



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 29

SIXTY-SECOND LEGISLATURE

Friday, February 18, 2011

40th Day - 2011 Regular Session

SENATE	SB 5092-S SB 5821 SB 5828	SB 5386-S SB 5822	SB 5458-S SB 5823	SB 5508-S SB 5824	SB 5539-S SB 5825	SB 5594-S SB 5826	SB 5820 SB 5827
HOUSE	HB 1322-S HB 1983 HB 1990	HB 1339-S HB 1984 HB 1991	HB 1366-S HB 1985 HB 1992	HB 1417-S HB 1986 HB 1993	HB 1420-S HB 1987	HB 1485-S HB 1988	HB 1506-S HB 1989

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 1322-S by House Committee on Judiciary (originally sponsored by Representatives Fitzgibbon, Hinkle, Tharinger, Appleton, Van De Wege, Green, Sells, Jinkins, Rolfes, Lytton, Blake, Upthegrove, Warnick, Ryu, Moscoso, Hunt, Stanford, and Kenney; by request of Commissioner of Public Lands)

Regarding abandoned or derelict vessels.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Modifies abandoned or derelict vessel provisions.

- 2011 REGULAR SESSION --
- Feb 3 Public hearing in the House Committee on Judiciary at 10:00 AM.
- Feb 10 JUDI - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Judiciary at 10:00 AM.
- Feb 15 Passed to Rules Committee for second reading.

HB 1339-S by House Committee on Judiciary (originally sponsored by Representatives Fitzgibbon, Hope, Rolfes, Appleton, Billig, Liias, Frockt, Haigh, Cody, Goodman, Moeller, Pedersen, and Kenney)

Concerning negligent driving resulting in substantial bodily harm, great bodily harm, or death of a vulnerable user of a public way.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Addresses negligent driving in the second degree with a vulnerable user victim.

- 2011 REGULAR SESSION --
- Feb 3 Public hearing in the House Committee on Judiciary at 10:00 AM.
- Feb 10 JUDI - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.
Executive action taken in the House Committee on Judiciary at 10:00 AM.
Feb 16 Passed to Rules Committee for second reading.

HB 1366-S by House Committee on Health Care & Wellness (originally sponsored by Representatives Clibborn, Walsh, Appleton, Goodman, Darneille, Moeller, Green, Carlyle, Fitzgibbon, Frockt, Reykdal, Roberts, Jinkins, Pettigrew, Cody, Pedersen, Van De Wege, Liias, Jacks, Maxwell, Dickerson, Ryu, Lytton, Ormsby, Seaquist, Hasegawa, Upthegrove, McCoy, Eddy, Sells, Haigh, Springer, Hunt, Tharinger, Kenney, and Santos)

Concerning limited service pregnancy centers.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Establishes the limited service pregnancy center accountability act.
Requires limited service pregnancy centers to: (1) Provide truthful information about the services they offer; (2) Maintain the privacy of a person's health care information; and (3) Respect a person's right to his or her health care information.

- 2011 REGULAR SESSION --
- Jan 24 Public hearing in the House Committee on Health Care & Wellness at 1:30 PM.
- Feb 10 HCW - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Health Care & Wellness at 10:00 AM.
- Feb 16 Passed to Rules Committee for second reading.

HB 1417-S by House Committee on Health Care & Wellness (originally sponsored by Representatives Rolfes, McCune, Appleton, Kirby, Zeiger,

Seaquist, Kelley, Finn, Haigh, Dammeier, Angel, Jinkins, Stanford, Smith, and Shea)

Concerning evaluating military training and experience toward meeting licensing requirements in medical professions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires certain agencies to develop a process to evaluate military training and experience that may be applied toward meeting the training and educational requirements in certain medical professions.

-- 2011 REGULAR SESSION --

- Jan 31 Public hearing in the House Committee on Health Care & Wellness at 1:30 PM.
- Feb 10 HCW - Majority; 1st substitute bill be substituted, do pass.
Executive action taken in the House Committee on Health Care & Wellness at 10:00 AM.
- Feb 16 Referred to Health & Human Services Appropriations & Oversight.
- Feb 17 APPH - Executive action taken by committee.
Public hearing and executive action taken in the House Committee on Health & Human Services Appropriations & Oversight at 1:30 PM.

HB 1420-S by House Committee on Ways & Means (originally sponsored by Representatives Cody and Jinkins; by request of Health Care Authority)

Addressing public employee benefits law.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Modifies provisions relating to public employee benefits laws.

-- 2011 REGULAR SESSION --

- Jan 31 Public hearing in the House Committee on Ways & Means at 3:30 PM.
- Feb 10 WAYS - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Ways & Means at 3:30 PM.
- Feb 16 Passed to Rules Committee for second reading.

HB 1485-S by House Committee on Judiciary (originally sponsored by Representatives Rodne, Kirby, Pedersen, Johnson, and Kelley; by request of Secretary of State)

Regarding charitable solicitations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Modifies provisions relating to charitable solicitations.

-- 2011 REGULAR SESSION --

- Feb 2 Public hearing in the House Committee on Judiciary at 8:00 AM.
- Feb 3 Executive session scheduled, but no action was taken in the House Committee on Judiciary at 10:00 AM.
- Feb 10 JUDI - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the House Committee on Judiciary at 10:00 AM.

Feb 16 Passed to Rules Committee for second reading.

HB 1506-S by House Committee on Judiciary (originally sponsored by Representatives Chandler, Takko, and Johnson)

Addressing fire suppression efforts and capabilities on unprotected land outside a fire protection jurisdiction.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses fire suppression efforts and capabilities on unprotected land outside a fire protection jurisdiction.

Provides immunity from liability for fire service protection agencies taking part in firefighting efforts outside their jurisdiction.

Revises the seller's disclosure statement by requesting information on fire protection services.

-- 2011 REGULAR SESSION --

- Feb 9 Public hearing in the House Committee on Judiciary at 8:00 AM.
- Feb 10 JUDI - Majority; 1st substitute bill be substituted, do pass.
Executive action taken in the House Committee on Judiciary at 10:00 AM.
- Feb 15 Referred to General Government Appropriations & Oversight.
- Feb 17 Public hearing in the House Committee on General Government Appropriations & Oversight at 1:30 PM.

HB 1983 by Representatives Parker, Kenney, McCune, Hunt, Johnson, Pearson, Ryu, Fagan, and Nealey

Increasing fee assessments for prostitution crimes.

Increases fee assessments for prostitution crimes.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Public Safety & Emergency Preparedness.

HB 1984 by Representatives Blake, Haler, Shea, Dunshee, Crouse, Fagan, Ormsby, Condotta, McCune, and Parker

Removing certain requirements for motorcycle helmet use.

Removes certain requirements for motorcycle helmet use.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Transportation.

HB 1985 by Representatives Clibborn, Eddy, McCune, Rodne, and Condotta

Allowing certain private transportation providers to use certain public transportation facilities.

Modifies provisions relating to certain private transportation providers use of reserved portions of highways, high-occupancy vehicle lanes, and limited access facilities.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Transportation.

HB 1986 by Representatives Clibborn, Eddy, McCune, and Rodne

Allowing certain private transportation providers to use certain public transportation facilities.

Modifies provisions relating to certain private transportation providers use of reserved portions of highways, high-occupancy vehicle lanes, limited access facilities, and park and ride lots.

Requires state and local jurisdictions, when designing portions of a highway for certain uses, to consider whether the design will safely accommodate certain authorized private transportation provider vehicles.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to Transportation.

HB 1987 by Representatives Shea and Ahern

Accepting signatures where there are misspellings.

Provides sufficient flexibility to county auditors to accept ballots where misspellings are present, yet the registered voter is clearly the same person.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to State Government & Tribal Affairs.

HB 1988 by Representatives Shea, Ahern, Taylor, Angel, and McCune

Prohibiting county auditors from including their names on ballot envelopes and voting materials when running for reelection.

Prohibits the county auditor's name from appearing in the local voters' pamphlet in his or her official capacity or on the security envelope, return envelope, or any voting instructions or materials included with the ballot if he or she is a candidate for office during the same year.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to State Government & Tribal Affairs.

HB 1989 by Representatives Shea, Taylor, Ahern, and McCune

Protecting signatures of citizens from public disclosure by agencies to prevent criminal use of the signatures.

Prohibits disclosure of signatures of nonemployees by government entities.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to State Government & Tribal Affairs.

HB 1990 by Representatives Shea, Taylor, Ahern, McCune, and Overstreet

Concerning adopting the Washington state firearms freedom act of 2011 and exempting a firearm, a firearm accessory, or ammunition manufactured and retained in Washington from federal regulation under the commerce clause of the Constitution of the United States.

Establishes the Washington state firearms freedom act of 2011.

Exempts from federal laws and federal regulations, personal firearms, firearm accessories, and ammunition

manufactured commercially or privately in Washington that remain within the borders of Washington.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to Judiciary.

HB 1991 by Representatives Clibborn, Warnick, and Zeiger

Concerning the processing of mail-in vehicle and vessel registration renewals.

Requires mail-in vehicle and vessel registration renewals to be processed by the vehicle licensing office that is closest to the address of the registered owner and located in the county in which the registered owner resides.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to Transportation.

HB 1992 by Representative Hasegawa

Providing a permanent and stable source of funding for the state community colleges.

Authorizes community college districts to: (1) Impose a regular property tax levy in an amount not to exceed twenty-five cents per thousand dollars of assessed value; and

(2) Adopt a resolution for the levy and collection of an excise tax in amounts fixed and determined by the district.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to Ways & Means.

HB 1993 by Representative Sells

Concerning industrial insurance employer wage subsidies and reimbursements for light duty or transitional work.

Modifies temporary total disability provisions relating to employers providing light duty or transitional work.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to Labor & Workforce Development.

Senate Bills

SB 5092-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and McAuliffe; by request of Department of Social and Health Services)

Concerning oversight of licensed or certified long-term care settings for vulnerable adults.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses current statutes and funding levels that limit the department of social and health services' ability to promote vulnerable adult protections.

Requires the department of social and health services to: (1) Use additional investigative resources to address a significant growth in the long-term care complaint workload; and

(2) Develop a statewide internal quality review and accountability program for residential care services.

Requires the state long-term care ombudsman to convene an adult family home quality assurance panel to review problems concerning the quality of care of residents and abuse and neglect in adult family homes, and the

oversight of adult family homes by the department of social and health services.

Provides that sections 501 through 503 of the act are null and void if appropriations are not approved.

Prescribes penalties.

-- 2011 REGULAR SESSION --

- Jan 19 Public hearing in the Senate Committee on Health & Long-Term Care at 8:00 AM.
- Feb 10 Executive action taken in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 11 HEA - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
- Feb 14 Referred to Ways & Means.
- Feb 23 Scheduled for public hearing in the Senate Committee on Ways & Means at 1:30 PM. (Subject to change)

SB 5386-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Pridemore)

Creating an organ donation work group.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates a work group to study how other state and countries have developed sustainable programs for increasing organ donation in their communities.

-- 2011 REGULAR SESSION --

- Feb 3 Public hearing in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 10 Executive action taken in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 11 HEA - Majority; 1st substitute bill be substituted, do pass.
- Feb 14 Passed to Rules Committee for second reading.

SB 5458-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Pflug, Kline, Becker, Conway, Pridemore, Rockefeller, and Parlette)

Concerning medicaid fraud.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes the medicaid fraud false claims act.

Creates the medicaid fraud penalty account.

-- 2011 REGULAR SESSION --

- Feb 3 Public hearing in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 10 Executive action taken in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 11 HEA - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; without recommendation.
Referred to Ways & Means.

SB 5508-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators

Parlette, Keiser, Becker, Murray, Zarelli, Hewitt, Kilmer, and Shin)

Reauthorizing the joint legislative select committee on health reform implementation.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Reauthorizes the joint legislative select committee on health reform implementation established in 2010.

Provides for expiration of the committee on June 30, 2012.

-- 2011 REGULAR SESSION --

- Feb 3 Public hearing in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 7 Public hearing in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 10 Executive action taken in the Senate Committee on Health & Long-Term Care at 1:30 PM.
- Feb 11 HEA - Majority; 1st substitute bill be substituted, do pass.
- Feb 14 Passed to Rules Committee for second reading.

SB 5539-S by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Prentice, White, Kilmer, Brown, and McAuliffe)

Concerning Washington's motion picture competitiveness.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses motion picture competitiveness relating to:

- (1) Limiting funding assistance from the approved motion picture competitiveness program;
- (2) Changing the composition on the board of directors for the program;
- (3) Business and occupation tax credits;
- (4) Revising the definition of "motion picture"; and
- (5) Developing a survey form and instructions that certain motion picture productions are required to complete.

-- 2011 REGULAR SESSION --

- Feb 7 Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 10:00 AM.
- Feb 10 Executive action taken in the Senate Committee on Labor and Commerce & Consumer Protection at 10:00 AM.
- Feb 11 LCCP - Majority; 1st substitute bill be substituted, do pass.
- Feb 14 And refer to Ways & Means.
Referred to Ways & Means.
- Feb 23 Scheduled for public hearing in the Senate Committee on Ways & Means at 1:30 PM. (Subject to change)

SB 5594-S by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Keiser, Prentice, Conway, Kline, and Murray)

Regulating the handling of hazardous drugs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the director of the department of labor and industries, in consultation with the secretary of the department of health, to establish standards regulating the

handling of antineoplastic and other hazardous drugs by health care personnel.

-- 2011 REGULAR SESSION --

- Jan 31 Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 10:00 AM.
- Feb 7 Executive session scheduled, but no action was taken in the Senate Committee on Labor, Commerce & Consumer Protection at 10:00 AM.
- Feb 10 Executive action taken in the Senate Committee on Labor and Commerce & Consumer Protection at 10:00 AM.
- Feb 11 LCCP - Majority; 1st substitute bill be substituted, do pass.
Minority; without recommendation.
- Feb 14 Passed to Rules Committee for second reading.

SB 5820 by Senator Tom

Designating the great blue heron as the official bird of the state of Washington.

Changes the official bird of the state from the willow goldfinch to the great blue heron.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Government Operations, Tribal Relations & Elections.

SB 5821 by Senator Regala

Concerning adverse childhood experiences.

Creates a nongovernmental private-public partnership to focus on reducing the prevalence of adverse childhood experiences and their enduring effects.

Eliminates the council for children and families and the family policy council.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Human Services & Corrections.

SB 5822 by Senator Hobbs

Concerning the state route number 9 Snohomish river bridge project.

Requires the department of transportation to begin geotechnical investigation and analysis work in the vicinity of the Snohomish river bridge on state route number 9 to prepare for construction of a new bridge.

Makes an appropriation.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Transportation.

SB 5823 by Senators Regala and Kline; by request of Board For Judicial Administration

Concerning the disposition and collection of court income.

Extends the date that superior and district courts may impose surcharges on certain court costs, fees, fines, forfeitures, and penalties and provides for the distribution of that court income.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Judiciary.

SB 5824 by Senator Pridemore

Concerning market share in electronic waste.

Modifies market share in electronic product recycling provisions relating to: (1) Manufacturer registration;

- (2) Independent plan requirements;
- (3) Manufacturer's brand;
- (4) Information required on the department of ecology's web site;
- (5) Market share calculation;
- (6) Equivalent share calculation;
- (7) Collection, transportation, and recycling cost for covered products; and
- (8) Manufacturer's apportioned share of administrative and operational costs.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Environment, Water & Energy.

- Feb 18 Scheduled for public hearing in the Senate Committee on Environment and Water & Energy at 8:00 AM. (Subject to change)

SB 5825 by Senators Kilmer and Parlette; by request of Office of Financial Management

Modifying provisions regarding grant and loan programs.

Prohibits the department of commerce, the recreation and conservation funding board, and the Washington state historical society from executing certain contracts until the following requirements are met: (1) Funding is secured;

- (2) The project is ready to proceed with either the preconstruction or construction phase; and
- (3) There is a commitment to make timely use of state funds.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Ways & Means.

SB 5826 by Senators Kohl-Welles, Kline, Chase, Nelson, White, Keiser, and Prentice

Concerning the screening of prospective tenants.

Requires prospective landlords to notify prospective tenants in writing of certain information before obtaining a tenant screening report about the prospective tenant.

Authorizes the landlord to charge a prospective tenant a maximum of ten dollars for using the screening service.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Financial Institutions, Housing & Insurance.

SB 5827 by Senator Ericksen

Concerning endorsements to the spirits, beer, and wine private club license for nonclub, member-sponsored events using club liquor.

Removes the limit on nonclub member-sponsored events allowed using club liquor under the spirits, beer, and wine private club license endorsement.

-- 2011 REGULAR SESSION --

- Feb 17 First reading, referred to Labor, Commerce & Consumer Protection.

SB 5828 by Senators Benton, Baxter, Morton, Swecker,
and Carrell

Preventing illegal immigrants from qualifying as resident
students for purposes of in-state tuition and financial aid.

Prevents illegal immigrants from qualifying as resident
students for purposes of in-state tuition and financial aid.

-- 2011 REGULAR SESSION --

Feb 17 First reading, referred to Higher Education
& Workforce Development.