



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 4

SIXTY-FIRST LEGISLATURE

Friday, January 16, 2009

5th Day - 2009 Regular Session

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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=2009>.

### House Bills

**HB 1194** by Representatives O'Brien, Ericks, Klippert, Hurst, Ormsby, Green, Kelley, and Kenney; by request of Lieutenant Governor

Concerning crisis referral services for criminal justice and correctional personnel.

Requires the criminal justice training commission to: (1) Offer a training session on personal crisis recognition and crisis intervention services to criminal justice and correctional personnel; and

(2) Make the training available to all employees of state and local agencies that perform public safety duties.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1195** by Representatives Haigh, Kristiansen, and Hunt; by request of Capital Projects Advisory Review Board

Regarding payment of undisputed claims.

Requires the state or municipality to issue a change order to a contract for the full dollar amount of the work not in dispute between the state or municipality and the contractor no later than thirty days after satisfactory completion of any

additional work or portion of any additional work by a contractor on a public works project.

-- 2009 REGULAR SESSION --

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

**HB 1196** by Representatives Haigh, Kristiansen, Hunt, and Armstrong; by request of Capital Projects Advisory Review Board

Increasing the dollar limit for small works roster projects.

Increases the dollar limit for small works roster projects.

-- 2009 REGULAR SESSION --

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

**HB 1197** by Representatives Haigh, Kristiansen, Hunt, and Armstrong; by request of Capital Projects Advisory Review Board

Regarding alternative public works contracting procedures.

Allows the capital projects advisory review board to develop guidelines to be used by the project review committee for the review and approval of design-build demonstration projects that procure operations and maintenance services.

Directs the project review committee to: (1) Review and approve not more than ten projects using the design-build contracting procedure by certified and noncertified public

bodies for projects that have a total project cost between two million and ten million dollars;

(2) Report, in June 2010, to the capital projects advisory review board regarding the committee's review procedure of these projects and its recommendations for further use; and

(3) Review and approve not more than two design-build demonstration projects that include procurement of operations and maintenance services for a period longer than three years.

Allows public bodies to use the design-build procedure for public works projects in which the total project cost is between two million and ten million dollars if certain conditions are met and subject to the process in RCW 39.10.280.

Allows a public body to seek committee approval for a design-build demonstration project that includes procurement of operations and maintenance services for a period longer than three years, subject to the process in RCW 39.10.280.

Requires a public body to establish a time and place for the opening of sealed bids for the percent fee on the estimated maximum allowable construction cost and the fixed amount for the general conditions work specified in the request for proposal.

Allows the department of general administration, the University of Washington, and Washington State University to issue job order contract work orders for the state regional universities and The Evergreen State College.

-- 2009 REGULAR SESSION --

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

**HB 1198** by Representatives Haigh, Kristiansen, Hunt, and Armstrong; by request of Capital Projects Advisory Review Board

Changing public works bid limits.

Changes public works bid limits.

-- 2009 REGULAR SESSION --

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

**HB 1199** by Representatives Haigh, Kristiansen, Hunt, and Armstrong; by request of Capital Projects Advisory Review Board

Regarding retainage of funds on public works projects.

Modifies provisions relevant to retaining funds on public works projects.

-- 2009 REGULAR SESSION --

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

**HB 1200** by Representatives Haigh, Hunt, and Kenney; by request of Capital Projects Advisory Review Board

Expanding the ability to negotiate an adjustment to a bid price on public works to municipalities.

Expands the ability to negotiate an adjustment to a bid price on public works to municipalities.

-- 2009 REGULAR SESSION --

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

**HB 1201** by Representatives O'Brien, Dickerson, Hurst, and Appleton

Establishing the community integration assistance program.

Establishes the community integration assistance program to promote public safety by providing intensive services to an offender identified by the secretary of the department of corrections as an offender who: (1) Is reasonably believed to be dangerous to himself, herself, or others; and

(2) Has a mental disorder.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Human Services.

**HB 1202** by Representatives Hurst, Bailey, Kelley, Roach, Kirby, and Parker

Allowing noninsurance benefits as part of life insurance policies.

Allows noninsurance benefits to be included as part of a life insurance policy.

-- 2009 REGULAR SESSION --

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

**HB 1203** by Representatives O'Brien and Chase

Modifying the definition of relative for purposes of the crime of rendering criminal assistance.

Changes the definition of "relative" relevant to the crime of rendering criminal assistance.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1204** by Representatives Klippert, Goodman, Haler, Walsh, and Williams; 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 15 First reading, referred to Judiciary.

**HB 1205** by Representatives VanDeWege, Rolfes, Haigh, and Williams; by request of Board For Judicial Administration

Adding one judge to division two of the court of appeals.

Adds one judge to division two of the court of appeals.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1206** by Representatives Anderson, Wallace, Orcutt,

Takko, Sullivan, Ericksen, Green, Kelley, and Schmick

Eliminating prepayment requirements as a condition to contesting a tax.

Eliminates prepayment requirements as a condition to contesting a tax.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Finance.

**HB 1207** by Representative Simpson

Regarding assessed valuation requirements for the direct petition method of annexation.

Clarifies provisions relating to assessed valuation requirements for the direct petition method of annexation.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Local Government & Housing.

**HB 1208** by Representatives Takko and Alexander

Concerning property tax administration.

Revises provisions regarding property tax administration.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Local Government & Housing.

**HB 1209** by Representatives Ericksen, Roach, Bailey, and Rolfes

Providing funding for passenger-only ferry construction.

Allows the department of transportation to purchase five passenger-only ferries using the design-build procurement process under chapter 47.60 RCW.

Provides funding for passenger-only ferry construction. Makes an appropriation.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Transportation.

**HB 1210** by Representatives Williams, Roach, O'Brien, Kirby, Anderson, Pettigrew, Appleton, Dickerson, Dunshee, Darneille, White, Pedersen, Goodman, Campbell, McCune, Rodne, Haler, Priest, Sells, Green, Morrell, Hunt, Blake, Upthegrove, Wood, Orwall, Conway, Ericks, Moeller, Flannigan, Kenney, Ormsby, Hasegawa, Eddy, Rolfes, Lias, Roberts, Takko, Seaquist, Chase, Hurst, Sullivan, Wallace, Carlyle, Clibborn, Springer, Kelley, Ross, McCoy, Maxwell, and Miloscia

Regarding insurance coverage for autism spectrum disorders.

Requires each health plan offered to public employees and their covered dependents under chapter 41.05 RCW which is not subject to the provisions of Title 48 RCW to include coverage for the diagnosis of autism spectrum disorders and treatment of autism spectrum disorders in individuals less than twenty-one years of age.

Requires each health plan offered to the public under chapter 48.21, 48.44, or 48.46 RCW to include coverage for the diagnosis of autism spectrum disorders and treatment of autism spectrum disorders in individuals less than twenty-one years of age.

-- 2009 REGULAR SESSION --

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

**HB 1211** by Representative Kirby

Eliminating the industrial insurance offset for social security retirement benefits.

Eliminates the industrial insurance offset for social security retirement benefits.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Commerce & Labor.

**HB 1212** by Representatives Kirby, Green, Williams, Roberts, Ormsby, Appleton, and Wood

Regarding industrial insurance death benefits for the surviving spouses of members of the law enforcement officers' and firefighters' retirement system and the state patrol retirement system.

Modifies industrial insurance death benefits for surviving spouses of members of the law enforcement officers' and firefighters' retirement system and the state patrol retirement system.

Provides that the act applies to remarriages entered into on or after the effective date of the act.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Commerce & Labor.

**HB 1213** by Representative Kirby; by request of Uniform Legislation Commission

Addressing debt management services.

Creates uniform debt management services.

Provides uniform rules to govern both consumer credit counseling and debt settlement services.

Establishes the registration of services and service-debtor agreements, and provides for enforcement.

Repeals existing debt adjusting services provisions.

-- 2009 REGULAR SESSION --

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

**HB 1214** by Representatives O'Brien, Goodman, Hurst, and Roberts

Establishing the volunteer search and rescue account.

Allows an authorized volunteer search and rescue organization to seek reimbursement for costs incurred from each person for whose benefit search and rescue activities were conducted, provided that: (1) Reasonable care was not exercised by the individual for whose benefit the search and rescue activities are conducted; or

(2) Applicable laws were violated by the individual.

Creates the volunteer search and rescue account.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1215** by Representatives Wood, Chandler, Kirby,

Ormsby, and Morrell; by request of Attorney General  
Modifying motor vehicle warranty provisions.

Modifies provisions addressing motor vehicle warranties.

Provides that the act is remedial in nature and applies retroactively to the effective date of the act.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Commerce & Labor.

**HB 1216** by Representatives Dunshee, Warnick, and Ormsby; by request of Governor Gregoire

Adopting a 2009-2011 capital budget.

Makes appropriations and authorizes expenditures for capital improvements.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Capital Budget.

**HB 1217** by Representatives Simpson, Alexander, Conway, and Wood; by request of Gambling Commission

Providing the gambling commission with authority to determine locations where amusement games may be conducted.

Provides authority to the gambling commission to determine locations where amusement games may be conducted.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Commerce & Labor.

**HB 1218** by Representatives Goodman, Klippert, O'Brien, Ross, Simpson, and Williams

Changing the requirement that contempt of court sanctions be served in the county jail.

Removes the requirement that contempt of court sanctions be served in the county jail.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1219** by Representatives Green, Armstrong, Hunt, Appleton, Newhouse, Miloscia, Chase, Alexander, and Hudgins

Authorizing the department of retirement systems to assist with mailing information to certain members of the state retirement systems.

Allows any organization that exclusively provides representation or services to retired members of the Washington state retirement systems and has membership dues deducted through the department of retirement systems to request the department of retirement systems to assist in doing blind mailings to retirees twice each year.

-- 2009 REGULAR SESSION --

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

**HB 1220** by Representatives O'Brien, Warnick, Rodne, Moeller, Hope, Blake, Hasegawa, Smith, Eddy,

Klippert, Ericks, Bailey, Rolfes, Kelley, Maxwell, Schmick, and Morrell; by request of Attorney General

Ensuring punishment for domestic violence offenders.

Recognizes: (1) The substantial and great impact upon society, families, children, and the victims of offenses occurring between cohabitants;

(2) The continuing nature of domestic violence; and

(3) The lasting psychological trauma caused by such violence.

Finds that the prevention of domestic violence, and the proper punishment for such offenses, is a compelling state interest that has not been under current sentencing provisions. Toward this end, the act is necessary to ensure that domestic violence offenders are punished accordingly and that an end to domestic violence can be achieved.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1221** by Representatives Maxwell, Hurst, O'Brien, Rodne, Hope, Pedersen, Smith, McCoy, Bailey, Williams, Kirby, and Dickerson; by request of Attorney General

Concerning counseling for witnesses in civil commitment proceedings under chapter 71.09 RCW.

Makes crime victims' compensation funds available for witnesses in civil commitment proceedings.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1222** by Representatives Appleton, Hurst, O'Brien, and Goodman

Prohibiting devices in schools that are designed to administer to a person or an animal an electric shock, charge, or impulse.

Prohibits a person from carrying onto, or possessing on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools, any portable device, object, instrument, or device that is designed, redesigned, used, or intended to be used as a weapon to injure a person or an animal by an electric shock, charge, or impulse.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1223** by Representatives O'Brien, Pearson, Ross, Klippert, Kelley, Schmick, and Herrera

Creating an electronic statewide unified sex offender registry program.

Requires the Washington association of sheriffs and police chiefs to implement and operate an electronic statewide unified sex offender registry program, when funding is provided.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1224** by Representatives Klippert, O'Brien, Ross,

Pearson, Hurst, Hope, and Herrera

Allowing law enforcement access to driver's license photographs for the purposes of identity verification.

Allows law enforcement access to driver's license photographs for the purposes of identity verification.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Transportation.

**HB 1225** by Representatives Liias, Rodne, Upthegrove, Roach, Simpson, and Rolfes

Clarifying the effect of special fuel taxes on publicly owned or operated urban passenger transportation systems.

Clarifies the effect of special fuel taxes on publicly owned or operated urban passenger transportation systems.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Transportation.

**HB 1226** by Representatives Dickerson, Roberts, Walsh, Kagi, and Kenney; by request of Department of Social and Health Services

Establishing intensive behavior support services.

Recognizes that the number of children who have developmental disabilities along with intense behaviors is increasing, and more families are seeking out-of-home placement for their children.

Declares an intent to create services and develop supports for these children, family members, and others involved in the children's lives to avoid disruption to families and eliminate the need for out-of-home placement.

Directs the department of social and health services to:

- (1) Maintain a federal waiver through which services may be provided to allow children with developmental disabilities and intense behaviors to maintain permanent and stable familial relationships; and

- (2) Be the lead administrative agency for children's intensive behavior support services.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Human Services.

**HB 1227** by Representatives Springer, Warnick, Johnson, Liias, McCune, Ormsby, and Morrell

Concerning recreational vehicles used as primary residences in manufactured/mobile home communities.

Prohibits local governments from adopting an ordinance that has the effect, directly or indirectly, of preventing the entry or requiring the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities, as defined in RCW 59.20.030, unless the recreational vehicle fails to comply with the fire, safety, or other local ordinances or state laws related to recreational vehicles.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Local Government & Housing.

**HB 1228** by Representatives O'Brien and Warnick

Concerning the disposition of a deceased tenant's personal property.

Clarifies provisions addressing disposition of a deceased tenant's personal property.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1229** by Representatives O'Brien and Warnick

Concerning the disposition of a tenant's personal property.

Creates a directive for disposition of personal property.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1230** by Representatives Armstrong and Hunt

Regarding construction or improvements for special purpose districts.

Revises provisions relevant to construction or improvements for special purpose districts.

-- 2009 REGULAR SESSION --

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

**HB 1231** by Representatives Nelson, Priest, Miloscia, Upthegrove, Cody, Orwall, Roberts, and Rolfes

Controlling saltwater algae.

Creates the saltwater algae control account. Funds in the account may be appropriated to the department of ecology to develop a saltwater aquatic algae control grant program. Funds must be expended as grants to cities, counties, tribes, special purpose districts, and state agencies for capital and operational expenses used to manage and study excessive saltwater algae with an emphasis on the periodic accumulation of sea lettuce on Puget Sound beaches.

Expires June 30, 2012.

-- 2009 REGULAR SESSION --

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

**HB 1232** by Representatives Hinkle, Quall, Bailey, Ross, Cody, Newhouse, DeBolt, Herrera, Moeller, Nelson, Warnick, Shea, Morrell, Smith, Kristiansen, Pearson, and Schmick

Defining commercial agricultural purposes to include current farming practices and activities related to the raising, harvesting, feeding, breeding, managing, selling, care, or training of a farm product.

Defines "commercial agricultural purposes" to include current farming practices and activities related to the raising, harvesting, feeding, breeding, managing, selling, care, or training of a farm product.

Provides that the act applies retroactively to taxes levied for collection in 2008 as well as prospectively.

-- 2009 REGULAR SESSION --

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

**HB 1233** by Representatives Hinkle, Kretz, McCune, Herrera, Klippert, Roach, Ross, Short, and Warnick

Concerning temporary assistance for needy families.

Requires an individual responsibility plan developed under RCW 74.08A.260 to include a process for the recipient to engage in periodic urinalysis drug testing, which may be accomplished through a treatment program, routine employer screening of employees, or other lawful means, if the assessment conducted under RCW 74.08A.260 or other reliable information indicates the likelihood that the recipient's reliance on public assistance is the result in whole or in part of the recipient's substance abuse or chemical dependency.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Early Learning & Children's Services.

**HB 1234** by Representatives Morrell, O'Brien, Appleton, Kelley, Ericks, Lias, Pedersen, Williams, Kenney, and Moeller

Creating the new crime of abandonment of a dependent person in the fourth degree.

Creates the new crime of abandonment of a dependent person in the fourth degree.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1235** by Representatives Wallace, Anderson, and Kenney; by request of Higher Education Coordinating Board

Making certain current higher education tuition-setting practices permanent.

Makes certain current higher education tuition-setting practices permanent.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education.

**HB 1236** by Representatives Wallace, Campbell, Morrell, Moeller, and Ormsby

Classifying ephedrine, pseudoephedrine, and phenylpropanolamine as Schedule III controlled substances.

Classifies ephedrine, pseudoephedrine, and phenylpropanolamine as Schedule III controlled substances.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1237** by Representatives Hinkle and Cody; by request of Department of Social and Health Services

Changing the implementation date and benefit design of nonsubsidized state health coverage for children.

Revises the implementation date, benefit design, and obligations of participating managed health care systems for nonsubsidized state health coverage for children.

-- 2009 REGULAR SESSION --

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

**HB 1238** by Representatives Appleton, Goodman, and Rodne; by request of Board For Judicial Administration

Allowing the Washington center for court research and the office of public defense to access juvenile case records.

Allows access to juvenile case records to the Washington center for court research and the office of public defense.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1239** by Representatives Kagi, Walsh, Goodman, Haler, Roberts, Appleton, Moeller, and Kenney

Addressing parenting plans and residential schedules in dependency proceedings.

Authorizes the juvenile court to have concurrent original jurisdiction with the family court over parenting plans or residential schedules under chapters 26.09 and 26.26 RCW as provided for in RCW 13.34.155.

Authorizes the court hearing a dependency petition to hear and determine issues related to establishing or modifying a parenting plan under chapters 26.09 and 26.26 RCW.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Early Learning & Children's Services.  
First reading, referred to Early Learning & Children's Services.

**HB 1240** by Representatives Dammeier, Priest, Haler, Roach, McCune, and Herrera

Expanding the list of crimes that require dismissal or certificate revocation for school employees.

Expands the list of crimes that require dismissal or certificate revocation for school employees.

Requires a classified employee who has contact with children during the course of his or her employment to immediately notify the school district upon his or her arrest for any felony crime specified in section 1 of the act.

Requires an employee holding a certificate or permit authorized under chapter 28A.405 or 28A.410 RCW to immediately notify the school district upon his or her arrest for any felony crime specified in section 1 of the act.

Allows school district superintendents, educational service district superintendents, or private school administrators to file a complaint concerning any certificated employee of a school district, educational service district, or private school and this filing authority is not limited to employees of the complaining superintendent or administrator.

Requires a school district superintendent to immediately notify the office of the superintendent of public instruction when: (1) A certificated employee of the district has notified the district of his or her arrest for any felony crime specified in section 1 of the act; or

(2) The district terminates the employment contract of a certificated employee on the basis of sufficient cause for termination.

Requires the office of the superintendent of public instruction to maintain a record of the notices received under the act.

- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Education.
- HB 1241** by Representatives Morrell, Priest, Simpson, Miloscia, Dammeier, and Williams  
 Authorizing certain areas in cities or towns to annex to a fire protection district.  
 Authorizes certain areas in cities or towns to annex to a fire protection district.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Local Government & Housing.
- HB 1242** by Representatives Morrell, Blake, Green, Williams, Kenney, Miloscia, and Nelson  
 Regarding waste of agricultural crops.  
 Increases protection against the waste of agricultural crops.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Judiciary.
- HB 1243** by Representatives Linville, Alexander, and Ericks; by request of Governor Gregoire  
 Making 2009 supplemental operating appropriations.  
 Makes 2009 supplemental operating appropriations.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Ways & Means.
- HB 1244** by Representatives Linville, Alexander, and Ericks; by request of Governor Gregoire  
 Making 2009-2011 operating appropriations.  
 Makes 2009-2011 operating appropriations.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Ways & Means.
- HB 1245** by Representatives Ericks, Wood, Moeller, Springer, Liias, and Williams  
 Addressing the termination date of collective bargaining agreements.  
 Modifies the termination date of collective bargaining agreements.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Commerce & Labor.
- HB 1246** by Representatives Pearson, Shea, Hurst, Parker, O'Brien, Ross, Hope, Smith, Kirby, Kelley, Kristiansen, Dammeier, and Morrell; by request of Attorney General  
 Concerning the commitment of sexually violent predators.  
 Addresses the commitment of sexually violent predators.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Public Safety & Emergency Preparedness.
- HB 1247** by Representatives Pearson, Shea, Ericks, Parker, O'Brien, Ross, Miloscia, Kirby, Hope, Kelley, Kristiansen, Dammeier, Short, and Morrell; by request of Attorney General  
 Addressing the viewing of sexually explicit depictions of minors on the internet.  
 Declares that due to the changing nature of technology, offenders are now able to access child pornography in different ways, including in ways that may not constitute possession of depictions of a minor engaged in sexually explicit conduct, as that term is presently defined. By amending the current statute governing possession of depictions of a minor engaged in sexually explicit conduct, it is the intent of the legislature to ensure that intentional viewing of child pornography over the internet is subject to criminal penalty without limiting the scope of existing prohibitions on the possession of child pornography, including the possession of electronic depictions of a minor engaged in sexually explicit conduct.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Public Safety & Emergency Preparedness.
- HB 1248** by Representatives O'Brien, Ericks, Hope, Goodman, Klippert, Miloscia, Kelley, and Morrell; by request of Attorney General  
 Evaluating the need for a digital forensic crime lab.  
 Finds that: (1) There is a growing incidence of crimes committed against Washington residents, especially against children that involve the use of electronic technologies, including computers and the internet. Currently, law enforcement's ability to investigate and prosecute technology-involved crimes and online child sex predators is significantly limited by the lack of computer forensic capabilities; and  
 (2) In the interest of promoting the safety of our children and communities, providing better investigative tools for law enforcement and prosecutors, and to hold online child sex predators accountable, the legislature directs the Washington state patrol and the office of the attorney general to convene a work group to study the need for a virtual digital forensic lab in the state of Washington.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Public Safety & Emergency Preparedness.
- HB 1249** by Representatives Cody, Bailey, Dickerson, Roberts, Moeller, Kelley, Kenney, and Morrell; by request of Attorney General  
 Concerning internet and mail order sales of tobacco products.  
 Prohibits a person from shipping cigarettes, roll-your-own tobacco, little cigars, or snuff, ordered or purchased by mail or through a computer network, telephonic network, or other electronic network, to anyone other than a wholesaler or retailer in this state.
- 2009 REGULAR SESSION --  
 Jan 15 First reading, referred to Health Care & Wellness.
- HB 1250** by Representatives Orwall, Miloscia, Springer,

Dunshee, Ormsby, and Dickerson; by request of Department of Community, Trade, and Economic Development

Concerning the housing trust fund.

Allows capital appropriations for the housing trust fund to be used for project application, review, selection, contracting, and project development.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Capital Budget.

**HB 1251** by Representatives Shea, Goodman, Ross, O'Brien, Rodne, Simpson, and Kelley

Addressing the release of certified abstracts of full driving records.

Modifies provisions regarding the release of certified abstracts of full driving records.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**HB 1252** by Representatives Kenney, Smith, Bailey, Seaquist, Haler, Kristiansen, Kelley, and Herrera; by request of Department of Community, Trade, and Economic Development

Concerning the community economic revitalization board's project selection criteria.

Modifies wage criteria used by the community economic revitalization board in determining project selection.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Community & Economic Development & Trade.

**HB 1253** by Representative Upthegrove

Regarding state environmental policy act exemptions for air operating permits.

Clarifies provisions regarding state environmental policy act exemptions for air operating permits.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Ecology & Parks.

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### House Joint Memorials

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**HJM 4003** by Representatives Wallace and Hinkle

Petitioning the government of Turkey to respect the property rights and human rights of the Ecumenical Patriarchate.

Petitions the government of Turkey to respect the property rights and human rights of the Ecumenical Patriarchate.

-- 2009 REGULAR SESSION --

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

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### House Joint Resolutions

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**HJR 4201** by Representatives O'Brien, Liias, Appleton, Hunt, Rolfes, Dickerson, Roberts, and Kenney

Authorizing current use valuation for property taxes for land with mobile homes or similar structures.

Proposes an amendment to the state Constitution to authorize current use valuation for property taxes for land with mobile homes or similar structures.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Finance.

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### Senate Bills

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**SB 5138** by Senators Rockefeller, Ranker, Jacobsen, Shin, Kohl-Welles, Kline, and Pridemore

Creating an integrated climate change response strategy.

Recognizes that climate change poses a significant threat to Washington's economy, the health and welfare of its population, and its natural resources. Washington's water supply and natural resources are particularly vulnerable to temperature changes and shifts in precipitation patterns and could suffer devastating consequences if adaptive measures are not taken.

Declares it is in the public interest for the state to address the effects of climate change and to be able to plan for future climate change impacts.

Creates an integrated climate change response strategy with prioritized and coordinated climate change preparation and adaptation actions that state and local agencies, public and private businesses, tribes, and individuals can use to plan and prepare for the impacts of climate change through a collaborative process of on-going research, analysis, collection, and distribution of data and information.

Requires the department of ecology to assemble a climate change impacts coordinating team to gather, assess, and distribute relevant science and information on climate change and to assist state agencies, local governments, tribes, public and private businesses, organizations, and the citizens of Washington with climate change preparation and adaptation actions. The team may seek assistance from a science advisory group and the office of Washington state climatologist, and may designate other technical advisory groups that the team feels are necessary to assist it with developing the strategy and actions.

Directs the science advisory group to provide independent, nonrepresentational scientific advice to the team.

Creates the office of Washington state climatologist within the University of Washington.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Environment, Water & Energy.



**SB 5139** by Senator Jacobsen

Requiring the department of general administration to include ergonomic requirements in its solicitation for discount air travel.

Finds that state employees travel on airlines as part of their employment and that extended exposure to nonergonomic airline seats presents a health and safety risk to state employees.

Declares an intent to provide for employees who are engaged in job-related travel the same healthy and safe environment that exists in the workplace.

-- 2009 REGULAR SESSION --

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

**SB 5140** by Senators Shin, Kastama, McAuliffe, Jacobsen, Pridemore, Keiser, Hatfield, Kohl-Welles, and Kline

Requiring language access services for persons with limited English proficiency in health care and insurance matters.

Finds that: (1) Hundreds of thousands of patients in Washington need interpretation and translation services to understand medical instructions and diagnoses and to communicate clearly with their health care providers;

(2) The health care system in the state is not currently meeting the needs of these patients, largely because of unanswered questions about how to fund needed language services;

(3) Studies document that limited English speakers are less likely to have a regular primary care provider or receive preventative care, and are more likely to experience medical errors, all of which lead to negative health outcomes and higher long-term costs to the health care system;

(4) Language barriers impede informed consent for treatment and surgical procedures, leaving health care organizations and providers vulnerable to potentially costly lawsuits;

(5) According to the 2005 American community survey, four hundred fifty-four thousand Washington residents speak English less than very well;

(6) Medicaid and the state children's health insurance program provide interpretation and translation services. Many private insurers and the Washington basic health plan do not; and

(7) Quality language services lead to better health outcomes and long-term cost savings to the health care system, and the private and public sectors should share the responsibility of covering the cost of these vital services.

Requires the Washington basic health plan to provide interpretation services to limited English proficient enrollees.

Directs all health care service contractors that provide coverage for health care services to provide interpretation services or reimburse clinical health care providers, contract representatives, or administrators that are responsible for billing and claims services for providing interpretation services to limited English proficient enrolled participants.

Directs all health maintenance organizations that provide coverage for health care services to provide interpretation services or reimburse clinical health care providers, contract representatives, or administrators that are responsible for billing and claims services for providing

interpretation services to limited English proficient enrolled participants.

Directs, for all disability insurance contracts that provide hospital and medical expenses and health care services, insurers to provide interpretation services or reimburse clinical health care providers, contract representatives, or administrators that are responsible for billing and claims services for providing interpretation services to limited English proficient insured individuals.

Establishes a working group on language access in health care in the department of health.

Requires the insurance commissioner to conduct a study of language issues that affect consumers who purchase health insurance contracts in the state of Washington.

Provides an effective date of January 1, 2011, for sections 4, 5, and 6 of the act.

Provides that section 3 of the act takes effect when funds are appropriated for its implementation.

-- 2009 REGULAR SESSION --

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

**SB 5141** by Senators Hargrove, Regala, and Shin

Creating a pilot program to increase family participation in juvenile offender programs.

Declares an intent to increase incentives for appropriate and successful participation in evidence-based juvenile offender programs in order to further reduce juvenile offender recidivism, reduce crime, and increase fiscal benefits to the state.

Requires the department of social and health services juvenile rehabilitation services administration, to the extent that funds are specifically appropriated for this purpose, to establish a pilot program to promote increased participation and success in juvenile offender evidence-based programs for juveniles under the jurisdiction of a county or the department, and their families.

Requires the pilot program to be operational by March 1, 2010.

Expires June 30, 2014.

-- 2009 REGULAR SESSION --

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

**SB 5142** by Senators Regala, Carrell, and Kline

Improving education and employment opportunities for individuals with criminal convictions.

Declares it is the policy of the state of Washington to encourage and contribute to the rehabilitation of felons and to assist them in the assumption of the responsibilities of citizenship. The legislature recognizes that realistic opportunities for meaningful and profitable employment are an essential ingredient to this goal. Occupations that require a license, permit, certificate, or registration to engage in an occupation should not be foreclosed from individuals with a criminal conviction solely on the basis of the conviction. Further, individuals with criminal convictions should be able to pursue training or educational opportunities with some certainty that they will be able to realize the end goal of obtaining employment in a chosen field. Whenever possible, licensing entities should provide guidance to those individuals as to those crimes or categories of crimes that may prevent the person from attaining a license, and positive

steps that may assist the person in obtaining a license despite a criminal conviction.

Requires the director of the department of licensing or the director's designee to, within existing resources, review and recommend changes to the law and policies relating to licenses regulated by the uniform regulation of business and professions act to encourage the employment of individuals with criminal convictions while ensuring the safety of the public.

Requires the director of the department of licensing to, by December 1, 2009, compile and thereafter maintain a guide to assist individuals with criminal convictions in identifying potential avenues of employment.

Expires section 3 of the act on January 1, 2010.

-- 2009 REGULAR SESSION --

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

**SB 5143** by Senators Regala, Franklin, and Kohl-Welles  
Providing for an increase in the property tax limit for emergency medical care and services.

Allows a six percent property tax limit for emergency medical care and service levies.

Provides for submission of the act to a vote of the people.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Ways & Means.

**SB 5144** by Senators Kline, Rockefeller, and Pridemore  
Regarding false claims against the government.

Addresses false claims against the government.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5145** by Senators Kline, Regala, McDermott, and Kohl-Welles

Revising the definition of sexually explicit conduct.

Revises the definition of "sexually explicit conduct."

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5146** by Senators Kline, Regala, Pridemore, Kohl-Welles, and Shin

Revising the accrual of interest on judgments entered against offenders.

Revises provisions relevant to interest on judgments entered against offenders.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5147** by Senators Kline and Rockefeller

Repealing criminal libel statutes.

Repeals statutes relevant to criminal libel.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5148** by Senators Kline, Fairley, and McDermott

Changing Washington's vesting laws.

Finds that: (1) The public interest is served when applications for new land use projects are assessed using the laws in effect at that time, not former versions that have been repealed or revised. Washington requires jurisdictions to update their land use and development laws and regulations on a regular basis. The public has an interest in ensuring that projects proposed during the public comment and approval process for these updates follow the new laws, not the version that has been replaced. Local governments have an interest in ensuring that their new laws are followed by all persons, without exemptions for those who were able to file for a permit application during the period of time the new law was proposed, enacted, and subject to appeal. Real estate developers have an interest in ensuring that everyone is required to follow the same laws, without an exemption for those who win a race to the permit counter when a change is proposed. The public has an interest in meaningfully commenting on large projects to ensure that they fit their community; and

(2) Other states employ a vesting date of the time an application is approved, rather than when it is filed. Many states do so for all projects at all times, not just when changes to the law are proposed. Development in other states has been able to continue in a reasonable fashion. A later vesting date provides reasonable certainty for the development community while providing better protection of the public interest and improving the ability of local governments to comply with the legislature's land use and environmental protection goals and mandates.

Declares an intent to better protect the public interest by setting the vesting date for many projects as the date when permits are issued. The courts should construe this and related laws liberally to effectuate that purpose.

-- 2009 REGULAR SESSION --

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

**SB 5149** by Senators Kline, Swecker, Rockefeller, Pflug, Fraser, Hargrove, Jarrett, Pridemore, Kohl-Welles, Schoesler, Brandland, and Shin

Creating the geothermal assessment committee.

Finds that: (1) The Pacific Northwest has unique geological features that include significant geothermal resources;

(2) Other states and provinces in this region are actively exploring and developing these resources for energy production purposes;

(3) Existing data and analyses of these resources is now largely outdated; and

(4) Advances in technology, increased energy prices, and increased interest in low-carbon energy sources has increased interest by electric utilities and independent power producers in the state's geothermal resources.

Declares an intent to authorize a comprehensive review of the state's geothermal resources and make recommendations regarding policy measures to facilitate environmentally responsible development of these resources for electric generation and concentrated heating purposes.

Creates the geothermal resource assessment committee to conduct a comprehensive assessment of the geothermal resources in the state and their potential for environmentally responsible development for power production purposes.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Environment,  
Water & Energy.

**SB 5150** by Senators Kline, Pridemore, and Kohl-Welles

Setting a maximum rate for interest or fees charged for small loans.

Sets a maximum rate for interest or fees charged for small loans.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Labor, Commerce  
& Consumer Protection.

**SB 5151** by Senators Kline, Rockefeller, and Kohl-Welles

Authorizing the appointment of court commissioners to assist with criminal cases.

Allows, in counties with a population of more than four hundred thousand, by the presiding judge of the superior court having jurisdiction in that county, appointment of one or more attorneys to act as criminal commissioners to assist the superior court in disposing of adult criminal cases.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5152** by Senators Kline, Rockefeller, McDermott, and Kohl-Welles

Creating a legislative task force on statutory construction.

Finds that over the past decades, there have been instances in which statutes have been judicially construed differently than may have been intended and that it will be helpful to the judicial and legislative branches if the rules by which statutes are judicially construed are reviewed and better understood by both branches.

Declares an intent to create a broadly representative task force to review the existing rules of statutory construction, identify those rules that are appropriate for codification, and identify those rules that may, if revised, lead to improved comity between the legislative and judicial branches in determining public policy.

Establishes a legislative task force on statutory construction.

Requires the expenses of the task force to be paid jointly by the senate and the house of representatives.

Expires July 1, 2011.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5153** by Senators Kline, Rockefeller, and Shin; by request of Uniform Legislation Commission

Creating the uniform foreign-country money judgments recognition act.

Creates the uniform foreign-country money judgments recognition act.

Repeals chapter 6.40 RCW, the uniform foreign money judgments recognition act.

Provides that the act applies to all actions commenced on or after the effective date of the act in which the issue of recognition of a foreign-country judgment is raised.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5154** by Senators Kline and Rockefeller; by request of Uniform Legislation Commission

Revising Article 7 of the Uniform Commercial Code, documents of title.

Revises Article 7 of the uniform commercial code, documents of title.

Provides that the act applies to a document of title that is issued or a bailment that arises on or after the effective date of section 1304 of the act. The act does not apply to a document of title that is issued or a bailment that arises before the effective date of section 1304 of the act even if the document of title or bailment would be subject to the act if the document of title had been issued or bailment had arisen on or after the effective date of section 1304 of the act. The act does not apply to a right of action that has accrued before the effective date of section 1304 of the act.

Provides contingent effective dates.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5155** by Senators Kline and Rockefeller; by request of Uniform Legislation Commission

Revising the Uniform Commercial Code.

Revises general provisions of the uniform commercial code.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5156** by Senators Brandland, McCaslin, and Keiser; by request of Criminal Justice Training Commission

Addressing certification actions of Washington peace officers.

Addresses certification actions of Washington peace officers.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5157** by Senators Brandland, Pridemore, McCaslin, Keiser, and Shin; by request of Criminal Justice Training Commission

Modifying the requirements of psychological examinations for peace officer certification.

Modifies requirements of psychological examinations for peace officer certification.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5158** by Senators Kohl-Welles, Holmquist, King, Honeyford, Keiser, Franklin, Kline, and Marr

Providing for the sales of wine and beer at the legislative gift center.

Finds that: (1) The production of wine grapes and hops in the state are important segments of Washington agriculture as evidenced by the continued investments made by the state and local governments in developing the wine

and beer industries, including the creation of viticulture and enology programs at Washington State University; and

(2) The promotion and sale of Washington wine and beer at the legislative gift center is harmonious with the purpose of the gift center, which is to promote the state and the goods produced around the state.

Declares an intent to allow the legislative gift center to sell wine and beer produced in Washington to visitors of legal drinking age.

Authorizes the legislative gift center to sell at retail for off-premises consumption wine and beer produced in Washington by a licensed domestic winery or brewery.

Requires the legislative gift center to collect and remit to the department of revenue all applicable state and local taxes on sales of wine and beer.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Labor, Commerce & Consumer Protection.

**SB 5159** by Senators King, Haugen, Swecker, Sheldon, Kastama, Kauffman, Berkey, and Shin

Extending the time period for motor vehicle fuel excise tax and special fuel tax refunds.

Extends the time period for motor vehicle fuel excise tax and special fuel tax refunds.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Transportation.

**SB 5160** by Senators Kline, McCaslin, and Tom

Concerning service of notice from seizing law enforcement agencies.

Clarifies provisions regarding service of notice from seizing law enforcement agencies.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5161** by Senators Hobbs, Rockefeller, Honeyford, Hewitt, Oemig, Shin, Zarelli, Regala, Benton, Kilmer, Kline, Roach, Haugen, and Pridemore

Extending tax incentives for renewable resources, including tidal and wave energy.

Extends tax incentives for renewable resources, including tidal and wave energy.

Delays the expiration of RCW 82.08.02567 and 82.12.02567 to June 30, 2019.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Environment, Water & Energy.

**SB 5162** by Senators Hobbs, Swecker, Fairley, Pridemore, Hatfield, Shin, Jacobsen, and Haugen

Providing loans to small cities for certain appeals under the growth management act.

Requires the director of the department of community, trade, and economic development to develop, by rule, a program for the loan of city costs associated with the appeal of a critical areas ordinance under chapter 36.70A RCW.

Creates the growth management appeals legal assistance account.

-- 2009 REGULAR SESSION --

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

**SB 5163** by Senators Hobbs, Schoesler, Berkey, Hewitt, Sheldon, Zarelli, Pflug, Carrell, and Roach

Removing the requirement to purchase art for public buildings during the 2009-2011 biennium.

Removes the requirement to purchase art for public buildings during the 2009-2011 biennium.

Expires June 30, 2011.

-- 2009 REGULAR SESSION --

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

**SB 5164** by Senators Berkey, Benton, Hobbs, and Parlette; by request of Department of Financial Institutions

Placing restrictions on check cashers' and sellers' communications when collecting delinquent small loans.

Restricts certain communications when check cashers and check sellers are in the process of collecting delinquent small loans.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Financial Institutions, Housing & Insurance.

**SB 5165** by Senators Jarrett, Swecker, Marr, Shin, Kilmer, Kline, Sheldon, and Haugen; by request of Department of Community, Trade, and Economic Development

Implementing a transfer of development rights program.

Finds that a successful transfer of development rights program must consider existing affordable housing and economic development programs and policies in designated receiving areas. Counties, cities, and towns that decide to participate in the regional transfer of development rights program for central Puget Sound are encouraged to adopt comprehensive plan policies and development regulations to implement the program that do not compete or conflict with existing comprehensive plan policies and development regulations that require or encourage affordable housing. Participating cities and towns are also encouraged to use the development of receiving areas to maximize opportunities for economic development that supports creation or retention of jobs that exceed the average county wage. A regional transfer of development rights program in the central Puget Sound should be voluntary, incentive-based, and separate, but compatible with existing local transfer of development rights programs. Additional counties may benefit from participation in a regional transfer of development rights program in the future. Therefore, the regional transfer of development rights program should be established for the central Puget Sound as the first phase of a program that can be expanded to other counties, replicated in other regions, or expanded statewide in the future.

Requires the department of community, trade, and economic development, subject to funding, to establish a regional transfer of development rights program in central Puget Sound, including King, Kitsap, Snohomish, and Pierce counties and the cities and towns within these counties.

-- 2009 REGULAR SESSION --

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

**SB 5166** by Senators Regala, Stevens, and Kline

Modifying the child support license suspension program.  
Revises the child support license suspension program.

-- 2009 REGULAR SESSION --

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

**SB 5167** by Senators Regala, Kline, and Hargrove

Allowing a certificate of discharge to be issued when an existing order excludes or prohibits an offender from having contact with a specified person or business, or coming within a set distance of any specified location.

Finds clarification of RCW 9.94A.637 is desirable to provide clarity to the courts that a certificate of discharge shall be issued, while the no-contact order remains in effect, once other obligations are completed.

-- 2009 REGULAR SESSION --

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

**SB 5168** by Senator Regala

Reinstating election procedures for certain first-class school districts.

Requires first-class school districts containing a city of the first class, in a county with a population of two hundred ten thousand or more, to hold their elections biennially as provided in RCW 29A.04.330.

-- 2009 REGULAR SESSION --

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

**SB 5169** by Senator Hargrove

Regarding specialized forest products.

Finds that the specialized forest products work group created pursuant to section 2, chapter 392, Laws of 2007 produced a number of consensus recommendations to the legislature as to how the permitting requirements of chapter 76.48 RCW can be improved. In making recommendations, the work group focused on the goals enumerated in RCW 76.48.010.

Declares an intent to enact those recommendations contained in the report submitted to the legislature from the specialized forest products work group in December 2008 that require statutory modifications.

Declares an intent for the department of natural resources, along with other state and local agencies, to take those administrative actions necessary to execute the recommendations contained in the report that do not require statutory changes.

Modifies specialized forest products permit requirements addressed by chapter 76.48 RCW.

Creates the specialized forest products outreach and education account.

Reorganizes the specialized forest products laws found in chapter 76.48 RCW.

Provides penalties.

-- 2009 REGULAR SESSION --

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

**SB 5170** by Senators Rockefeller and Parlette

Repealing chapter 385, Laws of 2005.

Finds that: (1) In the 2005 legislative session, the legislature created a citizen advisory board to improve efficiency, effectiveness, and accountability in state government. The state auditor serves as a nonvoting member of this board. The board is to develop a work plan and timeline for conducting performance audits of state government, and the state auditor is to contract out for these performance audits. That legislation became effective in July 2005. In November 2005, Washington's voters approved Initiative 900, which also separately directs the state auditor to conduct independent, comprehensive performance audits of state and local government; and

(2) These actions by the legislature and the voters created two separate statutory directives for performance auditing by the state auditor. Both requirements remain in current law and this has resulted in conflicting and redundant statutory directives.

Declares an intent to repeal the citizen advisory board and related statutes enacted in the 2005 legislative session in order to remove these redundancies and conflicts, and to clarify the state auditor's role and authority for conducting performance audits.

-- 2009 REGULAR SESSION --

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

**SB 5171** by Senators Kline and Rockefeller; by request of Uniform Legislation Commission

Modifying the Washington principal and income act of 2002.

Revises the Washington principal and income act of 2002.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5172** by Senators Shin, Hobbs, Kastama, McAuliffe, Jarrett, Pridemore, Brown, Keiser, Jacobsen, Kohl-Welles, and Kline

Establishing a University of Washington center for human rights.

Establishes a University of Washington center for human rights to expand opportunities for Washington residents to receive a world-class education in human rights, generate research data and expert knowledge to enhance public and private policymaking, and become an academic center for human rights teaching and research in the nation.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education & Workforce Development.

**SB 5173** by Senators Shin, Fairley, Kastama, Sheldon,

McAuliffe, Brown, Pridemore, Delvin, Hobbs, McDermott, Jarrett, Kilmer, Jacobsen, and Kohl-Welles

Authorizing the regional universities to confer honorary doctorate degrees.

Authorizes regional universities to confer honorary doctorate degrees.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education & Workforce Development.

**SB 5174** by Senators Shin, Kastama, McAuliffe, Pridemore, Rockefeller, Keiser, Delvin, Hobbs, Hatfield, and Kohl-Welles

Providing an incentive to improve on-time graduation rates at institutions of higher education.

Provides incentives to students to graduate on time from an institution of higher education.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education & Workforce Development.

**SB 5175** by Senators Shin, Fairley, Kastama, Jarrett, Rockefeller, Hobbs, Delvin, and Hatfield

Changing the Washington college promise scholarship program.

Declares an intent to strengthen economic opportunities of high achieving Washington youth from low-income and middle-income families through the Washington promise scholarship program.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education & Workforce Development.

**SB 5176** by Senators Shin, Kastama, McAuliffe, Rockefeller, Jarrett, Pridemore, Hobbs, Delvin, Keiser, Hatfield, Kilmer, Jacobsen, and Roach

Creating a bi-state partnership for teachers of children with visual impairments.

Finds that: (1) Washington needs to provide additional resources for the preparation of teachers for children with blindness and visual impairments;

(2) Portland State University has a nationally recognized program for teachers of children with visual impairments; and

(3) A collaborative partnership between Portland State University and Washington State University-Vancouver would help address the critical need for teachers of the blind and visually impaired in Washington.

Declares an intent to provide a vision impairments/orientation and mobility coordinator to be housed at Washington State University-Vancouver.

Makes an appropriation.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education & Workforce Development.

**SB 5177** by Senators Shin, Delvin, Kastama, King, Rockefeller, McAuliffe, Pridemore, Hobbs,

Fraser, McDermott, Jarrett, Kilmer, Keiser, Hatfield, and Roach

Creating a global Asia institute within the Henry M. Jackson School of International Studies.

Finds that: (1) Asia and its interactions with the rest of the world are transforming the way the world works in the twenty-first century;

(2) Trade, finance, technology, and global influence and institutions are all areas in which China, India, and other Asian states are in the process of reshaping the nature of the international system; and

(3) Washington state is uniquely situated to contribute to enhance interactions between the United States and Asia.

Creates a global Asia institute within the Henry M. Jackson School of International Studies to promote the understanding of Asia and its interactions with Washington state and the world.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Higher Education & Workforce Development.

**SB 5178** by Senator Haugen

Concerning historic cemeteries and graves.

Regulates maintenance, preservation, and rehabilitation of historic graves, historic cemeteries, and abandoned cemeteries.

Makes an appropriation.

-- 2009 REGULAR SESSION --

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

**SB 5179** by Senator Haugen

Concerning the revaluation of property impacted by government restrictions.

Declares that to ensure consistent treatment of government restrictions on property throughout the state, and to relieve the heavy burden on property owners caused by repeated appeals on the same grounds, revaluations must consider reductions ordered by any court or appellate body based on government restrictions.

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

-- 2009 REGULAR SESSION --

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

**SB 5180** by Senators Haugen and Parlette

Permitting public transit vehicle stops at unmarked stop zones under certain circumstances.

Allows the driver of a public transit vehicle to stop momentarily to receive or discharge passengers at an unmarked stop zone under certain circumstances.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Transportation.

**SB 5181** by Senator Haugen

Regarding moneys deposited in the local toxics control account.

Allows priority consideration, for grants or loans made available from money deposited into the local toxics control account, to a local government involved in an independent remedial action of a site that requests oversight or approval of the department of ecology due to the cost or complexity of the remedial action.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Environment,  
Water & Energy.

**SB 5182** by Senators Haugen and Sheldon

Requiring offset credits in air operating permits for sawmills using forest waste products as feedstock in cogeneration facilities.

Requires a permitting authority, when issuing an air operating permit to a sawmill that uses forest waste products as biomass fuel in a cogeneration facility producing electrical energy, to grant an offset credit reflecting the incremental emissions benefit that occurs because the forest waste products are not disposed of by open field or forest land burning if they would ordinarily be disposed of in that manner.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Environment,  
Water & Energy.

**SB 5183** by Senators Hobbs, Stevens, McAuliffe, Brandland, Hargrove, Carrell, Pflug, Hewitt, Parlette, Swecker, Shin, Benton, Roach, Haugen, and Holmquist; by request of Attorney General

Addressing the viewing of sexually explicit depictions of minors on the internet.

Declares that due to the changing nature of technology, offenders are now able to access child pornography in different ways, including in ways that may not constitute possession of depictions of a minor engaged in sexually explicit conduct, as that term is presently defined. By amending the current statute governing possession of depictions of a minor engaged in sexually explicit conduct, it is the intent of the legislature to ensure that intentional viewing of child pornography over the internet is subject to criminal penalty without limiting the scope of existing prohibitions on the possession of child pornography, including the possession of electronic depictions of a minor engaged in sexually explicit conduct.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5184** by Senators Brandland, Hobbs, McAuliffe, Regala, Stevens, Pflug, Hewitt, King, Swecker, and Roach; by request of Attorney General

Evaluating the need for a digital forensic crime lab.

Finds that: (1) There is a growing incidence of crimes committed against Washington residents, especially against children that involve the use of electronic technologies, including computers and the internet. Currently, law enforcement's ability to investigate and prosecute technology-involved crimes and online child sex predators is significantly limited by the lack of computer forensic capabilities; and

(2) In the interest of promoting the safety of our children and communities, providing better investigative tools for law enforcement and prosecutors, and to hold online child sex predators accountable, the legislature directs the Washington state patrol and the office of the attorney general to convene a work group to study the need for a virtual digital forensic lab in the state of Washington.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Judiciary.

**SB 5185** by Senators Rockefeller, Keiser, Pridemore, Jacobsen, Hobbs, Kastama, Haugen, Hargrove, Hatfield, Ranker, Kilmer, Sheldon, Oemig, Delvin, Shin, Kohl-Welles, Kline, and Holmquist

Increasing solar energy incentives.

Increases solar energy incentives.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Environment,  
Water & Energy.

**SB 5186** by Senators Stevens, Schoesler, Swecker, Hewitt, Pflug, and Holmquist

Establishing a period of public and legislative review of appropriations legislation.

Requires an omnibus operating, capital, or transportation appropriations bill, or proposed substitute, striking amendment, or conference committee report on the bill, to be made publicly available to the members of the legislature and the public at least three calendar days before the bill may be voted on by the senate or the house of representatives.

-- 2009 REGULAR SESSION --

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

**SB 5187** by Senator Stevens

Modifying voting procedures.

Requires proof of United States citizenship on voter registration applications.

-- 2009 REGULAR SESSION --

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

**SB 5188** by Senators Stevens and Swecker

Requiring school districts to provide remedial postsecondary education or to pay for the cost.

Finds that: (1) Some students who have recently graduated from high school must immediately enroll in one or more remedial or precollege classes at Washington's public colleges and universities before they can proceed successfully through college; and

(2) These students should have received basic skills in English, reading, spelling, grammar, study skills, and mathematics before graduating from high school.

Declares that school districts from which these students received their high school diplomas either provide remedial education for recent high school graduates or pay the cost of providing state-supported remedial classes for those students.

-- 2009 REGULAR SESSION --

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

**SB 5189** by Senators Kohl-Welles, King, McAuliffe, Brandland, Tom, Carrell, Kauffman, McDermott, and Kilmer

Expanding the list of crimes that require dismissal or certificate revocation for school employees.

Expands the list of crimes that require dismissal or certificate revocation for school employees.

-- 2009 REGULAR SESSION --

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

**SB 5190** by Senators Hargrove, Stevens, Regala, and Shin; by request of Statute Law Committee and Sentencing Guidelines Commission

Making technical corrections to community custody provisions.

Makes technical corrections to community custody provisions to ensure accurate sentences for offenders.

-- 2009 REGULAR SESSION --

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

**SB 5191** by Senators Hobbs and Benton

Allowing noninsurance benefits as part of life insurance policies.

Allows noninsurance benefits to be included as part of a life insurance policy.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Financial Institutions, Housing & Insurance.

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### Senate Joint Memorials

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**SJM 8002** by Senators Stevens, Hewitt, Schoesler, Swecker, Pflug, and Roach

Requesting that Congress audit the Federal Reserve System.

Requests Congress to enact legislation to review and revise the regulatory structure of the Federal Reserve System as a whole and direct that a more complete audit of the Federal Reserve System be done.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Ways & Means.

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### Senate Joint Resolutions

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**SJR 8206** by Senators Stevens, Hewitt, Carrell, Schoesler, Swecker, and Holmquist

Placing restrictions on tax increases.

Proposes an amendment to the state Constitution to place restrictions on tax increases.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Ways & Means.

**SJR 8207** by Senators Stevens, Swecker, and Roach

Amending the Constitution to include toll revenue to be used exclusively for highway purposes.

Proposes an amendment to the state Constitution to include toll revenue to be used exclusively for highway purposes.

-- 2009 REGULAR SESSION --

Jan 15 First reading, referred to Transportation.

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### Senate Concurrent Resolutions

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**SCR 8401** by Senators Brown, Hewitt, and Honeyford

Calling a joint session to honor deceased former members.

Provides for a joint session to honor deceased former members.

-- 2009 REGULAR SESSION --

Jan 14 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

**SCR 8402** by Senator Stevens

Limiting the business of the 2009 Legislature to budgets, matters necessary to implement budgets, and matters incident to a natural emergency.

Limits the business of the 2009 legislature to budgets, matters necessary to implement budgets, and matters incident to a natural emergency.

-- 2009 REGULAR SESSION --

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