



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 2

SIXTY-FIRST LEGISLATURE

Wednesday, January 14, 2009

3rd Day - 2009 Regular Session

<b>SENATE</b>	SB 5091	SB 5092	SB 5093	SB 5094	SB 5095	SB 5096	SB 5097
	SB 5098	SB 5099	SB 5100	SB 5101	SB 5102	SB 5103	SB 5104
<b>HOUSE</b>	HB 1100	HB 1101	HB 1102	HB 1103	HB 1104	HB 1105	HB 1106
	HB 1107	HB 1108	HB 1109	HB 1110	HB 1111	HB 1112	HJM 4002

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=2009>.

### House Bills

**HB 1100** by Representatives Upthegrove, Rolfes, Nelson, White, and Simpson

Protecting the marine ecosystem from the potential risks of petroleum extraction.

Prohibits leasing of Washington's tidal or submerged lands within three miles of its coastline, or within three miles seaward to the boundary of the two hundred mile exclusive economic zone, for purposes of oil or gas exploration, development, or production.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Ecology & Parks.

**HB 1101** by Representatives Roberts, Kagi, and Kenney  
Modifying foster parent licenses.

Extends the time that a foster-family home license remains in effect after the licensed home changes its location.

Requires licensees to notify their licensor before moving to a new location.

Requires the department of social and health services, at the request of the licensee and within thirty days following a foster-family home licensee's move to a new location, to amend the license to reflect the new location, provided the new location and the licensee meet minimum licensing standards.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Early Learning & Children's Services.

**HB 1102** by Representatives Moeller, Green, and Conway

Concerning the property tax revenue limit for the county veterans' assistance levy.

Changes the limit factor for the portion of the county property tax levy allocated to the veterans' assistance fund.

Provides that the act applies to taxes levied for collection in 2010 and thereafter.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Finance.

**HB 1103** by Representatives Moeller, Green, Morrell, and Kenney

Concerning the estates of vulnerable adults.

Modifies provisions relating to the estates of vulnerable adults.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Judiciary.

**HB 1104** by Representatives Roberts, O'Brien, and McCune

Concerning vendor rates for supported living providers.

Finds that the department of social and health services' current geographical classifications for setting vendor rates for supported living providers create a competitive disadvantage for Snohomish county providers compared to King county providers.

Recognizes that the cost of doing business for supported living providers is nearly identical in King and Snohomish counties.

Declares an intent that Snohomish county supported living vendors be paid the same rate as King county supported living vendors.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Human Services.

**HB 1105** by Representatives Williams and Moeller

Regarding public disclosure of records relevant to a controversy to which an agency is a party.

Modifies public disclosure of records relevant to a controversy to which an agency is a party.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to State Government & Tribal Affairs.

**HB 1106** by Representatives Williams and Moeller  
Removing the ability of agencies to enjoin the examination of a specific public record.

Removes the ability of agencies to enjoin the examination of a specific public record.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to State Government & Tribal Affairs.

**HB 1107** by Representative Williams

Regarding local government self-insurance programs and public records.

Prohibits a self-insurance program governed by chapter 48.62 RCW from: (1) Paying the cost of liability or defense costs for claims brought under the public records act, chapter 42.56 RCW, and the open public meetings act, chapter 42.30 RCW;

(2) Defining the terms under which an entity complies with the public records act, chapter 42.56 RCW; and

(3) Canceling or threatening to cancel insurance coverage based upon an entity's decision, in consultation with its attorneys, to release public records, including attorney communications, in compliance with the public records act, chapter 42.56 RCW.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Financial Institutions & Insurance.

**HB 1108** by Representatives Williams and Moeller

Changing the definition of criminal act for crime victims compensation purposes.

Revises the definition of "criminal act" for crime victims compensation purposes.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1109** by Representatives Sullivan, Liias, Upthegrove, Simpson, and Moeller

Concerning the use of the local infrastructure financing tool for downtown development and redevelopment.

Limits the amount of tax distributions received from taxes imposed under the authority of RCW 82.14.475 by all sponsoring and cosponsoring local governments to not more than ten million five hundred thousand dollars annually.

Revises the definition of "annual state contribution limit" in chapter 39.102 RCW.

Directs sponsoring local governments, and any cosponsoring local governments: (1) Applying in calendar year 2010 for a competitive project award, to submit completed applications to the community economic revitalization board no later than June 1, 2010. By September 30, 2010, in consultation with the department of revenue and the department of community, trade, and economic development, the community economic revitalization board shall approve competitive project awards from competitive applications submitted by the 2010 deadline. No more than one million five hundred thousand dollars in competitive project awards shall be approved in 2010. For projects not approved by the

community economic revitalization board in 2010, sponsoring and cosponsoring local governments may apply again to the board in 2011 for approval of a project; and

(2) Applying in calendar year 2011 for a competitive project award, to submit completed applications to the community economic revitalization board no later than June 1, 2011. By September 30, 2011, in consultation with the department of revenue and the department of community, trade, and economic development, the board shall approve competitive project awards from competitive applications submitted by the 2011 deadline.

Modifies the use of local infrastructure financing under chapter 39.102 RCW.

Expires RCW 82.14.475 on June 30, 2044.

Extends the expiration of chapter 39.102 RCW to June 30, 2044.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Community & Economic Development & Trade.

**HB 1110** by Representatives Sullivan, Liias, Upthegrove, Orwall, and Simpson

Prohibiting advertising and marketing to students receiving home-based instruction.

Prohibits school districts from advertising, marketing, and otherwise providing unsolicited information about learning programs offered by the school district to parents who have filed a declaration of intent to cause a child to receive home-based instruction under RCW 28A.200.010.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Education.

**HB 1111** by Representatives Eddy, Blake, Williams, Kenney, and Moeller

Exempting telecommunications trucks from crane safety requirements.

Exempts telecommunications trucks from crane safety requirements.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Commerce & Labor.

**HB 1112** by Representatives Eddy, Roberts, Seaquist, Blake, White, Williams, Jacks, Dunshee, Simpson, and Moeller

Regarding constraints on the installation of solar energy systems.

Finds that: (1) A significant number of property owners have been prevented from starting the production of renewable energy as envisioned in and permitted by chapter 300, Laws of 2005 due to inaction by boards of directors, or restraints included in documents governing homeowners', apartment, and condominium associations; and

(2) Production of renewable energy is a national security priority as well as a significant contributor to the reduction of global climate change.

Declares an intent to remove unnecessary constraints on property owners who are willing to contribute their personal resources toward these global, national, and statewide priorities.

-- 2009 REGULAR SESSION --  
Jan 13 First reading, referred to Judiciary.

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### House Joint Memorials

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**HJM 4002** by Representatives Sullivan, Simpson, and Kenney

Requesting reauthorization of the No Child Left Behind Act to include health and fitness.

Petitions the President and Congress to make a positive change in the reauthorization of the no child left behind act to include health and fitness, including physical education, as a core academic subject area, to be taught by highly qualified teachers.

-- 2009 REGULAR SESSION --  
Jan 13 First reading, referred to Education.

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### Senate Bills

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**SB 5091** by Senators Kohl-Welles, Kline, Keiser, Franklin, and McDermott

Regulating construction and construction-related trades by the department of labor and industries.

Establishes guidelines for the regulation of construction trades or construction-related trades generally overseen in some capacity by the department of labor and industries.

-- 2009 REGULAR SESSION --  
Jan 13 First reading, referred to Labor, Commerce & Consumer Protection.

**SB 5092** by Senator Jacobsen

Enhancing natural resource collections at the Washington park arboretum.

Finds that the Washington park arboretum: (1) Is the official arboretum of the state of Washington;

(2) Is a central component of the University of Washington botanic gardens, along with collections in the Union Bay gardens, around the center for urban horticulture, in the Union Bay natural area, and in the Otis Douglas Hyde herbarium;

(3) Contains a dynamic collection of trees and other woody plants that are hardy in the maritime Pacific Northwest;

(4) Holds one of the most prestigious plant collections in the world;

(5) Displays ninety-five percent of its holdings, whose estimated value is almost eighty-two million dollars; and

(6) Has a duty to serve the public, students at all levels, naturalists, gardeners, and nursery and landscape professionals with its collections, educational programs, interpretation, and recreational opportunities.

Declares an intent to provide additional tools and resources to the University of Washington botanic gardens as it preserves and provides public access to the important educational, recreational, social, and cultural state resources that the arboretum and other botanic garden collections have to offer.

Declares it is the goal of the legislature that the Washington park arboretum's collections, exhibits, and facilities be preserved, maintained, and presented in a manner befitting one of the world's most prestigious plant collections.

Establishes the University of Washington botanic gardens endowed curatorship.

Creates the University of Washington botanic gardens endowed curatorship account.

Requires the state treasurer, until June 30, 2014, to release one million dollars from the University of Washington botanic gardens endowed curatorship account to the University of Washington board of regents for inclusion in the University of Washington consolidated endowment fund when certain conditions are met.

Directs the department of natural resources' natural heritage program to host a working conference on the future of arboretums and botanic gardens in Washington.

Makes an appropriation.

-- 2009 REGULAR SESSION --  
Jan 13 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5093** by Senator Jacobsen

Creating judicial nominating commissions.

Establishes a supreme court nonpartisan commission and three court of appeals nonpartisan commissions, one for each division of the court of appeals.

Directs the commissions to: (1) Nominate and submit to the governor three or more names of people qualified to fill the vacancy if a vacancy occurs on the court for which a commission is responsible;

(2) Before a primary or general election for the positions of justice of the supreme court or judge of the court of appeals, review the candidates who have filed for election and recommend one or more candidates for election by the public; and

(3) Conduct investigations, hold public hearings, and take public testimony before making recommendations to the governor.

Provides a contingent effective date.

-- 2009 REGULAR SESSION --  
Jan 13 First reading, referred to Judiciary.

**SB 5094** by Senator Jacobsen

Regulating interchange and associated fees.

Prohibits financial institutions from charging interchange fees that are more than one and one-half percent of the total cost of a retail transaction.

-- 2009 REGULAR SESSION --  
Jan 13 First reading, referred to Financial Institutions, Housing & Insurance.

**SB 5095** by Senators Jacobsen and Kline

Protecting the California condor and other vulnerable wildlife from the threat of lead poisoning.

Protects the California condor and other vulnerable wildlife from the threat of lead poisoning.

Provides penalties.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5096** by Senator Jacobsen

Requiring mailed political advertising to be filed with the secretary of state to be archived.

Requires the sponsor of a mailed political advertising to, within two working days after the date of the mailing, file an example of the advertising with the secretary of state for inclusion with the state archives and records under chapter 40.14 RCW.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Government Operations & Elections.

**SB 5097** by Senator Jacobsen

Regarding the institute of forest resources.

Finds that there are many issues facing the forest sector, such as climate change, forest health and fire, carbon accounting, habitat and diversity, timber and water supplies, and the economic health of forest dependent communities.

Requires the head of the college of forest resources of the University of Washington to: (1) Coordinate the existing college of forest resource's cooperatives and centers to promote a more holistic, efficient, and integrated approach to broaden its research program to address the issues facing the forest section; and

(2) Appoint a policy advisory board to advise the head of the college of forest resources of the University of Washington on policies for the institute of forest resources that are consistent with the purposes of the institute.

Requires the institute of forest resources to: (1) Pursue coordinated research and education related to the forest sector and its multiple uses;

(2) Seek to provide a framework to identify, prioritize, fund, and conduct interdisciplinary research critical to the forest sector and to develop integrated, synthesized information and decision support tools to improve understanding of these complex issues for policymakers and others; and

(3) Provide progress reports to the appropriate committees of the legislature by July 1, 2010, and July 1, 2011, on the coordination required by and the implementation of this act.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5098** by Senators Pridemore, Tom, Kilmer, Hatfield, Shin, Hobbs, and Oemig

Concerning ballot title information.  
Modifies ballot title information.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Government Operations & Elections.

**SB 5099** by Senators Parlette, Hatfield, Shin, Kilmer,

Fraser, and Regala

Requiring annual revaluations of property for property tax purposes.

Changes the schedule for revaluation of taxable real property.

Requires the department of revenue to assist any county assessor requesting assistance in the valuation of industrial property estimated to exceed twenty-five million dollars in real and personal property value.

Requires the department of revenue to administer a grant program to assist counties with the schedule change.

Creates the annual property revaluation grant account.  
Makes appropriations.

Provides that sections 3 and 4 of the act expire July 1, 2014.

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

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Ways & Means.

**SB 5100** by Senators Shin, Carrell, Hobbs, and Swecker

Authorizing the purchase, storage, and administration of medications by occupational therapists.

Authorizes an occupational therapist to purchase, store, and administer certain medications.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Health & Long-Term Care.

**SB 5101** by Senators Hobbs, Stevens, and Shin

Concerning vendor rates for supported living providers.

Finds that the department of social and health services' current geographical classifications for setting vendor rates for supported living providers create a competitive disadvantage for Snohomish county providers compared to King county providers.

Recognizes that the cost of doing business for supported living providers is nearly identical in King and Snohomish counties.

Declares an intent that Snohomish county supported living vendors be paid the same rate as King county supported living vendors.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Health & Long-Term Care.

**SB 5102** by Senators Hewitt, Delvin, and Kline; by request of Board For Judicial Administration

Adding two district court judges in Benton county.

Increases the number of district court judges in Benton county from three to five.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Judiciary.

**SB 5103** by Senator Zarelli

Concerning service animals in training.

Clarifies the definitions of "guide dog" and "service animal" in chapter 70.84 RCW.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Health & Long-Term Care.

**SB 5104** by Senator Franklin

Providing fiscal reform.

Declares an intent, by adopting Title 82A RCW, to provide the necessary revenues for the support of vital state services on a more stable and equitable basis.

Provides penalties.

Provides contingent effective dates.

-- 2009 REGULAR SESSION --

Jan 13 First reading, referred to Ways & Means.