



WASHINGTON STATE LEGISLATURE



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100th Day - 2009 Regular Session

SENATE	SB 6161-S	SB 6163-S	SB 6169-S	SB 6170-S	SB 6171-S	SB 6172-S	SB 6180-S
HOUSE	HB 2211-S HB 2346-S	HB 2308-S2 HB 2356-S	HB 2338-S HB 2361-S	HB 2339-S HB 2362-S	HB 2341-S HB 2363-S	HB 2343-S HB 2381	HB 2344-S

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 2211-S by House Committee on Transportation (originally sponsored by Representatives Clibborn, Eddy, Maxwell, and Liias)

Addressing the authorization, administration, collection, and enforcement of tolls on the state route number 520 corridor.

(AS OF HOUSE 2ND READING 4/17/2009)

Imposes tolls on the state route number 520 floating bridge, subject to section 2 of the act, to help finance construction of the replacement state route number 520 floating bridge.

Designates the state route number 520 corridor as an eligible toll facility.

Requires toll revenue generated in the corridor to be expended only as allowed under RCW 47.56.820.

Requires the tolling authority to set a variable schedule of toll rates to maintain travel time, speed, and reliability on the corridor and generate the necessary revenue.

Authorizes the tolling authority to adjust annually to reflect inflation as measured by the consumer price index or as necessary to meet the redemption of bonds and interest payments on the bonds.

Creates the state route number 520 work group to: (1) Develop and recommend a financing strategy to fund the projects in the state route number 520 corridor; and

(2) Create an eastside subgroup and a westside subgroup to consider design options on the east and west sides of the corridor.

Requires the department of transportation to provide staff support to the work group.

Requires the transportation commission, prior to the convening of each regular session of the legislature, to provide the transportation committees of the legislature with a detailed report.

Provides that, unless otherwise delegated, the department of transportation is the state toll agency with the authority to administer tolling programs on eligible toll facilities, including the state route number 520 corridor.

Creates the state route number 520 corridor account in the state treasury.

-- 2009 REGULAR SESSION --

Feb 19 Public hearing in the House Committee on Transportation at 3:30 PM.

Apr 6 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Executive action taken in the House Committee on Transportation at 2:30 PM.

Apr 13 Placed on second reading.

Apr 17 1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 52; nays, 46; absent, 0; excused, 0.

-- IN THE SENATE --

Apr 18 First reading, referred to Transportation.

HB 2308-S2 by House Committee on Ways & Means (originally sponsored by Representatives Morris, Smith, and Warnick)

Creating the aerospace competitiveness act.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Creates the Washington council on aerospace in the office of the governor.

Requires the Washington council on aerospace to: (1) Provide counsel and advice to the governor and the legislature on public policies that will strengthen the aerospace industry and support its job growth in Washington;

(2) Take joint action to integrate training and education with research and development;

(3) Consult, as necessary, with the director of the department of labor and industries, the commissioner of the employment security department, or the superintendent of public instruction to assist in the development of policies to carry out the purposes of the act;

(4) Meet with the governor at least twice annually; and

(5) Report to the governor and legislature on the state of the state's aerospace industry and the activities and accomplishments of the council in the previous calendar year.

Requires the Washington council on aerospace or the organizations represented by its members to apply for public and private grants and donations for training, education, research, development, and other activities relevant to the council's responsibilities under the act.

Creates the Washington aerospace council account.

-- 2009 REGULAR SESSION --

- Apr 13 Public hearing and executive action taken in the House Committee on Community & Economic Development & Trade at 8:30 AM.
- Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.
- Apr 18 WAYS - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Apr 20 Placed on second reading.

HB 2338-S by House Committee on Ways & Means (originally sponsored by Representative Hunt)

Concerning the administration and operations of growth management hearings boards.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the office of growth management hearings boards which consists of the three growth management hearings boards established in RCW 36.70A.250.

Transfers the powers, duties, functions, and personnel of the growth management hearings boards to the office of growth management hearings boards.

Requires the joint legislative audit and review committee, subject to the availability of amounts appropriated for this specific purpose, to examine the administration and operations of the growth management hearings boards or any successor agency.

-- 2009 REGULAR SESSION --

- Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.
- Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.
- Apr 20 Placed on second reading.

HB 2339-S by House Committee on Ways & Means (originally sponsored by Representatives Kessler, Seaquist, Roberts, Williams, Simpson, Nelson, Ormsby, Dunshee, Goodman, Pedersen, Cody, Hasegawa, Kirby, Maxwell, Upthegrove, Finn, Eddy, Hunt, Orwall, Rolfes, Morrell, Kenney, Clibborn, Morris, Green, Kagi, Chase, Sells, Wood, Flannigan, Ericks, McCoy, Campbell, Appleton, Pettigrew, White, Blake, Linville, Wallace, Conway, Carlyle, Miloscia, Takko, O'Brien, Hurst, and Van De Wege)

Requiring the department of licensing to collect a donation to benefit the state parks system as part of motor vehicle registration unless a vehicle owner opts not to provide a donation.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of licensing to collect from, rather than provide an opportunity for, the owners of

vehicles registered under RCW 46.16.0621 and vehicles licensed under RCW 46.16.070 with a declared gross weight of ten thousand pounds or less a voluntary donation of five dollars at the time of initial or renewal registration unless the vehicle owner opts not to participate in the donation program.

Requires the department of licensing to ensure that the opt-out donation is clear, visible, and prominently displayed in both paper and online vehicle registration renewals.

Provides that: (1) Notification of intent to not participate in the donation program must be provided annually at the time of vehicle registration renewal; and

(2) The act applies to registrations due or to become due on or after September 1, 2009.

-- 2009 REGULAR SESSION --

- Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.
- Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Apr 20 Placed on second reading.

HB 2341-S by House Committee on Ways & Means (originally sponsored by Representatives Cody and Kelley)

Modifying the basic health plan program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes changes to the basic health plan program necessary to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --

- Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.
- Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.
- Apr 20 Placed on second reading.

HB 2343-S by House Committee on Ways & Means (originally sponsored by Representative Haigh)

Achieving savings in education programs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Achieves savings in education programs by revising provisions relating to: (1) Norm-referenced assessments--diagnostic assessments;

(2) Classified instructional assistants--training; recipients;

(3) Conditional scholarship programs--requirements--partnerships;

(4) Professional development learning opportunities--partnerships;

(5) Teacher assistance program--provisions for mentor teachers; and

(6) Bonuses--national board for professional standards certification.

-- 2009 REGULAR SESSION --

- Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.
- Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.
Minority; without recommendation.
- Apr 20 Placed on second reading.

HB 2344-S by House Committee on Ways & Means

(originally sponsored by Representative Haigh)

Regarding resident undergraduate tuition.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the legislature to increase tuition above the statutory seven percent cap for 2009-2010 and 2010-2011.

Requires institutions of higher education to include information on their billing statements notifying students of tax credits available through the American opportunity tax credit provided in the American recovery and reinvestment act of 2009.

Requires the higher education coordinating board, in coordination with higher education stakeholders, to review options and make recommendations on a tuition policy that allows flexibility, accessibility, and differentiation among Washington's various public baccalaureate tuition rates.

-- 2009 REGULAR SESSION --

Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.

Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Apr 20 Placed on second reading.

HB 2346-S by House Committee on Ways & Means (originally sponsored by Representative Kagi)

Concerning crisis residential centers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Clarifies that the department of social and health services is required to provide crisis residential centers and secure crisis residential centers services only if funds are appropriated or available for that specific purpose.

Replaces the five-day maximum for crisis residential centers with a fifteen-day aggregate maximum stay.

Modifies staffing requirements.

-- 2009 REGULAR SESSION --

Apr 14 Public hearing in the House Committee on Ways & Means at 8:00 AM.

Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.

Apr 20 Placed on second reading.

HB 2356-S by House Committee on Ways & Means (originally sponsored by Representative Haigh)

Revising student achievement fund allocations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires disbursements from the student achievement fund to be subject to the per student rates established in the omnibus operating appropriations act during the 2009-2011 biennium.

-- 2009 REGULAR SESSION --

Apr 16 Public hearing in the House Committee on Ways & Means at 8:00 AM.

Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.

Apr 20 Placed on second reading.

HB 2361-S by House Committee on Ways & Means

(originally sponsored by Representative Cody)

Concerning modifying state payments for in-home care by prohibiting payment for services provided by agency employees who are related to the client.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Prohibits the department of social and health services from paying a home care agency licensed under chapter 70.127 RCW for in-home personal care or respite services provided under chapter 74.39 RCW (long-term care service options), chapter 74.39A RCW (long-term care service options--expansion), or Title 71A RCW (developmental disabilities) if the care is provided to a client by a family member of the client.

Requires the department of social and health services to take appropriate enforcement action against a home care agency found to have charged the state for hours of service for which the department is not authorized to pay.

-- 2009 REGULAR SESSION --

Apr 16 Public hearing in the House Committee on Ways & Means at 8:00 AM.

Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.

Apr 20 Placed on second reading.

HB 2362-S by House Committee on Ways & Means (originally sponsored by Representative Kessler)

Providing support for judicial branch agencies by imposing surcharges on court fees and requesting the supreme court to consider increases to attorney licensing fees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Imposes surcharges for certain services provided by superior and district courts and requires those surcharges to be deposited into the judicial stabilization trust account. Expenditures from the account may be used only for the support of judicial branch agencies.

-- 2009 REGULAR SESSION --

Apr 16 Public hearing in the House Committee on Ways & Means at 8:00 AM.

Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Apr 20 Placed on second reading.

HB 2363-S by House Committee on Ways & Means (originally sponsored by Representative Linville)

Temporarily suspending cost-of-living increases for educational employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Suspends Initiative 732 cost-of-living adjustments for educational employees for fiscal years 2009-2010 and 2010-2011.

Requires state salary allocations to be adjusted in future years such that, by the end of the 2014-2015 academic year, salary rates will be, at a minimum, equal to what they would have been if Initiative 732 cost-of-living adjustments had not been suspended.

-- 2009 REGULAR SESSION --

Apr 16 Public hearing in the House Committee on Ways & Means at 8:00 AM.

- Apr 18 WAYS - Majority; 1st substitute bill be substituted, do pass.
Apr 20 Placed on second reading.

HB 2381 by Representatives Green and Morrell

Creating the Washington state board of naturopathy.

Replaces the Washington state naturopathic practice advisory committee with the Washington state board of naturopathy.

-- 2009 REGULAR SESSION --

- Apr 18 First reading, referred to Health Care & Wellness.

Requires the department of social and health services to adopt comprehensive rules to describe and administer the nursing facility medicaid payment system, to be effective July 1, 2009.

-- 2009 REGULAR SESSION --

- Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
Apr 20 Placed on second reading by Rules Committee.

Senate Bills

SB 6161-S by Senate Committee on Ways & Means (originally sponsored by Senator Prentice)

Addressing the actuarial funding of pension systems.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Reduces the total salary growth assumption used in certain retirement system plans.

Delays adoption of revised mortality tables and minimum contribution rates for certain retirement system plans.

-- 2009 REGULAR SESSION --

- Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.
Placed on second reading by Rules Committee.
1st substitute bill substituted.
Rules suspended. Placed on Third Reading.
Third reading, passed; yeas, 30; nays, 17; absent, 0; excused, 2.

SB 6163-S by Senate Committee on Ways & Means (originally sponsored by Senators Keiser and Tom)

Concerning the nursing facility medicaid payment system.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the current statute governing the nursing facility medicaid payment system is overly complex in contrast to Washington state's statutes governing reimbursement systems for hospitals, physicians, boarding homes, and other vendors, and that this complexity has made it difficult to focus on systemic improvements in the nursing facility medicaid payment system and in other long-term care policies.

Declares an intent to simplify the existing nursing facility medicaid payment system so that it is fair, predictable, transparent, and accountable. Effective July 1, 2009, the essential structure of this simplified nursing facility medicaid payment system must be described in statute, and the details of the system must be described in rules adopted by the department of social and health services.

SB 6169-S by Senate Committee on Ways & Means (originally sponsored by Senator Prentice)

Enhancing tax collection tools for the department of revenue in order to promote fairness and administrative efficiency.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department of revenue to: (1) Issue a notice and order to withhold and deliver to any financial institution in the form of a listing of all or a portion of the unsatisfied tax warrants filed under chapter 82.32 RCW with the clerk of the superior court of a county of the state, except tax warrants subject to a payment agreement, which is not in default, between the department and the taxpayer; and

(2) Under certain circumstances, provide a financial institution relief from a notice and order to withhold and deliver upon the request of the financial institution.

Directs the department of revenue to: (1) Work with interested financial institutions to develop policies regarding the frequency of service under section 1(3) of the act and under what circumstances a notice and order to withhold and deliver will contain only a partial list of unsatisfied tax warrants eligible to be included in the notice;

(2) Develop a policy regarding the information to be contained in a notice and order to withhold and deliver to ensure that financial institutions can accurately match their records with the names of tax debtors; and

(3) Allow any person served electronically to answer the notice and order to withhold and deliver electronically in a format provided or approved by the department.

-- 2009 REGULAR SESSION --

- Apr 16 Public hearing in the Senate Committee on Ways & Means at 8:00 AM.
Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
Placed on second reading by Rules Committee.
1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed; yeas, 44; nays, 3; absent, 0; excused, 2.

SB 6170-S by Senate Committee on Ways & Means (originally sponsored by Senators Hobbs and Prentice)

Concerning environmental tax incentives.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides environmental tax incentives relating to: (1) Renewable energy;
 (2) Radioactive waste cleanup;
 (3) Hog fuel;
 (4) Biomass energy;
 (5) Solar energy;
 (6) Livestock nutrients;
 (7) Log trucks; and
 (8) Hybrid vehicles.

-- 2009 REGULAR SESSION --

Apr 16 Public hearing in the Senate Committee on Ways & Means at 8:00 AM.
 Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Minority; without recommendation.
 Passed to Rules Committee for second reading.
 Placed on second reading by Rules Committee.
 1st substitute bill substituted.
 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed; yeas, 34; nays, 13; absent, 0; excused, 2.

SB 6171-S by Senate Committee on Ways & Means (originally sponsored by Senator Prentice)

Concerning savings in programs under the supervision of the department of health.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises certain department of health statutes to allow the department to achieve savings for the 2009 supplemental budget and the 2009-2011 biennial budget.

-- 2009 REGULAR SESSION --

Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 6172-S by Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller and Ranker)

Suspending the powers and duties of the oil spill advisory council for the 2009-2011 biennium.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Suspends the powers and duties of the oil spill advisory council during the 2009-2011 biennium.

-- 2009 REGULAR SESSION --

Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.
 Apr 20 Placed on second reading by Rules Committee.

SB 6180-S by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Tom, and Prentice)

Concerning the training and background checks of long-term care workers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises certain sections of Initiative 1029 to make technical corrections that will permit the department of social and health services and the department of health to:
 (1) Conduct background checks on long-term care workers, including a fingerprint check against FBI databases; and
 (2) Share that information between the two departments.

Delays implementation of certain sections of Initiative 1029.

-- 2009 REGULAR SESSION --

Apr 19 WM - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Passed to Rules Committee for second reading.