-- 2007 REGULAR SESSION --

Jan 16 Public hearing in committee.
Feb 9 Executive session in committee.
Feb 13 HSC - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 5269-S by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Delvin, Kauffman, Roach, Franklin, Rasmussen, Kohl-Welles, Sheldon, Marr, Murray, Oemig, Jacobsen, Rockefeller, Shin, and Kilmer)

Establishing the first peoples' language and culture teacher certification program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that government-to-government collaboration between the state and the sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington serves to implement the spirit of the 1989 centennial accord and other similar government-to-government agreements, including the 2004 accord between the federally recognized Indian tribes with treaty reserved rights in Washington state and the state of Washington.

Declares that establishing a first peoples' language and culture teacher certification program both achieves educational objectives and models effective government-to-government relationships.

Declares that establishing a first peoples' language and culture certification program implements the following policy objectives of P.L. 101-477, the federal Native American languages act of 1990, in a tangible way.

Provides that in-service training or continuing education in first peoples' language or culture provided by a sovereign tribal government participating in the Washington state first peoples' language and culture program authorized under this act shall be considered approved in-service training or approved continuing education under this act and RCW 28A.415.023.

-- 2007 REGULAR SESSION --

Jan 22 Public hearing in committee.
Jan 24 Public hearing in committee.
Feb 12 Executive session in committee.
Feb 13 EDU - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5292-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Fairley, Roach, Kohl-Welles, Keiser, and Parlette)

Requiring the licensing of physical therapist assistants.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the licensing of physical therapist assistants.

-- 2007 REGULAR SESSION --

- Jan 25 Public hearing in committee.
 Feb 12 Executive session in committee.
 Feb 14 HEA - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5307-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Regala, Hatfield, and Kohl-Welles; by request of Department of Corrections)

Increasing penalties for stalking persons who work with prisoners.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Increases penalties for stalking persons who work with prisoners.

-- 2007 REGULAR SESSION --

- Feb 2 Public hearing in committee.
 Feb 9 Executive session in committee.
 Feb 13 HSC - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5573-S by Senate Committee on Ways & Means (originally sponsored by Senators Hatfield, Schoesler, Zarelli, and Kastama; by request of Department of Revenue)

Modifying the rural county tax credit.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the rural county tax credit provided in chapter 82.62 RCW.

-- 2007 REGULAR SESSION --

- Feb 6 Public hearing in committee.
 Feb 12 Executive session in committee.
 Feb 14 WM - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5665-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Fairley, Franklin, and Kohl-Welles)

Establishing the state employee health program and a state employee health demonstration project.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes the state employee health program and a state employee health demonstration project.

Declares that the state employee health program shall: (1) Provide technical assistance and other services as needed to wellness staff in all state agencies and institutions of higher education;

(2) Develop effective communication tools and ongoing training for wellness staff;

(3) Contract with outside vendors for evaluation of program goals;

(4) Strongly encourage the widespread completion of online health assessment tools for all state employees, dependents, and retirees. The health assessment tool must be voluntary and confidential. Health assessment data and claims data shall be used to: (a) engage state agencies and

institutions of higher education in providing evidence-based programs targeted at reducing identified health risks; (b) guide contracting with third-party vendors to implement behavior change tools for targeted high-risk populations; and (c) guide the benefit structure for state employees, dependents, and retirees to include covered services and medications known to manage and reduce health risks.

Requires the health care authority shall report to the legislature in December 2008, 2009, and 2010 on outcome goals for the employee health program.

Directs the health care authority through the state employee health program to create a state employee health demonstration project in four state agencies: The department of health, department of personnel, department of natural resources, and department of labor and industries. Demonstration project agencies shall operate employee health programs for their employees in collaboration with the state employee health program.

Requires the state employee health program to evaluate each of the four programs separately and compare outcomes for each of them with the entire state employee population to assess effectiveness of the programs. Specifically, the program shall measure at least the following outcomes in the demonstration population: The reduction in the percent of the population that is overweight or obese, the reduction in risk factors related to diabetes, the reduction in risk factors related to absenteeism, the reduction in tobacco consumption, and the increase in appropriate use of preventive health services. The state employee health program shall report to the legislature in December 2008, 2009, and 2010 on the demonstration project.

Appropriates the sum of one million three hundred thousand dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2009, from the general fund to the health care authority for the purposes of this act.

-- 2007 REGULAR SESSION --

- Feb 5 Public hearing in committee.
 Feb 12 Executive session in committee.
 Feb 13 HEA - Majority; 1st substitute bill be substituted, do pass.
 And refer to Ways & Means.
 Minority; do not pass.
 Minority; without recommendation.
 Referred to Ways & Means.

SB 5735-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Clements, Franklin, Keiser, and Parlette; by request of Department of Labor & Industries)

Modifying provisions regulating contractors.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions regulating contractors.

-- 2007 REGULAR SESSION --

- Feb 8 Executive session in committee.
 Feb 13 LCRD - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5745-S by Senate Committee on Water, Energy & Telecommunications (originally sponsored by Senators Brown and Kohl-Welles)

Regarding the use of solid fuel burning devices during impaired air quality conditions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, until June 30, 2009, an authority comprised of one county east of the Cascade mountains with a population of equal to or greater than four hundred thousand people, may determine by rule an alternative ambient air level of fine particulates that defines when a first stage and when a second stage of impaired air quality exists.

Finds that there are communities in the state that may exceed recently adopted lower national ambient air quality standards for fine particulate and that wood smoke emissions from solid fuel burning devices are a source of fine particulate.

Directs the department of ecology to prepare a report to the governor and the appropriate committees of the senate and house of representatives by December 1, 2007, with recommendations that may include statutory or regulatory changes, incentives, and other strategies that will reduce wood smoke where it is likely to contribute to nonattainment with the new national ambient air quality standards for fine particulates in Washington state. In preparing its report, the department of ecology shall seek input from all regional air quality agencies, the state department of health, local health departments, and the hearth products industries.

-- 2007 REGULAR SESSION --

Feb 2 Public hearing in committee.
Feb 13 Executive session in committee.
Feb 14 WET - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5760-S by Senate Committee on Water, Energy & Telecommunications (originally sponsored by Senators Poulsen, Fraser, Rockefeller, Spanel, Jacobsen, Pflug, Kline, Parlette, Oemig, Rasmussen, Shin, and Kohl-Welles)

Addressing activities to promote green highways in the energy freedom program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the 2010 Olympic and Paralympic Winter Games present an opportunity to further Washington's energy independence by working with Vancouver, British Columbia, Oregon, and California to develop a hydrogen highway to showcase sustainable transportation and alternative fuels, and to accelerate the commercialization of hydrogen and fuel cell technologies.

Provides that "green highway zone" means an area in the state designated by the department that is within reasonable proximity of state route number 5, state route number 90, and state route number 82.

Provides that if the total requested dollar amount of funds for refueling projects under RCW 15.110.020(4) exceeds the amount available in the green energy incentive subaccount created in this act, the applications must be prioritized based upon the following criteria: (1) The extent to which the project will help reduce dependence on

petroleum fuels and imported energy either directly or indirectly;

(2) The extent to which the project will reduce air and water pollution either directly or indirectly;

(3) The extent to which the project will establish a viable biofuel or alternative fuel production capacity in Washington;

(4) The extent to which the project will make biofuels and alternative fuels more accessible to the motoring public;

(5) The benefits to Washington's agricultural or alternative fuel producers; and

(6) The number and quality of jobs and economic benefits created by the project.

-- 2007 REGULAR SESSION --

Jan 31 Public hearing in committee.
Feb 13 Executive session in committee.
Feb 14 WET - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6038 by Senators Berkey, Benton, Hobbs, Schoesler, Parlette, and Hatfield

Addressing published code reviser's notes in the financial institutions and insurance titles of the Revised Code of Washington.

Addresses published code reviser's notes in the financial institutions and insurance titles of the Revised Code of Washington.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Financial Institutions & Insurance.

SB 6039 by Senators Kline, Weinstein, Shin, Kohl-Welles, Hobbs, Kauffman, Rockefeller, Kilmer, Murray, Delvin, Marr, McAuliffe, and Jacobsen

Regarding the University of Washington law school loan repayment assistance program.

Provides for the partial or full repayment of educational loans of University of Washington law school graduates who provide legal services in a public service area of the law within Washington state.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Higher Education.
Feb 21 Scheduled for public hearing in committee. (Subject to change)

SB 6040 by Senators Hatfield, Zarelli, Hobbs, Delvin, and Tom; by request of Lieutenant Governor

Providing for the creation of a public speedway authority. Authorizes the creation of a public speedway authority.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Agriculture & Rural Economic Development.
Feb 20 Scheduled for public hearing in committee. (Subject to change)

SB 6041 by Senator Regala

Modifying home care quality authority provisions.
Revises home care quality authority provisions.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Health & Long-Term Care.

SB 6042 by Senators Franklin, Kohl-Welles, Keiser, Murray, Clements, Fairley, Spanel, Kastama, and Rasmussen

Requiring a recess period for elementary school students.
Requires a recess period for elementary school students.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Early Learning & K-12 Education.

Feb 21 Scheduled for public hearing in committee. (Subject to change)

SB 6043 by Senators Holmquist and Benton

Requiring the joint legislative audit and review committee to review the governance structure of the department of fish and wildlife.

Requires the joint legislative audit and review committee to review and report to the legislature on whether providing appointment authority of both the fish and wildlife commission, under RCW 77.04.030, and the director of the department of fish and wildlife, under RCW 77.04.055, to the commissioner of public lands would provide for a more unified public land management approach and more effective use of public resources.

Directs the joint legislative audit and review committee to also review and report on the issues surrounding consolidating the department of fish and wildlife into the department of natural resources and solutions to make the consolidation as seamless and effective as possible. The joint legislative audit and review committee shall provide a final report on this review to the legislature by December 1, 2009.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Natural Resources, Ocean & Recreation.

SB 6044 by Senators Rockefeller and Swecker

Regarding the removal of derelict vessels.

Provides that a marina that leases permanent moorage to vessels must require the following information from the lessee as a condition of leasing moorage space: (1) The name of the legal owner of the vessel;

- (2) A local contact person, if different than the owner;
- (3) The owner's address and telephone number;
- (4) The vessel's hull identification number;
- (5) The vessel's coast guard registration, if applicable;
- (6) The vessel's home port;
- (7) The date on which the moorage lease began; and
- (8) The vessel's country or state of registration and registration number.

Provides that, beginning June 30, 2007, and on the last day of March, June, September, and December of each year thereafter until July 1, 2010, the state treasurer shall

transfer five hundred thousand dollars to the derelict vessel removal account created under RCW 79.100.100.

Declares that, in order to address the significant backlog of derelict vessels that have accumulated in our state's waters that pose a threat to the health and safety of the people and to our environment, the legislature intends to collect a derelict vessel removal surcharge, until the backlog as it exists on the effective date of this act has been eliminated.

Requires the department of natural resources to submit a list that identifies the backlog of derelict vessels as of the effective date of this act to the appropriate policy and fiscal committees of the legislature. Upon completion of the elimination of the backlog, the department of natural resources shall notify the appropriate policy and fiscal committees of the legislature and the department of licensing, in writing, to suspend collection of the surcharge at the end of the fiscal year in which the backlog has been eliminated. Upon receipt of the notice to suspend collection of the surcharge, the department of licensing shall cease collection at the end of the fiscal year in which the notice is received.

Requires the department of natural resources and the department of revenue to examine the costs and benefits of extending the derelict vessel removal fees and surcharges to the vessels that are not subject to RCW 88.02.050 in order to provide for more equity in the derelict vessel removal program and the fees that support the program. The departments shall submit a report of the findings to the appropriate policy and fiscal committees of the legislature by November 1, 2007.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Natural Resources, Ocean & Recreation.

SB 6045 by Senators Haugen, Swecker, Spanel, and Murray

Regarding transportation regulation.

Revises provisions regarding transportation regulation.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Transportation.

SB 6046 by Senators Kilmer, Poulsen, Kline, Oemig, Kohl-Welles, Tom, Murray, Marr, and Jacobsen

Allowing utilities to mitigate the environmental impacts of their operations.

Finds and declares that offset contracts and other greenhouse gases mitigation efforts are a recognized utility purpose that confers a direct benefit on the utility's ratepayers. The legislature declares that sections 2 and 3 of this act are intended to reverse the result of *Okeson v. City of Seattle*, No. 77888-4 (January 18, 2007), by expressly granting municipal utilities and public utility districts the statutory authority to engage in mitigation activities to offset their utility's impact on the environment.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Water, Energy & Telecommunications.

SB 6047 by Senators Kohl-Welles, Weinstein, Fairley, Oemig, McAuliffe, Pridemore, Regala, and Kline

Regarding student privacy rights.

Declares an intent, in the interest of student confidentiality, that school districts minimize the release of student telephone numbers and other directory information in the absence of express parental consent. The legislature finds that the nondisclosure of student telephone numbers and other directory information reduces the possibility of harassment of students and their families by organizations that received student information.

Provides that, by September 1, 2007, each school district shall provide separate written notice to every public high school student and his or her parent or legal guardian informing the students, parents, and guardians: (1) Of their right to request, pursuant to 20 U.S.C. Sec. 7908(a)(2), that the student's directory information not be released to recruiters without the prior written consent of the student's parent or guardian or the student;

(2) That if they do not request that the student's directory information be withheld from some or all recruiters by the thirtieth day of the new school year, the school may release the student's directory information if requested to do so by a recruiter; and

(3) Of the obligation of all males between the ages of eighteen and twenty-five years to register with selective services within thirty days of their eighteenth birthday and information regarding how to register.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Early Learning & K-12 Education.

SB 6048 by Senators Holmquist, Sheldon, Clements, and Rasmussen

Regarding primaries and elections.

Revises provisions regarding primaries and elections.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Government Operations & Elections.

SB 6049 by Senators Holmquist and Stevens

Enhancing the punishment for theft when the damages to the victim greatly exceed the value of the stolen property.

Provides that, in a prosecution for theft in the first or second degree, the prosecution may file a special allegation of disproportionate impact when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify a finding by a reasonable and objective fact-finder that the damage to the victim greatly exceeds the value of the stolen property.

Provides that an additional twelve months and one day shall be added to the standard sentence range for theft in the first or second degree if there has been a special verdict or finding that the damage to the victim greatly exceeds the value of the stolen property under this act.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Judiciary.

SB 6050 by Senators Holmquist, Schoesler, and Stevens
Exempting property owners from injury caused to another person as a result of metal theft.

Provides that a public or private landowner is not liable for unintentional injuries to any person when the injury is caused by the theft of copper, aluminum, steel, or other metal material from property owned by the landowner.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Judiciary.

SB 6051 by Senators Holmquist, Schoesler, Carrell, and Clements

Modifying the definition of "eligible renewable resource" under RCW 19.285.030.

Revises the definition of "eligible renewable resource" under RCW 19.285.030.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Water, Energy & Telecommunications.

SB 6052 by Senators Holmquist, Kline, and Hargrove

Requiring arson offenders to register with the county sheriff.

Declares an intent to: (1) Assist local law enforcement agencies to increase public safety by providing them with another tool for them to use in arson investigations; and

(2) Require arson offenders to register with local law enforcement agencies in a regulatory, rather than punitive, manner.

Requires the county sheriff to forward the information, photographs, and fingerprints obtained pursuant to this act, including any notice of change of address, to the Washington state patrol within five working days.

Directs the state patrol to maintain a central registry of arson offenders required to register under this act.

Authorizes the state patrol to grant access to the registry to law enforcement agencies.

Provides that the state patrol and the entities receiving information under this provision may not disclose the information obtained from the registry to any other person or entity.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Human Services & Corrections.

SB 6053 by Senators Spanel, Jacobsen, Haugen, Hargrove, Hatfield, Morton, Murray, Fairley, and Kohl-Welles

Regarding the management of the state's food fish and shellfish resources.

Finds that the state's food fish and shellfish resources are of great cultural and economic value to the state, providing benefits to commercial and recreational fishers, resource-based communities, the tourism industry, and all the citizens of Washington.

Finds that management of this precious resource is a challenging task that requires constant attention to issues including habitat, biology, harvest, water quality and quantity, and monitoring. Food fish and shellfish management also requires regular discussions and

negotiations with local, regional, national, international, and tribal entities.

Declares that, in order to achieve the long-term sustainability of Washington's food fish and shellfish resource, the state must have a mechanism to evaluate and hold the manager of this resource accountable for those rules and policies adopted or foregone. The legislature finds that it is in the best interest of both Washington and the resource to provide management authority over food fish and shellfish to an individual who has expertise in fisheries issues, who is available full time to respond to matters involving the resource, and who may readily be held accountable to the people of the state, to the legislature, and to the governor.

Declares an intent for the director of fish and wildlife to manage the state's food fish and shellfish resources. Further, the legislature intends for the director to exercise all authorities and rule-making power provided to the department regarding: Management and harvest of food fish and shellfish; licensing and management of the state's commercial fisheries; aquatic animal species infestations; hydraulic project approvals and fishways; salmon enhancement and recovery activities; aquaculture disease control; ballast water management; and marine fin fish aquaculture programs.

Declares that this act transfers management authority and rule-making power over food fish, shellfish, and other specified matters from the fish and wildlife commission to the director of the department of fish and wildlife. No substantive fish and wildlife policy changes are intended.

Declares that the transfer of management authority and rule-making power from the fish and wildlife commission to the director of the department of fish and wildlife provided for in this act does not invalidate policies or rules adopted under the authority of the fish and wildlife commission prior to the effective date of this act.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Natural Resources, Ocean & Recreation.

Senate Joint Memorials

SJM 8016 by Senators Oemig, Regala, Kohl-Welles, Kline, Spanel, Fairley, Kauffman, Fraser, and Prentice

Requesting an impeachment investigation into actions by President Bush and Vice President Cheney.

Requests an impeachment investigation into actions by President Bush and Vice President Cheney.

-- 2007 REGULAR SESSION --

Feb 15 First reading, referred to Government Operations & Elections.