



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 18

### SIXTY-SECOND LEGISLATURE

**Thursday, February 3, 2011**

**25th Day - 2011 Regular Session**

<b>SENATE</b>	SB 5625	SB 5626	SB 5627	SB 5628	SB 5629	SB 5630	SB 5631
	SB 5632	SB 5633	SB 5634	SB 5635	SB 5636	SB 5637	SB 5638
	SB 5639	SB 5640	SB 5641				
<b>HOUSE</b>	HB 1776	HB 1777	HB 1778	HB 1779	HB 1780	HB 1781	HB 1782
	HB 1783	HB 1784	HB 1785	HB 1786	HB 1787	HB 1788	HB 1789
	HB 1790	HB 1791	HB 1792	HB 1793	HB 1794	HB 1795	HB 1796
	HB 1797	HB 1798	HB 1799	HB 1800	HB 1801	HB 1802	HB 1803
	HB 1804	HB 1805	HB 1806	HB 1807	HB 1808		

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=2011>.

### House Bills

**HB 1776** by Representatives Frockt, Eddy, Dickerson, Carlyle, Maxwell, Fitzgibbon, Roberts, Pedersen, Hudgins, Ryu, Kenney, and Stanford

Regarding licensing requirements for child care centers located in publicly owned buildings.

Requires the director of the department of early learning to establish a unified set of licensing requirements for child care centers operated in publicly owned buildings.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Early Learning & Human Services.

**HB 1777** by Representatives Kretz and McCune

Addressing development regulations adopted under the growth management act to protect critical areas that apply to agricultural activities.

Provides relief to the agriculture industry by extending a moratorium on the amendment or adoption of development regulations adopted under the growth management act to protect critical areas as they specifically apply to agricultural activities.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Local Government.

**HB 1778** by Representative Upthegrove

Concerning utility services for residential multiunit buildings.

Addresses landlords of multiunit buildings billing tenants separately for utility services.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Judiciary.

**HB 1779** by Representatives Rivers, Rodne, Johnson, Haler, Klippert, Hope, McCune, Kristiansen, Parker, Kretz, Taylor, Overstreet, Hinkle, Condotta, Chandler, Crouse, Walsh, Hargrove, Dahlquist, Harris, Ross, Orcutt, Alexander, Smith, Schmick, Ahern, Wilcox, Fagan, Asay, Short, Zeiger, Dammeier, Buys, Bailey, Warnick, and Angel

Concerning joint and several liability.

Modifies provisions relating to joint and several liability.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Judiciary.

**HB 1780** by Representative Takko

Concerning authority to impose the sales and use tax for certain regional centers.

Modifies provisions relating to the authority to impose the sales and use tax for certain regional centers.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1781** by Representatives Pearson, Eddy, and Kristiansen

Regarding alternative fuel vehicle requirements.

Delays the requirement that state agencies must satisfy one hundred percent of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Technology, Energy & Communications.

**HB 1782** by Representatives Hinkle, Kagi, Orcutt, Hunter, Rodne, Carlyle, Armstrong, Pettigrew, Haler, Green, Angel, Ross, Van De Wege, Bailey, Kenney, Ahern, Ryu, Crouse, Short, Eddy, Nealey, Finn, DeBolt, Condotta, Moeller, Sullivan, Darneille, McCune, Buys, Dahlquist, Alexander, Fagan, Johnson, Sells, Overstreet, Maxwell, Seaquist, Haigh, Blake, Hargrove, Dickerson, Rivers, McCoy, Schmick, Santos, Smith, Zeiger, Tharinger, Wilcox, Dammeier, Rolfes, Warnick, Lias, Kretz, Cody, Parker, Probst, Taylor, Fitzgibbon, Reykdal, Shea, Goodman, Asay, Stanford, Klippert, Walsh, Moscoso, Harris, Takko, Kristiansen, Jacks, Roberts, Orwall, Hasegawa, Ladenburg, Jinkins, Hunt, Billig, Ormsby, Upthegrove, Hudgins, Frockt, Appleton, Dunshee, Kelley, Pedersen, and Miloscia

Regarding constraints of expenditures for WorkFirst and child care programs.

Addresses funding restrictions for certain WorkFirst and child care programs.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Early Learning & Human Services.

**HB 1783** by Representatives Pedersen, Upthegrove, Takko, Blake, Rodne, Smith, Carlyle, Fitzgibbon, Springer, Angel, and Kenney

Amending the consideration of houseboats and houseboat moorages for the purposes of aquatic lands and shoreline management.

Modifies provisions relating to houseboats and houseboat moorages for the purposes of aquatic lands and shoreline management.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Local Government.

**HB 1784** by Representatives Orwall, Maxwell, Upthegrove, Frockt, Sells, Lias, Fitzgibbon, Roberts, Ryu, Goodman, Kenney, Hunt, Stanford, and Ormsby

Addressing the impact on the firefighters' pension fund when a city or town enters a regional fire protection service authority.

Requires a city or town, that enters into a regional fire protection service authority, to continue to certify to the state treasurer the number of paid firefighters in the city or town fire department immediately before entering into the regional fire protection service authority until all obligations against the firefighters' pension fund in the city or town have been satisfied.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1785** by Representatives Upthegrove and Hudgins

Phasing out the use of copper-based antifouling paints.

Prohibits manufacturers, wholesalers, retailers, and distributors from selling or offering for sale in this state any new or used recreational water vessel with antifouling paint containing copper.

Requires the department of ecology to: (1) Prepare and distribute information about the prohibitions to manufacturers, wholesalers, retailers, and distributors; and

(2) Establish the antifouling paint review panel to review available scientific studies and other relevant information to determine how antifouling paints are affecting marine organisms and water quality.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Environment.

**HB 1786** by Representatives Seaquist, Finn, Rolfes, Haigh, Appleton, Kenney, and Santos

Providing additional property tax levy flexibility in order to preserve and enhance the veterans and human services safety net.

Protects and promotes veterans' assistance and associated human services by moving certain human service property tax levies from county regular levy status to stand-alone levies.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1787** by Representatives Rolfes, Seaquist, Sullivan, Ormsby, and Santos

Addressing the impact on retirement benefits of school district employees' reduced compensation.

Addresses the impact on retirement benefits of school district employees' reduced compensation.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1788** by Representatives Green, Goodman, Fitzgibbon, and Dickerson

Concerning the practice of registered interior design.

Regulates the practice of registered interior design.

Creates a state board for registered interior designers.

Creates the registered interior designers' license account.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Business & Financial Services.

**HB 1789** by Representatives Goodman, Pedersen, Roberts, and Miloscia

Addressing accountability for persons driving or being in physical control of a vehicle while under the influence of intoxicating liquor or any drug.

Modifies alcohol violation provisions relating to: (1) Day-for-day credit for the time period in which a person kept an ignition interlock device installed;

(2) Requirement to install ignition interlock device for reckless driving, negligent driving, or participation in a deferred prosecution program;

(3) Alcohol monitoring same time period as mandatory license suspension or revocation;

(4) Limitations on eligibility for the deferred prosecution program;

(5) Prior offenses with regard to vehicular homicide and vehicular assault; and

(6) Enhancements to the standard sentence range for vehicular homicide.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Judiciary.

**HB 1790** by Representatives Dammeier, Sullivan, Hinkle, Green, and Ormsby

Addressing school district contracts with direct practice health providers.

Modifies school district contract provisions with regard to direct practice health care providers.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1791** by Representatives Kirby and Stanford; by request of Department of Licensing

Concerning master application fees.

Changes fees for master applications and renewal applications.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1792** by Representatives Sells, Hope, Dunshee, Haler, McCoy, Moscoso, and Liias

Concerning the University Center of North Puget Sound.

Expands opportunities in higher education in north Puget Sound.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Higher Education.

**HB 1793** by Representatives Darneille, Roberts, and Kagi

Restricting access to juvenile records.

Balances the rehabilitative and reintegration needs of an effective juvenile justice system with the public's need to access personal information for public safety and research purposes.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Early Learning & Human Services.

**HB 1794** by Representatives Ladenburg, Klippert, and Kelley; by request of Board For Judicial Administration

Adding court-related employees to the assault in the third degree statute.

Includes assaulting a judicial officer, court-related employee, county clerk, or county clerk's employee in the crime of assault in the third degree.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1795** by Representatives Carlyle, Seaquist, Haler, Reykdal, Rolfes, Probst, Morris, Sells, Pedersen, Jacks, Hudgins, Maxwell, and Frockt

Enacting the higher education opportunity act.

Establishes the higher education opportunity act to: (1) Ensure that tuition dollars are spent to improve student access, affordability, and the quality of education;

(2) Establish a clear nexus between tuition dollars and improved productivity and greater accountability of public higher education institutions; and

(3) Create a modern and robust higher education financial system that funds outcomes and results rather than input and process.

Requires the office of financial management to create a work group to identify statutory reporting and accountability requirements that are duplicative, overly burdensome, redundant, or ineffective, and develop recommendations for statutory changes.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Higher Education.

**HB 1796** by Representatives Van De Wege, Takko, Uptegrove, Finn, Seaquist, Sullivan, Liias, Jacks, McCoy, Moscoso, Hudgins, Hunt, and Reykdal; by request of Parks and Recreation Commission, Department of Natural Resources, and Department of Fish and Wildlife

Concerning recreation access on state lands.

Finds that: (1) There is an increasing demand for outdoor recreation opportunities and conservation measures on certain state lands; and

(2) The recreating public cannot readily discern which state agency is responsible for the management of particular state lands or which policies apply to those lands.

Reforms and improves access to and management of state lands on a sustainable basis by: (1) Providing an integrated personal and vehicle access permit and access policies for state lands;

(2) Recovering the cost incurred by the state for operations and management of recreation opportunities;

(3) Providing resources to address the growing demand and impacts of outdoor recreationists and conservation of our natural resources; and

(4) Providing effective education and enforcement of state land access policies.

Creates the discover pass as a renewable annual pass that is required at any recreation site or land.

Creates the discover pass and day-use permit account.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1797** by Representatives Green and Hinkle

Establishing criteria for prescribing atypical antipsychotic drugs on the state preferred drug list.

Establishes criteria for prescribing atypical antipsychotic drugs on the state preferred drug list.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Health Care & Wellness.

**HB 1798** by Representatives Green and Hinkle

Concerning the health technology assessment program.

Changes the composition of the health technology clinical committee.

Requires the administrator of the state health care authority to provide certain opportunities for public

comment with regard to the health technology assessment program.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Health Care & Wellness.

**HB 1799** by Representatives Stanford, Moscoso, and Ryu

Addressing the annexation of unincorporated areas served by fire protection districts.

Exempts annexations of territory within a fire protection district from potential review by a boundary review board.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Local Government.

**HB 1800** by Representatives Stanford, Moscoso, Ryu, Rolfes, Lytton, Hunt, and Fitzgibbon

Requiring registration of animal abusers.

Requires the registration of animal abusers and authorizes the release of certain information on animal abusers.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Judiciary.

**HB 1801** by Representatives Jinkins, Ladenburg, Cody, Billig, Clibborn, Moeller, and Hunt

Concerning Washington state food purchasing policy.

Requires the department of general administration, in consultation with the department of health, to: (1) Adopt a model food purchasing policy for all agencies to establish standards for certain food; and

(2) Assist agencies attempting to implement food purchasing policies and food standards.

Requires the department of social and health services and the department of corrections to each develop a food purchasing policy for certain food.

Encourages the procurement of Washington grown food in the policies.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to State Government & Tribal Affairs.

**HB 1802** by Representatives Chandler and Blake; by request of Department of Natural Resources

Concerning changes in the point of a diversion under a surface water right permit.

Modifies provisions relating to changes of the point of diversion in a surface water right permit.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Agriculture & Natural Resources.

**HB 1803** by Representatives Chandler, Van De Wege, Blake, Kretz, and Warnick; by request of Department of Ecology

Modifying the Columbia river basin management program.

Provides that the Columbia river basin water supply development account is intended to fund projects using tax exempt bonds.

Authorizes expenditures from the Columbia river basin water supply development account to be used to develop pump exchanges.

Creates the Columbia river basin taxable bond water supply development account and the Columbia river basin water supply revenue recovery account.

Addresses the use of funds from the accounts with regard to the allocation of water supplies secured through the development of new storage facilities.

Requires two-thirds of the water made available through reoperation of Sullivan lake to be used to supply or offset out-of-stream uses in certain counties.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Agriculture & Natural Resources.

**HB 1804** by Representatives Schmick, Hinkle, Shea, Bailey, Warnick, Condotta, Angel, Kristiansen, McCune, and Fagan

Prohibiting the use of state funds for planning related to or implementation of federal health care reform.

Prohibits the state health care authority, the secretary of the department of social and health services, the director of the office of financial management, and the secretary of the department of health from spending any state funds on planning or implementation of the affordable care act.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Health Care & Wellness.

**HB 1805** by Representatives Kelley, Fitzgibbon, Green, Stanford, and Santos

Increasing the criminal penalty for making unlicensed small loans.

Increases the criminal penalty for making small loans without a small loan endorsement.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Public Safety & Emergency Preparedness.

**HB 1806** by Representatives Takko, Short, Morris, Blake, Smith, McCune, Rodne, Dunshee, Halder, Shea, Zeiger, Kristiansen, Fagan, Eddy, Ahern, Jacks, Bailey, Armstrong, Angel, Rolfes, and Johnson

Concerning construction and industrial storm water general permits.

Modifies provisions relating to construction and industrial storm water general permits.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Agriculture & Natural Resources.

**HB 1807** by Representatives Anderson, Orcutt, Ross, Halder, Taylor, Warnick, Rodne, Hargrove, McCune, and Harris

Ensuring the imposition of a tax or fee has clear and explicit basis in law.

Establishes how state and local laws that impose a tax, fee, charge, surcharge, license, permit, or other cost should be interpreted.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**HB 1808** by Representatives Lytton, Dammeier, Maxwell, Dahlquist, Sullivan, Reykdal, Liias, Finn, Sells, Orwall, Rolfes, and Kenney; by request of Governor Gregoire

Creating the launch year program.

Establishes the launch year act.

Helps students progress from high school to a certificate or degree by increasing opportunities and providing a clear pathway.

Provides for community and technical colleges and four-year higher education institutions to publish a list of high school courses and adopt uniform scores for proficiency exams or competency requirements that will be given credit toward certificate or degree requirements.

Requires the higher education coordinating board to annually publish certain information on its web site.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Higher Education.

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### Senate Bills

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**SB 5625** by Senators Harper, King, McAuliffe, Litzow, and Nelson

Authorizing implementation of a nonexpiring license for early learning providers.

Authorizes nonexpiring licenses for early learning providers.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Human Services & Corrections.

**SB 5626** by Senators Fraser, Kohl-Welles, and Chase

Concerning cultural access authorities.

Authorizes the formation of cultural access authorities and funding for public school cultural access programs and the support of cultural organizations.

Authorizes the board of directors of a cultural access authority to impose sales and use taxes and annual regular property tax levies.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Labor, Commerce & Consumer Protection.

**SB 5627** by Senators Hobbs, Murray, Kilmer, and Shin; by request of Washington State Bar Association

Concerning service members' civil relief.

Addresses civil relief with regard to national guard members under a call to active service authorized by the governor.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Judiciary.

**SB 5628** by Senators Fain, Eide, Roach, and Litzow

Concerning a limited property tax exemption from the emergency medical services levy.

Exempts real and personal property from a county emergency medical services property tax levy if certain requirements are met.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**SB 5629** by Senators White and Haugen; by request of Department of Licensing

Concerning the certification of commercial driver's license holders and applicants.

Modifies commercial driver's license provisions relating to: (1) Applications for a license;

(2) Medical variance certification;

(3) Notification to commercial driver's license information system of certain required information; and

(4) Definition of "type of driving" which includes excepted and nonexcepted interstate and excepted and nonexcepted intrastate.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Transportation.

**SB 5630** by Senators Harper, Pflug, Chase, Kohl-Welles, and Delvin; by request of Board For Judicial Administration

Changing the election and appointment provisions for municipal court judges.

Changes election and appointment provisions for municipal court judges.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Judiciary.

**SB 5631** by Senators Swecker, Hatfield, Haugen, and Shin

Concerning miscellaneous provisions regulated by the department of agriculture.

Revises miscellaneous provisions regulated by the department of agriculture.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Agriculture & Rural Economic Development.

**SB 5632** by Senators Nelson, Hatfield, and Harper

Concerning the disposal of residential sharps waste.

Requires certain pharmaceutical manufacturers to provide a free and convenient service for the safe collection and proper disposal of residential sharps waste.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Health & Long-Term Care.

**SB 5633** by Senators Pridemore, Hewitt, Kastama, and Swecker

Exempting agricultural fair premiums from the unclaimed property act.

Exempts agricultural fair premiums from the unclaimed property act.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Agriculture & Rural Economic Development.

**SB 5634** by Senators Hargrove and Stevens; by request of Department of Social and Health Services

Concerning firearm background check databases.

Modifies provisions relating to restoration of the right to possess a firearm, regulation of the sale of firearms by dealers, and background checks for concealed pistol licenses and alien firearms licenses.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Human Services & Corrections.

**SB 5635** by Senators Honeyford and Rockefeller; by request of Department of Natural Resources

Concerning changes in the point of a diversion under a surface water right permit.

Modifies provisions relating to changes of the point of diversion in a surface water right permit.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Environment, Water & Energy.

**SB 5636** by Senators Haugen, Harper, Shin, and Delvin

Concerning the University Center of North Puget Sound.

Expands opportunities in higher education in north Puget Sound.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Higher Education & Workforce Development.

**SB 5637** by Senators Kastama, Hatfield, Shin, Schoesler, Harper, McAuliffe, Fraser, Conway, Kohl-Welles, and Chase

Requiring creation of a web-based application to match profiles of students and employers for internship opportunities.

Requires the workforce training and education coordinating board to create a unified, profile-based web application that provides a forum for students and employers to develop networks and match prospective interns with internship opportunities.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Economic Development, Trade & Innovation.

**SB 5638** by Senators Keiser, Fain, Prentice, and Shin

Concerning the exemption of flood control zone districts that are coextensive with a county from certain limitations upon regular property tax levies.

Exempts flood control zone districts that are coextensive with a county from certain limitations upon regular property tax levies.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.

**SB 5639** by Senators McAuliffe, Tom, Eide, Harper, Prentice, and Shin; by request of Governor Gregoire

Creating a student-focused state-level education governance system.

Creates the department of education as an executive branch agency.

Creates the P-20 education council to advise the secretary of the department of education on broad policy issues affecting the state's education system.

Houses the superintendent of public instruction within the department of education, or transfers the powers and duties of the superintendent of public instruction to the department of education, depending on the outcome of the constitutional amendment eliminating the superintendent of public instruction as a statewide elected official.

Transfers the powers, duties, and functions of the state school for the blind, the Washington state center for childhood deafness and hearing loss, the office of the education ombudsman, and the professional educator standards board to the department of education.

Abolishes the department of early learning, the state board of education, the state board for community and technical colleges, and the higher education coordinating board and transfers their powers, duties, and functions to the department of education.

Requires the governor to appoint a transition team to plan the technical and practical steps required to bring the current state-level education agencies and structures into a new department.

Requires the public employment relations commission to review the existing collective bargaining units within the department of early learning to determine if these units would be appropriate units within the department of education.

Requires the code reviser to prepare legislation for the 2012 session to correct obsolete references resulting from the enactment of the act.

Provides contingent effective dates.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Early Learning & K-12 Education.

Public hearing in the Senate Committee on Early Learning & K-12 Education at 8:00 AM.

**SB 5640** by Senators Becker, Conway, and Holmquist Newbry

Concerning the health technology assessment program.

Changes the composition of the health technology clinical committee.

Requires the administrator of the state health care authority to provide certain opportunities for public comment with regard to the health technology assessment program.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Health & Long-Term Care.

**SB 5641** by Senator Shin

Concerning tax incentives for certain segments of the aerospace industry.

Addresses tax incentives for certain segments of the aerospace industry.

-- 2011 REGULAR SESSION --

Feb 2 First reading, referred to Ways & Means.