

**Washington State**



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**Senate Committee  
SERVICES**

**SENATE COMMITTEE SERVICES**

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**BILLS PASSED**

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**DURING THE 1999 REGULAR**

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**LEGISLATIVE SESSION**

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**BY COMMITTEE OF ORIGIN**

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*Second Printing*



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April 29, 1999

TO: Washington State Senate Senators and Staff

FROM: Stan Pynch, Director  
Senate Committee Services

SUBJECT: Bills Passed by the 1999 Regular Legislative Session Report

We are pleased to provide you this Senate Committee Services (SCS) report, Bills Passed During the 1999 Regular Legislative Session, by Committee of Origin. With the popularity of similar summaries provided in the past by individual committee staff, we determined that a comprehensive report for all SCS committees would be of benefit to Senators and staff.

Very simply, this report includes a brief description of each Senate and House bill passed by the 1999 Legislature in the recently completed regular session. Bills are listed under their committee of origin in the Senate. We will likely provide a short supplement upon completion of the upcoming special session.

In order to provide this report immediately upon sine die, we were not able (unless otherwise noted in a very few instances) to include information regarding gubernatorial vetoes. The Governor has not yet taken action on the overwhelming majority of bills included in this report.

We will be working with House staff and Legislative Transportation Committee staff in the weeks ahead to prepare the more comprehensive 1999 Final Legislative Report. You are likely familiar with that report, which has been produced for many years. It will include the final bill report for each bill passed by the 1999 Legislature and relevant gubernatorial veto messages.

It was a pleasure to serve you again this session, and we hope you find this report useful. Please let us know how we can continue to serve you more effectively.

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# AGRICULTURAL & RURAL ECONOMIC DEVELOPMENT

786-7411

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## **SB 5125: Pesticide Registration Commission**

*Prime Sponsor: Senator Loveland (1054)*

- Broadens authority of Pesticide Registration Commission to conduct research on integrated pesticide management and non-chemical weed and pest control alternatives.

## **SB 5347: Extending the Time to Expend Funds from the Fruit and Vegetable District Fund**

*Prime sponsor: Senator Rasmussen (1370)*

- Funds previously authorized, but unspent, for Eastern Washington Apple Maggot control are extended for an additional two years.

## **E2SSB 5594: Enhancing Economic Vitality**

*Prime Sponsor: Senator Rasmussen*

- Limits the existing distressed area sales tax relief program to rural counties, community empowerment zones (CEZs), and counties that contain CEZs; and limits the B&O tax credit for job creation to rural counties and CEZs.
- The measure includes other changes related to rural economic development including revisions to the CERB program, to public facilities loans and grants, and public works board and water pollution control facilities, and to the development loan fund.
- The Washington State Housing Finance Commission's outstanding statutory debt limit is increased from \$2 billion to \$3 billion and the economic vitality committee is created to analyze potential economic development projects of state-wide significance.

## **ESSB 5803: Dairy Nutrient Management Provisions**

*Prime Sponsor: Senator Rasmussen*

- Establishes a task force of legislator, agency, industry and environmental representatives to address unresolved issues relating to the Dairy Nutrient Management Program.
- Task force to report its recommendations to next session that convenes in January 2000.

## **SB 6019: Crop Credit Associations**

*Prime Sponsor: Senator Rasmussen*

- Repeals an unused statute enacted in 1921 that provided for the establishment of Crop Credit Associations.

## **HB 1150: Certifying Planting Stock**

*Prime Sponsor: Representative G. Chandler (SB 5186 Senator Rasmussen)*

- Updates and modernizes the 1961 statute that created the planting stock certification program administered by the Department of Agriculture.
- Repeals a 1955 Northwest Washington Nursery program that has not existed for a number of years.

### **EHB 1151: Dairy and Food Laws**

*Prime Sponsor: Representative Linville (SB 5187 Senator Rasmussen)*

- Extends for an additional five years the current ½ cent per hundredweight assessment on fluid milk that provides funding for the milk inspection program.
- Repeals 173 sections of unused and outdated laws relating to milk and food.

### **HB 1152: Private Applicator Licenses**

*Prime Sponsor: Representative McMorris (SB 5188 Senator Rasmussen)*

- Creates a five year pilot program to provide training in proper pesticide application techniques and increased compliance with pesticide licensing requirements for two categories of private applicators that use a limited range of pesticides.
- Includes Stevens and Pend Oreille counties (in addition to Ferry and Okanogan counties) to the pilot project area.
- Reduces licensing fees for these limited categories of pesticide applicators.

### **EHB 1313: Revising Rural Development Law**

*Prime Sponsor: Representatives Schoesler*

- Authorizes the establishment of a successor nonprofit organization to replace the Rural Development Council.

### **HB 1432: Dairy Commission**

*Prime Sponsor: Representative Stenson (SB 5353 Senator Rasmussen)*

- Authorizes the Dairy Products Commission to provide educational seminars to producers on regulatory programs affecting the dairy industry.
- Allows the Commission to participate in hearings and meetings that pertain to regulations affecting the dairy industry.

### **SHB 1677: Irrigation District Provisions**

*Prime Sponsor: Representative B. Chandler*

- Provides irrigation districts with statutory authority to implement programs that conserve water and improve water quality to the extent allowed by the State Constitution.
- Provides that irrigation districts may utilize uniform statutory provisions that are in lieu of competitive bidding requirements for the purchase of materials, supplies and equipment.

### **SHB 1747: Conservation District Provisions**

*Prime Sponsor: Representative Linville*

- Establishes procedures whereby incorporated towns and cities may be excluded from conservation districts.
- Specifies that to vote in a conservation district election, the person must be a resident of the district or of the area affected by a petition to add land to the district.

### **SHB 1910: Organic Food Logos**

*Prime Sponsor: Representative G. Chandler*

- Authorizes an official logo to identify substances approved for use in production of foods that are certified as organically grown.

### **ESHB 2095: Regulating Commercial Fertilizer**

*Prime Sponsor: Representative G. Chandler (SB 5800 Senator Rasmussen)*

- Authorizes statewide stop use or stop distribution orders of fertilizers that are not properly registered or that fail to meet state standards for metals.
- Department may seize noncompliant fertilizer with a court order.
- Costs of these actions are placed on those responsible for noncompliant fertilizers, except for consumers and transporters of some fertilizers.

### **HB 2181: Controlled Atmosphere Storage**

*Prime Sponsor: Representative Clements*

- Reduces the time that apples must remain in controlled atmosphere (CA) storage, a process that extends the storage life of apples, in order to be labeled as CA stored apples.

### **ESHB 2260: Promoting the Creation and the Retention of Jobs**

*Prime Sponsor: Representatives Eickmeyer*

- Changes distressed county local option sales tax to the rural county local option sales tax, allowing counties with population densities less than 100 persons per square mile to retain an 0.08% tax. (Counties between 60 and 100 persons are limited to 0.04% until January 2000.)
- The Community Economic Revitalization Board is given greater flexibility in the uses of funds, changes are made to include the project's rate of return as a funding criteria and allows loans and grants for projects in distressed counties where specific private development is not ready to occur.
- Provides B&O tax breaks to help desk and to software businesses in rural counties and provides a B&O credit for contributions by power and light businesses to rural revolving funds. In addition, a sales tax exemption is provided to certain landslide victims.
- It also creates the Rural Washington Loan Fund to provide direct funding to businesses using federal monies and to help fund local revolving loan funds.

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## COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

786-7408

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### **SB 5012: Administering the Pollution Liability Insurance Program Trust Account**

*Prime Sponsor: Senator Prentice*

- This legislation removes the Pollution Liability Insurance Agency claims and other expenses from the Office of Financial Management allotment process.
- Payments for underground storage tank insurance claims from the Pollution Liability Insurance Agency are paid by the agency as claims occur.

### **SSB 5058: Regulating Certain Financial Institutions**

*Prime Sponsor: Senator Prentice*

- Initial incorporation of a state-chartered stock savings bank is allowed.
- Authority of state-chartered savings banks to make certain decisions by a board of trustees' committee is clarified.
- Certain powers, authorities, and limitations of state-chartered savings banks as derived from federal banking laws and Department of Financial Institutions' administrative determinations are codified.

### **SB 5156: Authorizing Voluntary Expansion of Housing Authority Boards**

*Prime Sponsor: Senator Prentice*

- If required by federal law, five-member housing authority boards may expand to six members to include a member who is directly assisted by the housing authorities services.
- The term of the sixth member may be set by the local board, but that member may only serve so long as they are being assisted by the housing authority.

### **SB 5253: Preventing a Registered Sex Offender from Holding a Real Estate License**

*Prime Sponsor: Senator Benton (HB 1188)*

- This bill allows the Director of the Department of Licensing to suspend, revoke, or deny the license of a sex offender regardless of the date of the offender's conviction.

### **SB 5364: Administering and Designating Liquor Licenses**

*Prime Sponsor: Senator Prentice*

- Technical changes are made to delete outdated alphabetical licensing references and replace them with new terms describing the specific privilege granted to the licensee.
- The law is clarified to reflect current practice whereby the Liquor Control Board deposits 10 percent of gross sales less a 15 percent discount into the Liquor Revolving Fund.
- Instead of automatically requiring tax surety bonds the Board decides on a case by case basis whether a wine warehouse licensee is required to have a tax surety bond and whether a surety bond is required for taxes on beer.

### **SB 5365: Regulating the Preparation and Sale of Dietary Supplements Containing Alcohol**

*Prime Sponsor: Senator Prentice*

- Exempts certain dietary supplements from state liquor laws.
- Dietary supplements containing more than one-half of 1 percent alcohol must be clearly labeled, and must list ingredients on the label.

### **SB 5442: Real Estate Broker's Records**

*Prime Sponsor: Senator Kline*

- Brokers are required to place client funds in a pooled interest bearing account. Interest on "nominal deposits" is aggregated statewide and paid into the Housing Trust Fund (80%) and the Real Estate Education Account (20%).
- The definition of "nominal" is changed from not more than \$5,000 to not more than \$10,000.

### **SSB 5509: Creating the Holocaust Victims Insurance Relief Act**

*Prime Sponsor: Senator Kline*

- Insurance Commissioner may create a Holocaust Survivor Assistance Office and Holocaust Insurance Company Registry to assist Holocaust survivors, heirs, and beneficiaries recover improperly denied insurance proceeds and other assets.
- The Registry will contain information required of Washington insurers about Holocaust-era insurance policies.
- A certificate of authority may be suspended for an insurer who fails to provide the required information. A civil penalty of up to \$10,000 is established for knowingly filing false information.
- Washington state courts have jurisdiction over actions by Holocaust survivors, heirs or beneficiaries to recover proceeds from Holocaust-era insurance policies and the statute of limitations for such actions is extended to December 31, 2010.

### **SSB 5553: Professional Athletics Licensing, Health and Safety**

*Prime Sponsor: Senator Prentice*

- The professional athletics licensing program is not required to be self-supporting.
- The director of the department of licensing must prohibit events unless all the contestants are either licensed or trained by an amateur or professional sanctioning body recognized by the department.
- Additional requirements for licensing, physicals, drug testing, presence of physicians and ambulances at events are established.
- The director may suspend or revoke licenses or issue fines of up to \$5,000 if licensees or applicants violate the rules.
- Certain items are excluded from gross receipts and the value of complimentary tickets for purposes of taxing event receipts.

### **ESB 5564: Taxation of Park Trailers**

*Prime Sponsor: Senator Gardner*

- In 1993, the Legislature subjected park trailers to property taxation if the trailers substantially lost their identity



as mobile units by being permanently fixed in location by placement on a permanent foundation of either posts or blocks with fixed pipe connections for sewer, water, or other utilities.

- This bill changes the law by making park trailers real property subject to property taxation, if the trailers are permanently sited in location.
- A park trailer is permanently sited if it is placed on blocks or posts with connections for water, sewer, or other utilities.
- There is no longer a requirement to place the park trailer on a permanent foundation and the utility connections need not be fixed pipe connections.

### **ESSB 5599: An Act Relating to Agricultural Worker Regulatory Duties**

*Prime Sponsor: Senator Prentice (HB 1933)*

- The farm worker housing regulatory duties of the Departments of Health and Labor and Industries, and the Board of Health are clarified. Joint rule making is authorized. Cherry harvest labor camp rules are authorized, recognizing the special needs of the very short harvest season of that crop. Farm worker housing rule making authority of the Board of Health is repealed.

### **ESB 5628: Modifying Continuing Education and Licensing Requirements for Accountants**

*Prime Sponsor: Senator Gardner*

- Changes the period for accumulation of continuing education credits and licensing term for certified public accountants from two years to three.
- The Board of Accountancy is authorized to provide for the transition from two to three year terms, and adopt educational standards consistent with those of other states.

### **SB 5648: Providing Consistency in Definitions regarding Businesses Furnishing Lodging**

*Prime Sponsor: Senator Haugen (HB 1834)*

- For purposes of establishing limited liability for the property of guests, penalties for obtaining hotel services by fraud, and availability of liens against the baggage of guests for payment of charges due, the definition for hotel is changed from accommodation with fifteen or more rooms to accommodation with three or more room.

### **ESSB 5712: Regulating Motel Liquor Licenses**

*Prime Sponsor: Senator Prentice (HB 1698)*

- Motel licensees are permitted to serve beer and wine by the individual serving to overnight guests without additional charge.
- The annual license fee is established by the Legislature, rather than by the Liquor Control Board, at \$500.

### **SSB 5745: Reducing the Tax on Bingo and Raffles**

*Prime Sponsor: Senator Bauer (HB 1742)*

- Beginning on January 1, 2000, the maximum tax rate that a local jurisdiction may impose on the gross receipts of bingo and raffles is reduced from 10 to 5 percent.

### **SB 5777: An Act Relating to Payment for Denturist Services**

*Prime Sponsor: Senator Prentice (HB 1846)*

- Health care service contractors are required to make checks payable jointly to denturists and patients for payments of denturists' services.

### **ESB 5843: Housing Finance Commission**

*Prime Sponsor: Senator Prentice*

- The Washington State Housing Finance Commission statutes are revised to (i) remove obsolete dates that reference initial planning and rule-making requirements and (ii) increase the commission's statutory outstanding debt limit from \$2 billion to \$3 billion.

### **ESB 5897: An Act Relating to the Sale of Export Cigarettes**

*Prime Sponsor: Senator Costa (HB 2164)*

- Due to certain market and regulatory irregularities, an increasing number of cigarettes manufactured for export are being sold domestically. This bill provides new enforcement and regulatory tools for keeping export cigarettes out of the stream of commerce in this country.
- Export cigarettes carry different tar and nicotine levels and have different warning labels. They also carry a significantly lower price tag.
- Cigarettes that do not meet all federal labeling and revenue stamp requirements are subject to seizure and destruction. Labels on packages that identify them for export may not be altered or deleted. Possession of such tobacco products is a gross misdemeanor and a violation of the Consumer Protection Act.

### **HB 1092: An Act Relating to the Licensing, Regulation, and Fees of Escrow Agents and Escrow Officers**

*Prime Sponsor: Representative Hatfield*

- The bill rewrites and clarifies the escrow act.
- A prohibited practices section is added. An escrow agent and officer cannot engage in fraudulent, misleading, or deceptive practices.
- Agents are required to have a surety bond in the amount of the deductible on their fidelity bond.
- Escrow agent licensing fees are increased from \$345 to \$565.
- Escrow officer licenses fees are increased from \$160 to \$235.
- The Department of Financial Institutions is permitted to charge an hourly audit fee when auditing the industry.
- The Insurance Commissioner is authorized to regulate the escrow activities of title insurance agents and companies.

### **HB 1106: Prescribing Disclosures Required for Prize Promotions**

*Prime Sponsor: Representative Van Luven (SB 5124 Senator Prentice)*

- If attendance at a sales presentation is required to receive a prize, that fact must be conspicuously displayed in bold-face type on the offer.

- If the requirement of attendance at a sales presentation and other restrictions are not on the same page with the first listing of the prize, then a statement must be printed in direct proximity to the prize with a disclosure indicating where the restrictions can be found.

**SHB 1149: An Act Relating to Accounting Standards Under the Insurance Code**

*Prime Sponsor: Representative Sullivan*

- When filing financial statements with the Office of the Insurance Commissioner, insurance companies, fraternal benefit societies, and health carriers must follow statutory accounting principles adopted by the National Association of Insurance Commissioners except when contrary to Washington law.

**SHB 1183: An Act Relating to the State Treasurer Negotiating Statewide Custody Contracts**

*Prime Sponsor: Representative H. Sommers (SB 5248 Senator Loveland)*

- The state Treasurer is authorized to negotiate a statewide custody contract for local government custody services.
- Each local government has the option of signing onto the contract.

**HB 1192: Adding to the Definition of Economic Development Activities**

*Prime Sponsor: Representative Morris (HB 5387 Senator B. Sheldon)*

- Expands the economic development activities for which the Washington Economic Development Finance Authority can provide programs for nonrecourse revenue bond financing.
- Additional activities include: airports, docks and wharves, mass commuting facilities, high-speed intercity rail facilities, public broadcasting, solid waste, federally qualified hazardous waste facilities and activities conducted within a federally designated enterprise or empowerment zone or geographic area of similar nature.

**SHB 1250: Protecting the Privacy of Financial Information**

*Prime Sponsor: Representative McIntire*

- Two new class C felony crimes are created: (1) obtaining or attempting to obtain, or causing disclosure or attempting to cause disclosure of financial information from a financial repository; and (2) identity theft.
- In addition to the criminal penalties, a person committing these crimes may be liable for the greater of \$500 or actual damages and reasonable attorneys' fees.

**SHB 1345: An Act Relating to Exemption from Property Taxes for Non-Profit Low Income Housing Providers**

*Prime Sponsor: Representative O'Brien*

- Property held by nonprofit housing providers is exempt from property taxes if (1) the housing was assisted through a state or federal housing program and (2) at least 75% of the units in the property are occupied by individuals or households whose income is no more than 50% of the median income for the county where the property is located.

**HB 1378: An Act Relating to Manufactured and Mobile Home Landlord-Tenant Relations**

*Prime Sponsor: Representative Veloria*

- The Mobile Home Landlord-Tenant Act is amended to: (1) reflect current terminology regarding manufactured homes, mobile homes, and park models; (2) require park management to make reasonable efforts to notify tenants or their intention to enter the tenant's lot; and (3) require landlords to place security deposits that exceed

an amount greater than two month's rent into an interest bearing account with interest paid to the tenant.

- Local governments are required to send a copy of any permit issued for the installation or moving of any unit to the affected park owner.

### **HB 1420: Providing a Procedure for the State Investment Board to Check the Criminal History of Prospective Appointees and Employees**

*Prime Sponsor: Representative H. Sommers (SB 5257 Senator Snyder)*

- State Investment Board may conduct criminal history record checks through Washington State Patrol and the Federal Bureau of Investigation for candidates of certain positions of authority.
- Use of this information is limited.

### **HB 1421: Authorizing the State Investment Board to Establish Additional Commingled Trust Funds**

*Prime Sponsor: Representative Huff (SB 5259 Senator Snyder)*

- The State Investment Board may have more than one commingled trust fund in the state treasury.
- Combining funds does not change the nature, character or purpose of fund.

### **HB 1422: Authorizing the State Investment Board to Directly Order Actions Relating to Securities**

*Prime Sponsor: Representative H. Sommers (SB 5258 Senator Snyder)*

- When the state treasurer registers State Investment Board's securities in the name of a nominee, the nominee must take instructions regarding securities directly from the State Investment Board.

### **ESHB 1471: Prohibiting Deceptive Telephone Directory Practices by Florists**

*Prime Sponsor: Representative Conway*

- Two deceptive telephone directory practices by flower sellers are made violations of the Consumer Protection act.
- Sellers of flowers are prohibited from misrepresenting their geographic location by listing a local number in a local directory and then routinely forward calls out of the directory's coverage area. Flower sellers also may not list a business name that, without disclosure, misrepresents the business' actual location.

### **2SHB 1686: Relating to Local Economic Development Councils**

*Prime Sponsor: Representative Kessler*

- The Department of Community, Trade, and Economic Development must work with local economic development councils within the Community Development Finance program.
- A marketing grant program is established to assist local business recruitment efforts, and criteria for award of the grants are provided.

### **HB 2052: An Act Relating to Regulating Service Contracts**

*Prime Sponsor: Barlean (SB 5869 Senator Prentice)*

- Retailers and others who sell service contracts are required to guarantee performance by either obtaining and insurance policy to cover their contractual obligation, or maintaining a funded reserve account in the Office of

the Insurance Commissioner.

- Service contract providers must register with the Insurance Commissioner and comply with certain reporting requirements.
- A violation of the act is violation of the Consumer Protection Act.

### **SHB 2054: An Act Relating to the Financing of Goods by Sellers of the Goods**

*Prime Sponsor: Representative Quall*

- The principal balance, which generally is the amount borrowed, can include amounts paid by the retailer to pay off a loan on similar goods that are traded in as part of the sale.
- The portion of the principal that is used to pay off the loan on a trade-in must be disclosed in the installment contract.

### **ESHB 2090: An Act Relating to Sellers of Travel**

*Prime Sponsor: Representative Clements (SB 5875 Senator Wojahn)*

- Registration for a seller of travel is renewed annually.
- The fee for each additional travel office is the same fee as the initial registration.
- Registration numbers are not required on institutional advertising. Records showing that advertised travel services were available at the time of the advertising must be kept for one year.
- When travel services are purchased, either an advisory statement regarding cancellation penalties or the amount of the penalties must be provided to the customer in writing.
- Trust account rules are modified. A surety bond or other security may replace a trust account.

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## EDUCATION

786-7420

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### **ESB 5109: Creating Limited Immunity for School Districts**

*Prime Sponsor: Senator Patterson*

- Beginning January 1, 2000, a school district is not liable for injuries caused by the actions or inactions of an employee of a nonprofit youth program using the school district facilities.

### **SB 5178: Third Grade Achievement**

*Prime Sponsor: Senator McAuliffe*

- Technical corrections are made to change two references to the norm-reference test that were not changed last year when the Legislature changed the state-wide norm-referenced standardized achievement test in the fourth grade to a third grade test.

### **SSB 5213: Private School Employees**

*Prime Sponsor: Senator McAuliffe*

- Approved private schools are authorized to require current and future employees to undergo a background check through the FBI and the Washington State Patrol. The school or employee pays for the record check.

### **SSB 5214: Firearms on School Premises**

*Prime Sponsor: Senator McAuliffe*

- Persons at least 12 and not more than 21 years of age must be detained up to 72 hours if they have been arrested for illegally possessing a firearm on school premises.
- Except for probable cause and bail, courts may not release the persons until they have been examined by the county designated mental health professional (CDMHP) and, if recommended by the CDMHP, a chemical dependency specialist.
- School officials must search a student's locker if they reasonably believe the student is illegally possessing a firearm on campus.

### **SSB 5298: Changing Local Assistance Funds Provisions**

*Prime Sponsor: Senator McAuliffe (HB 1706)*

- Levy equalization is increased to 12 percent for all eligible districts.

### **E2SSH 5345: School District Credit Enhancement Program**

*Prime Sponsor: Senator Bauer (HB 1271)*

- Creates the school district credit enhancement program to carry out SJR 8206.
- The program is administered by the state treasurer.
- State indebtedness for school districts under the program is excluded from the statutory 7 percent debt limit.

### **SSB 5418: School Accountability/Assistance**

*Prime Sponsor: Senator McAuliffe (HB 1462)*

A K-12 accountability system is established.

- By 2001, school districts must establish student performance goals in fourth and seventh grade math.
- The Academic Achievement and Accountability Commission is created to provide oversight of the accountability system, including setting additional student performance goals and recommending schools and school districts for assistance, recognition, or intervention.
- Reporting requirements are established for the Superintendent of Public Instruction (SPI), school districts and schools.
- Accountability implementation funds will be provided for staff development and activities to improve student learning.
- A help corp is established to provide state-wide technical assistance to schools and school districts to improve student learning.
- SPI must complete an objective analysis of the fourth grade mathematics component of the Washington Assessment of Student Learning (WASL).

### **SSB 5626: Medicaid Incentive Payments to School Districts**

*Prime Sponsor: Senator Franklin*

- From the time the bill takes effect until July 1, 1999, second class school districts receive 50 percent and first class school districts receive 20 percent of the net federal portion of Medicaid reimbursements. Beginning on July 1, 1999, all school districts have the potential to receive up to 50 percent if they bill for all Medicaid eligible students. If the district does not bill for all their Medicaid eligible students, then the district will receive less than 50% reimbursement.

### **ESSB 5668: School Volunteer Record Checks**

*Prime Sponsor: Senator West*

- Permits sharing of information with schools by any business, agency or organization that has obtained record check information.
- Requires the school district to request the information from the individual and get the individual's permission to get the information from another source.
- If the information is shared, the school must also require the volunteer to sign a statement indicating that there has been no conviction since the check was made.
- Those who share the information in accordance with this act have immunity from liability for the sharing of the information.

### **E2SSB 5825: Changing Student Assessments**

*Prime Sponsor: Senator McAuliffe (HB 1891)*

- 2nd grade test: Clarifies the 2nd grade test assess oral reading skills.
- Norm-reference tests: Retains the 3rd grade norm-reference test. Adds a 6th grade norm-referenced test. Moves the 8th grade test norm-referenced test to the 9th grade. Repeals the 11th grade test.

- WASL tests: Creates timelines for implementing the WASL in Goal II areas at the elementary level and delays the middle and high school level tests.

### **SSB 5838: School Employee Leave Sharing**

*Prime Sponsor: Senator McAuliffe*

- School employees who have bargained for and received a personal holiday may share that holiday with another employee as part of the school employee leave sharing program.

### **SB 5911: School Director Eligibility**

*Prime Sponsor: Senator Eide (HB 2125)*

- Elected school district directors are no longer automatically disqualified from office if they do not reside in the director district.
- A school district director remains eligible to complete the term of office if the director resides in the school district, but no longer resides in the director district as a result of a boundary change.
- A director may remain in office until a successor can be elected if the director resides in the school district, but no longer resides in the director district as a result of voluntarily relocating.

### **ESSB 5988: Changing Provisions Relating to Truancy**

*Prime Sponsor: Senator McAuliffe*

- Six- and seven-year-olds are not subject to compulsory attendance unless they are enrolled in a public school. Parents may remove six- and seven-year-olds from compulsory attendance if the children are removed from school and if truancy petitions have not been served on the parents.
- Juvenile courts may establish community truancy boards or may delegate the responsibility to school districts if the districts agree.
- Truancy petitions may be served by certified mail. Truancy petitions concerning six- and seven-year-olds may only be filed against the parents. When enforcing truancy orders concerning six- and seven-year-olds, courts may only fine the parents.
- When a child transfers from one school district to another, attendance records follow; when a child moves from one county to another, the truancy petition can be transferred to the new county.
- If funds are appropriated, SPI must study truancy issues and provide start-up grants for alternative education programs.

### **SJR 8206: School District Debt**

*Prime Sponsor: Senator Bauer (HJR 4203)*

- Amends the state constitution to authorize the state to pledge its full faith and credit to guarantee payment on school district general obligation debt.
- Any obligation or payment on guaranteed school district debt is exempt from the constitutional 9 percent debt limit.



### **SHB 1153: School Safety Provisions**

*Prime Sponsor: Representative McDonald*

- A group home supervising a juvenile must provide information to the school about the juvenile's criminal background.
- When a student transfers to a new school district, the old school must forward the student's records. If the records indicate a criminal history, the school may deny admission to the student.
- If a student poses a threat to other students or staff, the school must notify the student's teachers and the school security personnel.
- Law enforcement may cooperate with schools in releasing information regarding the investigation, diversion, or prosecution of a juvenile.

### **SHB 1240: Medicaid Incentive Payments to School Districts**

*Prime Sponsor: Representative McMorris*

- Provides an incentive for districts to fully bill Medicaid. A district's level of reimbursement is conditioned on the amount that the district can and does bill. If the district bills for all their Medicaid eligible students then the district will receive 50% reimbursement. If the district does not bill for all their Medicaid eligible students, then the district will receive less than 50% reimbursement.

### **E2SHB 1477: School District Organization**

*Prime Sponsor: Representative Haigh (SB 5409 Senator McAuliffe)*

The process for changing school district boundaries is modified.

- The districts must engage in a negotiation process to attempt to reach an agreement regarding the boundary change.
- If the school district cannot agree, the matter is referred to regional committees which make final boundary change decisions.
- The State Board of Education may review a final boundary change decision to determine if the rules were followed and to ensure that the decision was not arbitrary and capricious.
- Participants in the boundary changing process are to be trained annually.

### **SHB 1569: Excellence in Mathematics**

*Prime Sponsor: Representative Keiser*

- Establishes the Excellence in Mathematics Training Program to improve mathematics performance in elementary, middle, and junior high school students.
- Program will train teachers in instructional methods that are based on empirical research.
- SPI will administer the program and give priority to teachers from schools that performed below the standard on one or more math assessments.

### **HB 1761: Retired Substitutes/Teachers**

*Prime Sponsor: Representative Talcott*

- The number of hours that retired teachers and retired principals can serve as substitute teachers and principals

without receiving a reduction in benefits is increased from a total of 630 hours to 840 hours per year.

### **SHB 1770: Board of Education Recommendations**

*Prime Sponsor: Representative Stensen*

- Technical changes removes obsolete statutory language.
- Statutory limits on education-center reimbursements and fees for K-1 preadmission screenings are replaced with rates determined by SPI and school districts.
- Recodifies sections concerning joint school districts, divided school districts, school board members, and school boundaries.

### **HB 1819: School District Name Change**

*Prime Sponsor: Representative Anderson (SB 5170 Senator Haugen)*

- The process for changing the name of a school district is modified and the requirement that the proposed name be presented to the voters through an election process is eliminated.
- A school district may change its name if the voters petition for a name change or if the school board moves to change the name.
- The school board votes to approve school district name changes.

### **SHB 1935: Early Childhood Assistance**

*Prime Sponsor: Representative Tokuda*

- Changes the ECEAP family-income eligibility requirement from 100 percent of the federal poverty level to 110 percent.

### **E2SHB 2085: Disruptive Students**

*Prime Sponsor: Representative Quall*

- Beginning 1999-2000, elementary and junior high schools are encouraged to provide regular and special education staff opportunities to share successful practices for managing disruptive students.
- During the summer of 2000, SPI must conduct training institutes for schools staff to learn effective strategies for handling disruptive students and how to design and implement proven alternative learning settings and programs for disruptive students.

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## ENERGY, TECHNOLOGY & TELECOMMUNICATIONS

786-7455

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### **SB 5194: Changing Information Technology Management Provisions**

*Prime Sponsor: Senator Brown*

- Agencies are directed to develop information technology portfolios (management plans) and consider those portfolios when making decisions about information technology purchases.
- Information technology budget requests must be reviewed using criteria consistent with the portfolio system.
- The limitation on the total number of deputy and assistant directors the Department of Information Services may have is deleted.

### **SB 5496: Authorizing the Department of Revenue to Receive Electronically Filed Taxpayer Returns and Remittances**

*Prime Sponsor: Senator Brown (HB 1621)*

*\* SB 5496/HB 1621 was amended in its entirety onto HB 1741.*

### **2SSB 5681: Directing the Department of Revenue to Study Taxation of Electricity Industry**

*Prime Sponsor: Senator Brown*

*\* 2SSB 5681 was amended, as a budget proviso, into the operating budget, ESSB 5180 (Section 138).*

### **ESB 5962: Promoting Electronic Commerce through Digital Signatures**

*Prime Sponsor: Senator Brown (HB 2174)*

- Provisions of the Washington Electronic Authentication Act are modified. The Secretary of State's authority to establish rules is broadened and clarified.
- DIS is authorized to become a licensed certification authority, but before DIS may issue a certificate to a nongovernmental entity, it must issue a request for proposals from licensed certification authorities and make a written determination that such services are not sufficient to meet the department's published requirements.
- If DIS issues a certificate to a nongovernmental entity, the Office of Financial Management is directed to convene a task force to review the practice of the state issuing certificates to nongovernmental entities for the purpose of conducting official public business. The task force shall prepare and submit its findings to the legislature by December 31, 2001. The task force provision sunsets June 30, 2001.

### **2SHB 1037: Amending Restrictions on Unsolicited Commercial Electronic Mail Messages**

*Prime Sponsor: Representative Bush*

- It is a violation of the Consumer Protection Act to initiate, conspire to initiate, or assist, in the transmission of a commercial electronic mail message in violation of the act.
- Messages that use a third party's domain name without permission, misrepresent or obscure any information identifying the point of origin or transmission path of the message, or contain false or misleading information in the subject line are prohibited.

**HB 1042: Exempting Certain Computer Software from Public Inspection**

*Prime Sponsor: Representative Dunn*

- Computer source code or object code obtained by an agency is exempt from public inspection and copying for five years if the requested disclosure would produce private gain and public loss.

**EHB 1459: Allowing Reduced Rate Utility Service for Low-Income Citizens**

*Prime Sponsor: Representative Poulsen*

- Upon the request of an electrical or gas company, the Washington Utilities & Transportation Commission may approve rates, charges, and services at a discount for low-income citizens.

**HB 2081: Continuing a Moratorium that Prohibits a City or Town from Imposing a Specific Fee or Tax on an Internet Service Provider**

*Prime Sponsor: Representative Ruderman (SB 5438 Senator Finkbeiner)*

- The prohibition against a city or town imposing any new taxes or fees specific to Internet service providers is extended until July 1, 2002.

**HJM 4011: Allowing Schools and Libraries to Receive Telecommunications at Below-Tariffed Rates without Losing Universal Service Discounts**

*Prime Sponsor: Representative Bush*

- The President of the United States and Congress are petitioned to urge the FCC to promptly address the matters raised in DIS' petition by ruling that schools and libraries may participate with nonprofit independent baccalaureate institutions in procuring below-cost telecommunications services without losing universal service discounts.

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## ENVIRONMENTAL QUALITY & WATER RESOURCES

786-7407

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### **SB 5105: Changing the Definition of Public Water System**

*Prime Sponsor: Senator Eide (HB 1164)*

- Revises the definition of public water system to include systems using constructed conveyances, in order to conform with federal law.

### **ESSB 5208: Relating to Fertilizer Labeling Language**

*Prime Sponsor: Senator Rasmussen (HB 1520)*

- The amount of labeling information required on commercial fertilizers distributed within the state is reduced.
- Three label options are provided for fertilizers. The options provide different methods of announcing that information regarding the contents and levels of metals is available on the Internet.

### **ESSB 5290: Changing the Freshwater Aquatic Weeds Management Program by Clarifying Funding and Creating an Advisory Committee**

*Prime Sponsor: Senator Fraser*

- At least two-thirds of the freshwater aquatic weeds account shall be issued as grants to state agencies, local governments, tribes and special purpose districts to prevent or control freshwater aquatic weeds, conduct pilot projects and hydrilla eradication activities.
- The grants are for weed control activities in waters with public boat launch facilities, hydrilla eradication activities, and control weeds in waters designated as fly fishing-only.
- Up to one-third of the weeds account may be used for public education programs and technical assistance to local governments and citizens groups.
- An advisory committee will oversee the freshwater weeds management program.

### **ESSB 5424: Relating to Aquatic Plant Management**

*Prime Sponsor: Senator Winsley*

- The Department of Ecology must update the final environmental impact statement for the aquatic plant management program to evaluate new, commercially available herbicides.
- The use of the pesticide 2,4-D is authorized to treat an initial infestation of Eurasian water milfoil. Ecology may prohibit the use of aquatic 2,4-D if the dioxin content exceeds the EPA standard.
- The experimental use of hydrothol 191 is authorized during the 1999 treatment season to control algae in certain lakes. If the use of this herbicide is ineffective, then Ecology may permit the use of copper sulfate.

### **SSB 5729: Relating to Standards for Location of Certain Solid Waste Landfills**

*Prime Sponsor: Senator Rasmussen*

- Stringent siting and design standards are required for large above-grade landfills that are greater than 100 acres and have an average height of more than 100 feet above grade.
- Such a landfill may not be located within 5 miles of a national park, or a public or private nonprofit zoological park displaying native animals in the native habitats, or over designated sole source aquifer.

- If such a landfill is sited, it must have an impermeable berm constructed around the landfill, large enough to contain all material inside the landfill.

## **2SSB 5821: Regulating Designers of On-Site Wastewater Treatment Systems**

*Prime Sponsor: Senator Eide*

- A statewide licensing program is established for designers of on-site wastewater treatment systems in the Department of Licensing under the jurisdiction of the Board of Professional Engineers and Land Surveyors.
- Employees of local health jurisdictions who inspect, review, or approve the design and construction of onsite systems must obtain a certificate of competency.
- License and certificate applicants must pass a written examination and meet education and experience requirements.
- A work group will recommend financial assurances of on-site wastewater practitioners including on-site system designers' responsibility for system failures that affect structure and property values.

## **ESSB 5866: Eliminating Component Registration of Fertilizer Products**

*Prime Sponsor: Senator Fraser*

- When registering a fertilizer, the applicant must report the concentration of specified metals contained in the product.
- Exceptions are provided for anhydrous ammonia, customer-formula fertilizers and packaged commercial fertilizers containing a single chemical compound.
- Component registration of fertilizers is eliminated.

## **SHB 1163: Relating to the Authority of Local Health Jurisdictions Regarding Properties Contaminated by Toxic Chemicals**

*Prime Sponsor: Representative Cooper (SB 5106 Senator Eide)*

- Local health officers may determine when a certified contractor must be used to decontaminate property that has been contaminated by hazardous chemicals associated with the manufacture of illegal drugs.
- The Department of Health must adopt rules establishing decontamination standards for hazardous chemicals, including methamphetamine, lead, mercury, and total volatile organic compounds.

## **HB 1549: Extending Deadlines in Water Rights Permits**

*Prime Sponsor: Representative Chandler*

- The Department of Ecology must extend deadlines in water rights permits for good cause, which includes the operation of federal laws that prevent federal reclamation projects from putting water to use.

## **HB 1642: Authorizing Changes in Surface Water Permit Provisions**

*Prime Sponsor: Representative Grant*

- The Department of Ecology may approve a change of the point of diversion in a surface water permit to an existing, approved intake structure downstream, if ownership, as well as purpose, season, and place of use remain the same.
- A natural stream or lake may be used to convey water to an approved intake structure in a neighboring state.

### **SHB 1744: Changing Lake Outflow Regulation**

*Prime Sponsor: Representative Schoesler*

- When there are fewer than ten owners abutting on a lake (i.e., nine or fewer), a majority of the owners are authorized to petition a superior court for an order fixing the water level.
- The court must notify the Department of Fish and Wildlife before issuing an order fixing the lake level and then direct the Department of Ecology to regulate and control the outflow of the lake so as to maintain the lake level.

### **SHB 1826: Relating to Appointment of Water Masters in Watershed Management Areas**

*Prime Sponsor: Representative Grant*

- The Department of Ecology may appoint a water master, when one is included in a watershed plan, subject to state or nonstate funding.

### **HJM 4012: Requesting Congress to Pass Legislation to Restore and Revitalize Federal Funding for the Land and Water Conservation Fund.**

*Prime Sponsor: Representatives Regala*

- Congress is petitioned to restore full funding to the federal Land and Water Conservation Fund. The petition states that these lands shall be open for public use and enjoyment.
- Congress is also requested to provide a dedicated fund for state-level fish and wildlife management.

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## HEALTH & LONG-TERM CARE

786-7747

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### **SB 5114: Exempting Certain Hospitals from Annual Inspections**

*Prime Sponsor: Senator Honeyford*

- Hospitals that are accredited by the American Osteopathic Association (AOA) are exempt from the Department of Health's annual inspection requirement as long as the AOA's standards are similar to the Department's and the AOA has examined the hospital within the past year.

### **ESB 5141: Allowing the Department of Health to Charge for Newborn Screening Services**

*Prime Sponsor: Senator Thibaudeau*

- Allows the Department of Health to charge an additional fee to pay for services provided to newborns diagnosed with specified illnesses.

### **SB 5262: Allowing Unregulated Persons to Perform Sleep Monitoring Tasks**

*Prime Sponsor: Senator Thibaudeau*

- A sleep technologist that performs sleep monitoring tasks does not need to have a respiratory care license to perform his or her duties.
- Sleep monitoring tasks are not within the exclusive practice of respiratory care therapists.

### **SSB 5312: Providing for the Prevention of Workplace Violence in Health Care Settings**

*Prime Sponsor: Senator Costa*

- Health care employers, including state and private hospitals, mental health evaluation and treatment facilities, home care agencies, and community mental health programs, must develop and implement workplace violence prevention programs.

### **SSB 5313: Limiting the Scope of Mental Health Record Audits**

*Prime Sponsor: Senator Wojahn*

- A health insurance carrier conducting a utilization review of mental health services provided to one of its enrollees may access only the specific health care information contained in that enrollee's records.
- A health insurance carrier conducting an audit of a provider that has furnished mental health services to its enrollees may access only the records of its own enrollees.

### **SSB 5416: Creating the Children's Health Insurance Program**

*Prime Sponsor: Senator Thibaudeau*

- The Children's Health Insurance Program (CHIP) is created under the auspices of the Department of Social and Health Services.
- The program, the benefits of which are not an entitlement, is to provide health insurance coverage to persons age 18 and under whose family income is between 200 and 250 percent of the federal poverty level.



**ESB 5485: Regulating Certain Tobacco Product Manufacturers**

*Prime Sponsor: Senator Thibaudeau (HB 1531)*

- Tobacco manufacturing companies that did not participate in the national "Master Settlement Agreement" are required to pay into a specific fund to assure there is money available to pay for potential future litigation costs.

**SB 5499: Making Modifications to the Home Health, Hospice, and Home Care Agency Licensure Law**

*Prime Sponsor: Senator Wojahn*

- The Department of Health is authorized to determine home care licensure fees based on geographic area served, the number of agency sites and volume of service provided.

**ESSB 5693: Establishing the Developmental Disabilities Endowment Trust Fund**

*Prime Sponsor: Senator Wojahn*

- A developmental disabilities endowment fund is established through private and public contributions to provide for future services for people with developmental disabilities.

**SB 5702: Changing Physician Assistant Licensing and Practice Requirements**

*Prime Sponsor: Senator Thibaudeau*

- An applicant for a physician assistant or osteopathic physician assistant license is required to take and pass an examination within a year of completing his or her educational requirements.
- A one-year interim permit may be granted for an applicant as long as he or she meets all of the other licensing requirements.

**2SSB 5766: Modifying the Duties of a Long-Term Care Ombudsman**

*Prime Sponsor: Senator Wojahn*

- Updates state statutes relating to the duties of the long-term care ombudsman to conform to federal law.

**SB 5829: Allowing Providers of Occupational Therapy and Physical Therapy to Become Shareholders in a Professional Services Corporation**

*Prime Sponsor: Senator Thibaudeau*

- An occupational therapist or physical therapist is permitted to open a professional services corporation and professional limited liability corporation within his or her field of practice.

**SSB 5864: Allowing a Health Maintenance Organization to Return an Individual to His or Her Nursing Care Facility**

*Prime Sponsor: Senator Fairley*

- A health carrier that provides coverage for a person at a long-term care facility following that person's hospitalization shall, upon request, provide such coverage at the facility in which the person resided prior to the hospitalization.

### **SB 5954: Claiming the Proceeds Recovered on Behalf of Recipients of State Assistance**

*Prime Sponsor: Senator Kline*

- Personal injury action recoveries must be placed, by the lawyer, in a trust account or with the court in an amount sufficient to satisfy any Medicaid lien.

### **HB 1080: Providing Infectious Disease Testing for Good Samaritans**

*Prime Sponsor: Representative Carlson*

- Local health departments must pay the costs of infectious disease testing for good samaritans.  
\* *The provisions of SSB 5793 were amended onto 1080.*
- The Department of Health must work with the Board of Health tracking and perfecting the confidentiality protections of infectious disease information, including enhancing the public and staff's understanding of the importance of confidentiality of this information.
- The penalty for intentional or reckless violations of confidentiality is increased to \$10,000.00.

### **SHB 1113: Revising Provisions Relating to Occupational Therapy**

*Prime Sponsor: Representative Campbell*

- Occupational therapists are renamed occupational therapy practitioners and can accept referrals from a variety of providers.

### **2SHB 1116: Requiring the Department of Social and Health Services to Disclose Long-Term Financial Information and Service Options to Clients**

*Prime Sponsor: Representative Clements*

- The Department of Social and Health Services is required to provide to recipients of long-term care services: (1) a description of the estate recovery process, (2) a regular accounting of charges accumulated against the recipient's estate, and (3) information regarding the community services options available to them.

### **HB 1194: Extending the Due Date for a Report to the Legislature Concerning Accreditation of Licensed Boarding Homes**

*Prime Sponsor: Representative Pflug*

- The date for submitting a report to the legislature on the feasibility of third party accreditation of boarding homes is extended.

### **HB 1216: Removing the Termination of the Secretary of Health's Authority for Administrative Procedure**

*Prime Sponsor: Representative Parlette (SB 5200 Senator Thibaudeau)*

- Allows the Department of Health to continue to revamp administrative rules for licensing and re-licensing health professionals.

### **SHB 1371: Reporting, Treatment and Payment for Treatment of Tuberculosis**

*Prime Sponsor: Representative Ruderman*

- Updates old language in statute regarding the control of tuberculosis and eliminates obsolete terms which no longer relate to current treatment practices.

### **HB 1372: Repealing the Requirement to Maintain a Registry for Handicapped Children**

*Prime Sponsor: Representative Schual-Berke (SB 5240 Senator Costa)*

- The Registry for Handicapped Children is repealed.
- The reporting of birth defects will be handled in one location with all of the other reported conditions tracked by the Department of Health.

### **E2SHB 1484: Modifying Property Valuation Methods for Reimbursing Nursing Facilities**

*Prime Sponsor: Representative Parlette*

- Makes statutory provisions for determining how the state will provide Medicaid reimbursement to nursing homes for capital expenses.

### **SHB 1535: Reimbursing Podiatric Physicians and Surgeons**

*Prime Sponsor: Representative Parlette*

- Except to the extent that a health maintenance organization contracts with a group medical practice which only treats that organization's patients, it may not discriminate in its reimbursement for foot care services between podiatric physicians, allopathic physicians, and osteopaths.

### **HB 1539: Clarifying Medicare Supplement Policies**

*Prime sponsor: Representative Parlette*

- A technical correction is made in the statute governing the movement of people between different Medicare supplemental health insurance policies. The statute will now reference "replacing policies" rather than "replaced policies."

### **2SHB 1546: Modifying Provisions Related to Long-Term Care of Adults**

*Prime Sponsor: Representative Cody*

- Authorizes a comprehensive array of oversight measures regarding case management and in-home care services.

### **SHB 1620: Protecting Vulnerable Adults**

*Prime Sponsor: Representative Conway*

- Consolidates many statutes relating to abuse, neglect, abandonment and exploitation of vulnerable adults into one chapter of the law.

### **HB 1699: Establishing Continuing Education for Dentists**

*Prime Sponsor: Representative Parlette*

- A dentist must meet continuing education requirements in order to maintain his or her state license to practice.

### **HB 1734: Subjecting Licensed Psychologists to Chapter 18.130 RCW, the Uniform Disciplinary Act**

*Prime Sponsor: Representative Esser*

- Licensed psychologists may work in an exempt job, but if the psychologist is licensed, he or she is subject to the Uniform Disciplinary Act.

**SHB 1811: Revising Provisions Relating to Supported Employment for Persons with Severe Disabilities**

*Prime Sponsor: Representative Tokuda*

- Expands the supported employment program to people with significant disabilities.

**SHB 1838: Creating the Impaired Dentist Account**

*Prime Sponsor: Representative Schual-Berke*

- The surcharge assessed on dental licensing fees for the Impaired Dentist Account is raised from a maximum of fifteen dollars to a maximum of twenty-five dollars.

**HB 1863: Providing for Compensation to Part-Time Health Commissions**

*Prime Sponsor: Representative Skinner*

- A fifth category of compensation for part-time commissions is created for health profession commissions. Members of commissions under this category are to be compensated at a rate of up to \$250 per day of service.

**SHB 1864: Providing for the Registration of Surgical Technologists**

*Prime Sponsor: Representative Cody*

- Surgical technologists must register with the Department of Health and are covered under the Uniform Disciplinary Act.

**SHB 1880: Providing for Self-Directed Care for Persons with Disabilities**

*Prime Sponsor: Representative Cody*

- Permits an adult with functional disabilities living at home to hire and supervise non-professionals to perform routine health care tasks under his or her direction.

**SHB 1969: Exempting Real Property that will be Developed by Nonprofit Organizations to Provide Homes for the Aging**

*Prime Sponsor: Representative McIntire*

- Changes the date for calculating the number of low-income occupants of nonprofit homes for the aging for purposes of applying a property tax exemption.

**SHB 1992: Studying the Need for Emergency Medical Services Personnel to be Trained in the Use of Epinephrine**

*Prime Sponsor: Representative Ballasiotes*

- The Department of Health is instructed to conduct a study and a pilot project regarding the effectiveness of authorizing emergency medical technicians to administer epinephrine.
- An emergency medical technician is required to include epinephrine among his or her supplies and is allowed to administer it with permission of the patient, a parent or guardian, or one who has been authorized to request it on the patient's behalf.

**SHB 2152: Concerning Long-Term Care Payment Rates**

*Prime Sponsor: Representative Cody*

- Allows the Department of Social and Health services to pay "exceptional" rates for nursing home Medicaid clients with unmet needs.

**HJM 4004: Urging Support of Prostate Cancer Research**

*Prime Sponsor: Representative Dickerson*

- The President of the United States and Congress are encouraged to increase funding for prostate cancer research.

**HJM 4014: Requesting an Increase in Federal Funding for Stroke Research**

*Prime Sponsor: Representative Romero*

- The President of the United States and Congress are encouraged to provide increased funding for stroke research.

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## HIGHER EDUCATION

786-7419

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### **SSB 5215: Extending Veterans' Exemptions from Higher Education Tuition**

*Prime Sponsor: Senator Bauer (HB 1247)*

- Eligible Vietnam veterans and eligible Persian Gulf veterans enrolled in public higher education institutions in Washington state may receive full or partial waivers of the tuition increases established since the time of their war-time military service.
- This tuition waiver will continue indefinitely.
- Technical colleges are encouraged to offer the permissive and variable tuition waiver to eligible veterans.

### **SSB 5277: Creating Programs for Child Care at Institutions of Higher Education**

*Prime Sponsor: Senator Kohl-Welles*

- Establishes a child care grant program for institutions of higher education.
- Allows the State Board for Community and Technical Colleges and the Higher Education Coordinating Board to award competitive two-year grants.
- Creates two accounts for student child care in the custody of the State Treasurer.

### **E2SSB 5598: Creating the Washington's Promise Scholarship Program**

*Prime Sponsor: Senator McAuliffe (HB 1693)*

*\* E2SSB 5598 was amended, as a budget proviso, into the operating budget, ESSB 5180 (Section 611).*

### **SB 5278: Changing Provisions Relating to Foreign Degree-Granting Institutions' Branch Campuses**

*Prime Sponsor: Senator Kohl-Welles (HB 1019)*

- The Higher Education Coordinating Board may consider quality and other factors and "may" authorize the operation in Washington state of a branch campus of a foreign degree-granting higher education institution.

### **ESB 5720: Promoting Cooperative Real Estate Research**

*Prime Sponsor: Senator Shin*

- Real estate brokers and salespeople shall be assessed an additional \$10, to be added to their licensing and renewal fees, beginning in October, 1999.
- The funds will be deposited into an appropriated account in the State Treasury. Interest generated by the account will go into the general fund.
- A center for real estate research, associated with an institution of higher education, will establish a memorandum of agreement with the Department of Licensing, which shall disperse the funds to the center.
- Activities of the real estate research center may include research on affordable housing, economically isolated communities, and the provision of support to the Washington Real Estate Commission.

### **EB 5789: Creating the K-20 Network Board**

*Prime Sponsor: Senator Bauer (HB 2234)*

- The K-20 Educational Network Board is created as the successor to the Telecommunications Oversight and Policy Committee to ensure that the broad public interest is served above the interest of any network user.

- The K-20 network technical steering committee is established under the Information Services Board with general operational and technical oversight over the K-20 Network.

**SB 6010: Creating Operating Fees Waivers Not Supported by State General Fund Appropriations**

*Prime Sponsor: Senator West*

*\* SB 6010 was amended, as a budget proviso, into the operating budget, ESSB 5180 (Section 601)*

**SB 6025: Allowing Purchases for Resale by Institutions of Higher Education Without Using the Competitive Bid Process**

*Prime Sponsor: Senator Bauer*

- Institutions of higher education are allowed to purchase goods for resale without a competitive bid process if the purchases are to support instructional programs.

**SHB 1013: Changing the Goals and Priorities for Grants Under the Washington Fund for Innovation and Quality Education Program**

*Prime Sponsor: Representative Carlson*

- Modifies the goals and priorities for awarding grants to institutions of higher education under the Innovation and Quality Education program.
- Restructures the program by allowing the State Board for Community and Technical Colleges to administer the program for the two-year institutions and the Higher Education Coordinating Board to administer the program for the four-year institutions.

**SHB 1015: Extending the Tuition Waiver for Students in the Western Interstate Commission for Higher Education Western Undergraduate Exchange Program**

*Prime Sponsor: Representative Carlson (SB 5784 Senator Sheahan)*

- The governing boards of Washington State University, Central Washington University, and Eastern Washington University may reduce all or part of the tuition charged to students from participating Western Undergraduate Exchange states to 150% of the resident undergraduate rate.
- Total waiver capacity that is reimbursed by the general fund remains unchanged.

**SHB 1016: Creating the Border County Higher Education Opportunity Pilot Project**

*Prime Sponsor: Representative Carlson*

- Creates the border county higher education opportunity pilot project.
- Residents of the four Oregon counties of Columbia, Multnomah, Clatsop, and Washington may enroll at Grays Harbor College, Lower Columbia College, or Clark College and pay resident tuition rates. Portland Community College and Clatsop Community College charge both residents and nonresidents the same tuition. Mt. Hood Community College charges an additional \$10 per credit for nonresidents.
- Residents of the same four Oregon counties may enroll at WSU-Vancouver for eight credits or less and pay resident tuition rates. Nonresident students may enroll at Portland State University for eight credits or less and pay the same tuition as Oregon residents.

**HB 1018: Changing Washington Award for Vocational Excellence Provisions**

*Prime Sponsor: Representative Carlson (SB 5514 Senator Shin)*

- Establishes six-year time limits within which recipients must use the their awards.
- Time limits will allow program administrators to determine student eligibility and project budgetary costs.

## **2SHB 1140: Changing Higher Education Financial Aid Provisions**

*Prime Sponsor: Representatives Carlson and Kenney (SB 5902 Senator Kohl-Welles)*

- The Legislature endorses the Higher Education Coordinating Board recommendations regarding the State Need Grant.
- Reaffirming that the program is to assist low-income, needy, and disadvantaged Washington students.
- Establishing a goal that the grant amounts be based on public institutions' tuition rates.
- Requiring students to contribute to the cost of their education from sources other than grants.
- Requiring students to document their need for a dependent care allowance.
- Allowing institutions to continue grants for students whose income increases only slightly.

## **2SHB 1661: An Act Relating to the Washington Scholars Program**

*Prime Sponsor: Representative Edmonds*

- In addition to the three Washington Scholar scholarship award recipients per legislative district, one alternate per district is created.
- Initial award recipients and alternates must demonstrate their plan to use the award in a Washington Institution of Higher Education in a timely manner.

## **2SHB 1729: Creating the Washington Teacher Pilot Program**

*Prime Sponsor: Representative Kenney*

- Establishes a grant program for institutions of higher education in an effort to create a seamless approach to teacher training that will improve teacher quality and attract more candidates to the profession.
- Outcome goals for the 1999-2001 biennium are established. Priority for awards is given to proposals that involve shared facilities, shared resources and co-curricular planning.

## **2SHB 2061: Changing Community College Provisions**

*Prime Sponsor: Representative Kenney*

- The 2-credit minimum surcharge is eliminated for students at the community colleges.
- Private career schools, when transferred to immediate family members, are exempt from paying \$50,000 to the tuition recovery fund.



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# HUMAN SERVICES & CORRECTIONS

## 786-7436

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### **SSB 5010: Custodial Sexual Misconduct**

*Prime Sponsor: Senator Kohl-Welles*

- The Department of Corrections (DOC) and the Department of Social and Health Services (DSHS) employees or contractors' employees are subject to suspension and termination of employment for sexual contact or intercourse with offenders.
- DOC & DSHS cannot renew contracts with any contractor whose employee engaged in sexual misconduct unless the contractor has significantly reduced the likelihood of future misconduct.

### **SSB 5011: Dangerous Mentally Ill Offenders**

*Prime Sponsor: Senator Long*

- Creates a release planning process for felony offenders who are both mentally ill and dangerous.
- Evaluation will be performed by a multi-disciplinary team and coordinated with the civil commitment process in appropriate cases.
- Establishes post-release case management and a procedure for reimbursing the regional support networks.

### **SB 5015: Changing Provisions Relating to Community Mental Health Services**

*Prime Sponsor: Senator Long*

- Technical, not substantive changes are made to the Community Mental Health Services Act. Dated information is deleted; cross references are corrected.

### **SSB 5046: Mentally Ill Offender Hearing**

*Prime Sponsor: Senator Long*

- Creates a procedure for a hearing required by 1998 mentally ill offender legislation.

### **SSB 5047: Mental Health Record Sharing**

*Prime Sponsor: Senator Long*

- Mental health professionals conducting forensic evaluation and treatment have the same access to records as other mental health professionals.

### **SSB 5048: Mental Illness Technical Corrections**

*Prime Sponsor: Senator Long*

- Makes technical corrections and clarifications to the civil commitment statutes.

### **2SSB 5108: Creating a Task Force on Missing and Exploited Children**

*Prime Sponsor: Senator Patterson*

- A task force on missing and exploited children, administered by the Washington State Patrol, is established to assist local law enforcement during missing and exploited children investigations.
- A six member advisory board advises the chief of the Washington State Patrol on the objectives, management and coordination of task force activities.

### **2SSB 5210: Placement of Children with a Relative Prior to and at a Shelter Care Hearing**

*Prime Sponsor: Senator Stevens*

- Priority placement for a child in shelter care shall be with a relative.

- Relative must be willing, available and able to meet any special needs.
- Supervising agency must document its efforts.

**SB 5235: Sex Offender Treatment Provider Certification**

*Prime Sponsor: Senator Long (HB 1178)*

*\* The substance of this bill was incorporated into E2SSB 5421.*

**SSB 5279: Regulating the Placement of Children in Mental Health Treatment by the Department of Social and Health Services**

*Prime Sponsor: Senator Kohl-Welles*

- Parents must be given notice and an opportunity to be heard regarding a child's admission to inpatient mental health treatment when removed from home by the Department of Social and Health Services because the child is a dependent child.
- The inpatient placement must be medically necessary and meet the needs of the child.

**E2SSB 5421: Offender Accountability Act**

*Prime Sponsor: Senator Hargrove (HB 1252)*

- Creates a single system of supervising offenders in the community and expands number of offenders sentenced to community supervision.
- Both the court and the Department of Corrections (DOC) can set affirmative conditions of supervision, including treatment.
- Gives DOC tools to monitor and enforce conditions and sanction violators.
- *\* Incorporates the substance of SB 5235/ SHB 1178.*
- Requires sex offender treatment providers to be certified by the Department of Health.

**SSB 5457: Conditions Involving Diversion Agreements for Juveniles Under Diversion Programs Authorized by State Law Prior to January 1, 1999**

*Prime Sponsor: Senator Costa*

- Victims and witnesses may request that a diversion agreement require that an offender refrain from any contact with a victim or witness.
- Courts may impose terms of community supervision that exceed conditions allowed under diversion for respondents who decline to enter into a diversion agreement.

**SSB 5513: Execution Witnesses**

*Prime Sponsor: Senator Costa*

- No fewer than five media representatives may be selected as witnesses to executions.
- Victim's advocates may be witnesses to executions as representatives of the immediate family.
- The chief law enforcement officer of the investigating agency may appoint up to two representatives to witness an execution.

**E2SSB 5557: Providing Residential Placement and Transitional Living Services to Street Youth**

*Prime Sponsor: Senator Hargrove*

*\* The substance of this bill was incorporated into E2SHB 1493.*

**SSB 5744: Ordering a Proposal to Provide for Representation of Parties in Child Dependency and Termination Proceedings**

*Prime Sponsor: Senator Haugen (HB 1598)*

- The Office of Public Defense shall develop a proposal to address the costs of legal representation for indigent parties in dependency and termination hearings. The proposal shall be made to the legislative standing committees by December 6, 1999.

**SSB 6001: Disclosure of Information to the Office of the Family and Children's Ombudsman**

*Prime Sponsor: Senator Hargrove*

- Guardians ad litem in domestic relations cases, the Department of Social and Health Services, the attorney general, and contracting agencies or service providers for counseling, psychological, psychiatric, or medical services are authorized to release relevant information to the ombudsman.
- Disclosure of information to the office of the ombudsman is not a waiver of privilege.
- Ombudsman employees are immune from liability for good faith performance of duties.
- No retaliatory or disciplinary action can be taken against an employee or contractor for good faith communication with the ombudsman.

**E2SHB 1006: Crimes Related to Drugs or Alcohol**

*Prime Sponsor: Representative Ballasiotes*

- Expands the Drug Offender Sentencing Alternative (DOSA) eligibility and requires offenders to serve the community portion of their sentence in an approved substance abuse treatment program. Failure may result in reclassification.
- Restricts Work Ethic Camp (WEC) eligibility by excluding those serving time for drug offenses, those subject to deportation, or those previously at WEC. Removes the three to one conversion time served at WEC.
- Specifically authorizes drug courts. Counties must fully exhaust federal drug court funding and provide a resource match before seeking state funds.

**SHB 1068: An Act Relating to Clemency and Pardons**

*Prime Sponsor: Representative Ballasiotes*

- Provides victims and survivors of victims with notice and an opportunity to participate in the clemency and pardons process.
- Victims and survivors of victims may present written, oral, audio or videotaped statements at any hearing conducted regarding clemency or pardon petitions.

**E2SHB 1143: Inmate Deductions**

*Prime Sponsor: Representative O'Brien*

- Money sent to an inmate to pay for postage is exempt from the 35% mandatory deductions. The fee-based educational program that is currently exempt from deductions is defined.
- Offenders sentenced to death or to life without the possibility of release are not subject to the 10% deduction for an inmate savings account. The Department of Corrections must develop a plan to deposit inmate savings accounts into an interest bearing account so that inmates receive interest on their savings.
- The deductions for cost of incarceration will continue to be used to support the correctional industries program after December 31, 2000.

## **2SHB 1176: Retention of Records Relating to Sexually Violent Offenses**

*Prime Sponsor: Representative O'Brien (SB 5236 Senator Hargrove)*

- Records of investigative reports pertaining to sexually violent offenses are transferred to the Washington Association of Sheriffs and Police Chiefs for permanent electronic retention and retrieval instead of being destroyed after six years.
- The documents are no longer public records and are exempt from public disclosure.
- The records may be disseminated to criminal justice agencies for the sole purpose of determining if a sex offender meets the criteria of a sexually violent predator or to victims seeking a civil remedy.

## **HB 1178: Sex Offender Treatment Provider Certification**

*Prime Sponsor: Representative O'Brien (SB 5235 Senator Long)*

*\* The substance of this bill was incorporated into E2SSB 5421.*

## **HB 1297: Application of Limitations on Earned Early Release Time**

*Prime Sponsor: Representative O'Brien*

- Clarified that a 15% cap on earned early release time applies to those convicted of serious violent offenses or class A sex offenses.

## **HB 1299: Extraordinary Medical Releases for Offenders**

*Prime Sponsor: Representative Ballasiotes (SB 5549 Senator Kohl-Welles)*

- The Secretary of Corrections may authorize extraordinary medical placement if the offender's medical condition requires costly treatment, the risk to public safety is negligible due to the offender's physical incapacitation, and the state would realize a cost benefit.
- Offenders sentenced to life without the possibility of release or death are not eligible.

## **ESHB 1407: Changing Adoption Provisions**

*Prime Sponsor: Representative Lambert*

- Consent of a parent convicted of rape is not required in an voluntary adoption proceeding.
- A natural parent's preference for voluntary adoption shall be followed by the Department of Social and Health Services in abuse and neglect cases, unless a termination petition has been filed, and then the natural parent's preferences shall be considered.
- Aggravating circumstances for expedited terminations must be established by clear, cogent and convincing evidence.

## **E2SHB 1493: Establishing a Collaborative Effort to Address the Housing Needs of Homeless Children and their Families**

*Prime Sponsor: Representative Tokuda*

- The Department of Community Trade and Economic Development (CTED) will be the principal state agency responsible for the state's activities for developing a coordinated and comprehensive plan to serve homeless families with children.
- The Department of Social and Health Services (DSHS) will coordinate with the CTED on the plan to serve homeless families with children and will modify its programs and services to address the needs of homeless families with children.
- In dependency cases, the judge will determine whether the DSHS used reasonable efforts, including housing assistance, to avoid out-of-home placements or shorten the duration of an out-of-home placement.

*\* The following is the substance of E2SSB 5557.*

- The DSHS is directed to establish, by contract, HOPE Centers, which provide temporary residential living facilities and services to youth who have been living on the street or in other unsafe locations. Runaways who have a parent looking for them and are not abused and neglected must return home. Placement and liaison specialists will work with youth who are abused, neglected, or abandoned, and connect them to long term residential care and other services.
- The DSHS is directed to establish, by contract, responsible living skills programs, which are a long-term residential placement alternative for dependent youth who have been unable to live in their legally authorized residence. These programs must offer transitional living skills services to residents that focus on development of skills required once the youth reaches age eighteen. The outcomes in HOPE Centers and responsible living skills centers will be studied by the Institute for Public Policy.
- The DSHS shall develop a procedure for reporting children it serves in its programs to the missing children's clearinghouse at the Washington State Patrol in order to link parents to missing children.

### **SHB 1619: Changing the Liability Insurance of Foster Parents**

*Prime Sponsor: Representative McDonald*

- Foster parents may be reimbursed replacement value of damages done to their property by a foster child up to an amount set by the Department of Social and Health Services.

### **SHB 1668: Providing Foster Parents with First Aid/CPR and HIV/AIDS Training**

*Prime Sponsor: Representative McDonald*

- The Department of Social and Health Services must pay the costs of first aid/CPR and HIV/AIDS training required of licensed foster parents.

### **HB 1757: Offender DNA**

*Prime Sponsor: Representative Miloscia*

- Expands collection of DNA samples to offenders convicted of sex or violent offenses before July 1, 1990, who are still incarcerated on the effective date.
- Changes the timing of collection of offender DNA samples to the intake process following conviction.

### **HB 1810: Technical Amendments Concerning the Child Abuse Protection and Treatment Act**

*Prime Sponsor: Representative Boldt (SB 5951 Senator Costa)*

- The Department of Social and Health Services must disclose information regarding the near fatality of a child.

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## JUDICIARY

786-7462

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### **ESB 5036: Additional Superior Court Judges**

*Prime Sponsor: Senator McCaslin (HB 1046)*

- The number of superior court judges in Okanogan County is increased from one to two. The number of superior court judges in Grant County is increased from two to three.
- The new positions take effect only upon approval by the legislative authority in each county. The additional judicial position in Okanogan County is effective only if the county agrees to pay the expenses of existing judicial positions as provided in state law.

### **SB 5037: Creating Court of Appeals Position for Pierce County**

*Prime Sponsor: Senator McCaslin (HB 1047)*

- An additional judicial position is authorized for Division II of the Court of Appeals. The judgeship is added to Division 1, Pierce County.

### **SB 5127: Child Abuse Investigations**

*Prime Sponsor: Senator Kohl-Welles*

- A law enforcement officer is prohibited from participating as an investigator of alleged abuse or neglect concerning a child for whom the officer is, or has been, a parent, guardian, or foster parent.  
*\* The following contains provisions from HB 1692.*
- Various provisions are created to guide investigators from DSHS, law enforcement, prosecution, and local advocacy groups who investigate and/or interview child victims of alleged sexual abuse. Law enforcement, prosecution, and Child Protective Services workers are provided with on-going specialized training in interviewing child victims of sexual abuse.
- The Washington State Institute for Public Policy must convene a work group to develop state guidelines for child sexual abuse investigations protocols.
- Three pilot projects using different methods to conduct and preserve interviews with alleged child victims of sexual abuse are to be established by DSHS.

### **SSB 5134: Foreign Protection Orders**

*Prime Sponsor: Senator Wojahn (HB 1160)*

- A procedure for the filing and enforcement of foreign protection orders is created.
- The order must be issued by a court of another state, United States territory or possession, a military tribunal, or a tribal court in a civil or criminal action.
- It is a gross misdemeanor for a person under restraint to violate the foreign protection order or restraining order.
- Violation of a foreign protection order is a class C felony under circumstances specified in the bill.
- The person entitled to protection must divulge other orders between the parties and disputes dealing with custody of children or visitation are to be resolved judicially.

- A peace officer is not to remove a child from his or her current placement unless a writ of habeas corpus is produced or the child would be injured or could not be taken into custody if it were necessary to first obtain a court order.

### **SSB 5154: Limiting the Liability of Electric Utilities**

*Prime Sponsor: Senator Hargrove (HB 1230)*

- Electric utilities are granted immunity from liability for damages when their workers cut vegetation that has damaged their facilities, or that poses an imminent hazard or potential threat to damage.
- The terms imminent hazard and potential threat are defined and these conditions must be determined by a certified arborist or qualified forester.
- Provisions regarding notice to landowners is detailed for those situations where the vegetation has already come in contact with electric facilities, for those that pose an imminent hazard, and for those that present a potential threat.

### **ESSB 5195: Protecting Employee Benefits**

*Prime Sponsor: Senator Heavey*

- Various forms of retirement savings (including Roth IRAs, tax sheltered annuities, etc.) are exempt from legal process, such as garnishment.
- Language is added conforming the act to the numerical changes of the IRS Tax Code and to the alternate dispute resolution provisions that are required with disputes of wills or trusts.

### **SB 5196: Resolving Trust and Estate Disputes**

*Prime Sponsor: Senator Johnson (HB 1098)*

- The Trust and Estate Dispute Resolution Act (TEDRA) is created to centralize all procedures for resolving disputes that occur regarding trusts and estates.
- The common law doctrine of "virtual representation," which allows a member of a class to an inheritance (i.e., a grandchild) to determine the rights of all members of the class, is expressly adopted.

### **SSB 5197: Making Technical Corrections to the Disclaimer Statute**

*Prime Sponsor: Senator Johnson (HB 1138)*

- A written disclaimer of interest in an estate does not have to refer to specific statutory language in order to avoid tax consequences.
- Unless otherwise designated within the disclaimer, the minimum requirements of the IRS Tax Code are presumed to be met.
- The act applies retroactively to all disclaimers made after the date of the change in the IRS Tax Code.

### **SB 5198: Comporting with IRS Tax Code Language**

*Prime Sponsor: Senator Johnson (HB 1159)*

- Technical correction that deletes the word "unified" from the term "unified credit" as that term is used in the marital deduction survivorship sections of the law.

- Harmonizes state law with the terminology of the federal tax code.

### **SB 5211: Drunk Driver Jurisdiction**

*Prime Sponsor: Senator Costa (HB 1200)*

- The statutes that deal generally with district and municipal court jurisdiction over criminal defendants are made to explicitly reflect the five-year jurisdiction granted in the 1998 DUI law changes and the enforcement of ignition interlock orders is exempt from the jurisdictional time restrictions.

### **SSB 5234: Custodial Sexual Misconduct**

*Prime Sponsor: Senator Long (HB 1177)*

- Creates the new crimes of Custodial Sexual Misconduct in the First and Second Degree.
- Makes it illegal for a correctional officer, jail guard or other law enforcement officer to have intercourse or sexual contact with a prisoner or other person under their custody or under arrest.
- First degree requires intercourse and is a class C felony.
- Second degree requires sexual contact and is a gross misdemeanor.
- Consent of the victim is not a defense, but sex by forcible compulsion is a defense.

### **SB 5301: Traffic Offense Processing**

*Prime Sponsor: Senator Heavey*

- Courts are allowed to electronically transfer traffic offense disposition information to the Department of Licensing.
- The requirement that speed and speed zone information be recorded and printed on hearing notice forms is removed.
- Courts can simultaneously generate and issue the failure to appear notice with the warrant of arrest whenever the person violates his or her written promise to appear in court.

### **SSB 5304: Relating to Penalties Imposed for Violations of the State Liquor Code**

*Prime Sponsor: Senator Costa (HB 1201)*

- Keg registration violations and furnishing kegs to minors are gross misdemeanors.
- Consuming liquor in public is a class 3 infraction punishable by a fine of up to \$50. The violation of selling liquor to a minor, RCW 66.44.320, is repealed due to the fact it is addressed in another section of law which makes a similar violation a gross misdemeanor.

### **SSB 5399: Changing Provisions Relating to Traffic Offenses**

*Prime Sponsor: Senator Rossi*

- Prior DUI related convictions are not considered when computing the offender score for a current offense of vehicular homicide while under the influence, but a 2-year sentence enhancement is added for each prior DUI related offense.
- In cases where a person is convicted of DUI with a blood alcohol content (BAC) of .15 or more, the DUI is the person's second or subsequent DUI, or the person refused the Breathalyzer test the court must order the person to



drive only a vehicle equipped with an ignition interlock device.

- As a condition of granting a DUI related deferred prosecution, the court must order installation of an interlock device when the DUI involved a BAC of .15 or higher, the person refused the Breathalyzer test, or it is the person's second or subsequent DUI.

*\* The following contains provisions from SB 5443.*

- DOL may waive the required \$100 fee if the person requesting a hearing before DOL regarding administrative license suspension or revocation is an indigent as defined in law.

### **SB 5443: Providing for Waiver of Administrative Alcohol or Drug-related Due to Indigency**

*Prime Sponsor: Senator Kline*

*\* SB 5443 was incorporated into SB 5399.*

### **SB 5487: Changing Fees for Court Procedures**

*Prime Sponsor: Senator Heavey*

*\* SB 5487 was incorporated into HB 1663.*

### **SSB 5573: Improving Criminal History Record Dispositions**

*Prime Sponsor: Senator Horn (HB 1555)*

- Allows criminal charges to be disseminated as non-conviction data in the same manner as arrest information.

### **SB 5606: Providing Procedures for Discipline and Termination of Judges in the Environmental Hearings Office**

*Prime Sponsor: Senator Heavey (HB 1869)*

- Judges with the Environmental Hearings Office can be terminated or disciplined only for cause.
- Judges who are disciplined or terminated for cause may request a written reason for the action.
- The written decision may be appealed to the superior court of Thurston County.

### **SB 5652: Increasing Statutory Limits on Appraiser Fees in Eminent Domain proceedings.**

*Prime Sponsor: Senator Bauer (HB 1785)*

- Raises to \$750 the current \$200 limit on reimbursement to land owners for an independent appraisal and other expenditures in eminent domain proceedings.

### **SSB 5671: Changing Provisions Relating to Anarchy and Sabotage**

*Prime Sponsor: Senator Kline*

- All but two sections of the anarchy and sabotage statutes are repealed.
- Two sections of the anarchy and sabotage statute are amended to define the crimes of assembling to commit criminal sabotage and committing criminal sabotage.

### **SSB 5928: Extending Immunity to Those who Communicate a Complaint to Organizations that Regulate the Securities or Futures Business**

*Prime Sponsor: Senator Prentice (HB 2242)*

- Provides immunity to persons who communicate a complaint or information to any self-regulatory organization

that regulates persons involved in the securities or futures business and that has been delegated authority by a federal, state, or local agency.

### **SB 6035: Creating the Year 2000 Citizens' Protection Act**

*Prime Sponsor: Senator Swecker*

*\* SB 6035 was incorporated into EHB 2015.*

### **SSCR 8406: Determining Whether the Legislature Should Commence Proceedings to Remove Judge Grant Anderson from Office**

*Prime Sponsor: Senator Snyder*

- Within two weeks or the release of the state supreme court's decision on the discipline of Judge Grant Anderson, or no later than December 10, 1999, the House and Senate Committees on Judiciary are to schedule a meeting to review the matter.

### **EHB 1007: Counterfeiting Intellectual Property**

*Prime Sponsor: Representative Ballasiotes*

- Makes it a crime for anyone who, without authorization, produces or sells goods with counterfeit trademarks or who represents themselves as authorized by the company, if it is done for financial gain.
- Creates a graduated sentencing scheme based on the number of prior convictions for counterfeiting, the number of counterfeit items, or the aggregate retail value of the counterfeit items, ranging from a misdemeanor to a class C felony.
- Also creates a new class C felony for knowingly manufacturing, producing or distributing counterfeit items which endanger the health or safety of others.

### **HB 1011: Harassment and Stalking Using Electronic Communications**

*Prime Sponsor: Representative Scott*

- The statutory definition of criminal harassment includes a person who, by words or conduct, places another person in reasonable fear that the threat will be carried out. "Words or conduct" include the sending of an electronic communication.
- The definition of "contact" in criminal stalking includes the sending of an electronic communication.
- For the purpose of obtaining an antiharassment protection order due to a course of conduct, "course of conduct" includes the sending of an electronic communication.

### **HB 1027: Criminal Justice Training Commission**

*Prime Sponsor: Representative Scott (SB 5038 Senator Goings)*

- Adds two additional members, front-line law enforcement officers, to the Criminal Justice Training Commission.

### **EHB 1067: Amending Statutory Double Jeopardy Provisions**

*Prime Sponsor: Representative O'Brien*

- Allows the state to prosecute a defendant (i.e., for DUI) who has already received administrative or non-judicial punish from another sovereign (i.e., Military).

### **SHB 1124: DUI Electronic Monitoring**

*Prime Sponsor: Representative Constantine (SB 5162 Senator Goings)*

- Courts may waive otherwise mandatory electronic home monitoring in DUI cases if the offender has no dwelling or phone, resides outside the state, or there is reason to believe the offender will violate the terms of the monitoring.
- Whenever a court waives the monitoring, it must impose an alternative sentence with similar punitive consequences. Alternatives include jail time, work crew, or work camp.
- If the total of jail time and electronic monitoring would exceed one year, the jail time is to be served first and the monitoring (or alternative) is to be reduced so the combination does not exceed one year.

### **ESHB 1131: Impounding Cars of Persons Patronizing Prostitutes**

*Prime Sponsor: Senator/Representative Sheahan (SB 5602 Senator West)*

- Law enforcement may impound the vehicle of a person arrested for patronizing a prostitute (or juvenile prostitute) if the vehicle was used in committing the crime, if the arrested person is the owner of the vehicle, and if the person has been previously convicted of the same crime.

### **HB 1139: Judicial Removal of a Director of a Nonprofit Corporation**

*Prime Sponsor: Senator/Representative Sheahan*

- In addition to existing mechanisms, nonprofit corporations are also authorized to remove a director by filing suit in superior court.
- The court will remove a director if it finds that the director engaged in dishonest conduct with regard to the nonprofit and that removal is in the best interest of the nonprofit.

### **HB 1142: Technical Corrections to Criminal Laws**

*Prime Sponsor: Representative Constantine*

- Various criminal statutes are revised by the Code Reviser to correct technical defects.

### **SHB 1181: Treatment for Crimes Involving Domestic Violence**

*Prime Sponsor: Representative Edwards*

- When a respondent is ordered to participate in batterers' treatment, it is clarified that this means a domestic violence perpetrator treatment program approved by DSHS.
- The Department's standards for approval of domestic violence perpetrator treatment programs must include a requirement that, if the perpetrator or the victim has a minor child, treatment will include education on the effects of domestic violence on children.
- If either the offender or the victim of domestic violence has a minor child, the court may order the offender to participate in an approved domestic violence perpetrator treatment program as part of any term of community supervision.

### **HB 1199: Defining the Jurisdiction of Civil Antiharassment Actions**

*Prime Sponsor: Representative Lantz (SB 5302 Senator Roach)*

- A district court must transfer an action or proceeding relating to a civil antiharassment protection order to the

superior court when the respondent is under 18 years of age.

### **EHB 1232: Judgment Summaries**

*Prime Sponsor: Senator/Representative Sheahan (SB 5601 Senator Costa)*

- County clerks are required to include the legal description of any real property awarded in a judgment in the judgment summary.
- Clerks are also required to place a clear statement in the judgment summary that the Department of Licensing must be notified, as required by the financial responsibility law, if the judgment provides for damages from a motor vehicle accident.

### **HB 1233: Executing on Homestead Property**

*Prime Sponsor: Representative Edmonds*

- When a person attempts to collect on a debt by executing on homestead property, the net value of a homestead is calculated at the time the judgement is executed.
- All liens and encumbrances are included in the calculation except that the specific judgment being executed upon, and all encumbrances junior to that judgment, are excluded from the calculation.
- The amount of the homestead exemption is increased from \$30,000 to \$40,000.

### **EHB 1263: Regulating the Use of Official Seals on Court Documents**

*Prime Sponsor: Senator/Representative Sheahan (SB 5582 Senator Heavey)*

- Seals are no longer required on process issued by district and municipal courts.
- The Washington State Supreme Court may determine by rule which process must be stamped with a seal.
- Legal process issued by municipal courts in cities under 400,000 population runs throughout the state.

### **HB 1388: Crimes in Airspace**

*Prime Sponsor: Representative Keiser*

- The criminal jurisdiction of Washington State is extended to any crime committed aboard an airplane, train, boat, or other conveyance while that conveyance is within Washington State if the conveyance has to land, dock or stop within the state.

### **HB 1394: Making the Defense of Duress Unavailable for the Crime of Homicide by Abuse**

*Prime Sponsor: Representative Hurst*

- The defense of duress is not available in prosecutions for homicide by abuse.

### **HB 1442: Assault on Transit Employees**

*Prime Sponsor: Representative Edwards (SB 5492 Senator Haugen)*

- The statute that makes it a felony to assault a transit driver who is performing official duties is expanded to cover assaults against transit mechanics, transit security officers and the immediate supervisor of a transit driver, if such persons are performing official duties at the time of the assault.

## **ESHB 1514: Modification of a Parenting Plan or Custody Order**

*Prime Sponsor: Representative Kastama*

- A court may order a minor modification in the residential schedule of a parenting plan when it does not change the primary residence of the child and the modification does not result in more than 90 overnights per year in total.
- If the nonprimary residential parent voluntarily fails to exercise residential time for an extended period, the court may make adjustments to the parenting plan.

## **SHB 1525: Authorizing Mediation in Guardianship Proceedings**

*Prime Sponsor: Representative Dickerson*

- Whenever it appears that the incapacitated person or incapacitated person's estate could benefit from mediation and such mediation would likely result in overall reduced costs to the estate, the court may order the parties subject to its jurisdiction into mediation.
- The court must establish the terms for the mediation and allocate the costs of the mediation among the parties and the estate of the incapacitated person as justice requires.

## **HB 1544: Sentencing Corrections**

*Prime Sponsor: Representative O'Brien (SB 5376 Senator Costa)*

- Makes technical corrections in the sentencing laws to clear up inconsistencies as a result of prior amendments with unintended consequences.
- Ranked felonies that were previously unranked on the sentencing grid, seriousness level.
- This was request legislation from the Sentencing Guidelines Commission.

## **SHB 1663: Creating a Unified Family Court**

*Prime Sponsor: Representative Lambert*

- The Administrator for the Courts (OAC) is directed to conduct a unified family court pilot project and the sites for the pilot will be established in no more than 3 superior court judicial districts with authority for at least 5 judges.
- OAC will study the pilot program measuring improvements in the judicial system's response to family involvement in the judicial system.  
*\* The following contains provisions from SB 5487.*
- The fee for requesting a jury of six in a civil trial in superior court is increased from \$50 to \$125 and if the demand is for a jury of 12, the fee is increased from \$100 to \$250.
- Counties are given the authority to impose a fee not to exceed \$250 for filing a request for a trial de novo of an arbitration award.

## **2SHB 1692: Providing Special Training for those who Interview Child Witness Victims**

*Prime Sponsor: Representative Tokuda*

*\* 2SHB 1692 was incorporated into SB 5127.*

## **SHB 1671: Actions Arising Out of Public Works Contracts**

*Prime Sponsor: Representative Constantine (SB 5764 Senator Heavey)*

- All public works contract disputes are subject to the offer-of-settlement and prevailing party attorney fees law, regardless of the dollar amount of the alleged damages.
- The current dollar limit of \$250,000 is deleted from the statute.

## **SHB 1774: Regulating Occupational Drivers' Licenses**

*Prime Sponsor: Representative Wolfe (SB 5377 Senator Kline)*

- Persons whose driver's licenses have been administratively suspended due to failure to pay a traffic ticket, violation of financial responsibility laws, or multiple infractions within a specified period may apply for an occupational driver's license.
- In order to qualify for an occupational driver's license a person must be in one of the following programs where a driver's license is required: (1) a member or an applicant for an apprenticeship program or an on-the-job training program; (2) a program that assists persons who are on welfare to become employed; or (3) undergoing substance abuse treatment or participating in a 12-step program such as Alcoholics Anonymous.
- The Department of Licencing is prohibited from issuing an occupational driver's license to persons participating in substance abuse programs or twelve step programs who have access to transit services.

## **HB 1849: Exceptional Sentences**

*Prime Sponsor: Representative Kagi*

- Allows the court to justify giving an aggravated sentence where an adult has developed a relationship with a homeless teen for the purposes of victimization.

## **EHB 2015: Liability for Y2K Issues**

*Prime Sponsor: Representative Radcliff (SB 5889 Senator Kline)*

- State and local agencies, plus private and public gas and electrical utilities, are severally liable (not jointly) for damage relating to Y2K problems.
  - The state and local agencies are also immune from liability for the first \$100 of damages per claimant.
- \* The following contains provisions from SB 6035.*
- An individual has an affirmative defense in any court action if he or she defaults on a contract because of a Y2K problem.
  - Insurance coverage is reinstated with full coverage, with no penalties or interest, if person can demonstrate that payment was not made because of Y2K and payment is ultimately made in a timely fashion.
  - No interest or penalties if employer can not pay L&I premium because of Y2K problem and payment is ultimately made in a timely fashion. "Employer" means only an individual or a business entity with 50 or fewer employees.

- No interest of penalties if person can not pay real or personal property taxes or state excise taxes because of Y2K problem and payment is ultimately made in a timely fashion. "Person" means only an individual or a business entity with 50 or fewer employees.
- Person asserting the Y2K problem must not be the cause of the problem.
- The bill does not apply to injuries or death caused by Y2K.

### **SHB 2071: Limited Liability Companies Exclusion from Workers' Compensation**

*Prime Sponsor: Representative B. Chandler (SB 5721 Senator Heavey)*

- Members and managers of limited liability companies whose positions are similar to those of certain high level partnership or corporation positions are excluded from mandatory industrial insurance coverage.

### **SHB 2086: Creating the Crimes of Unlawful Discharge of a Laser**

*Prime Sponsor: Representative Esser*

- It is a class C felony to knowingly and maliciously discharge a laser at:
  - a law enforcement officer in his/her official duties and creating the reasonable belief that the officer is being targeted by a laser siting device;
  - a law enforce officer, airplane pilot, fire fighter or public or private transit or school bus driver and it impairs their ability to deliver services or impairs the safety of their vehicle.
- It is a gross misdemeanor to knowingly and maliciously discharge a laser at:
  - anyone not named in the felony section and impairing their ability to operate a vehicle;
  - anyone named in the felony section, causing a substantial risk of impairment;
  - a person to threaten or intimidate.
- The first offense by a juvenile is a civil infraction resulting in a fine of not more than \$100.

### **HB 2205: Mandatory Court Appearance Following DUI Arrest**

*Prime Sponsor: Representative McDonald*

- Local courts may waive the requirement that persons arrested for DUI appear within one judicial day following arrest if these persons are required to appear at the earliest practicable day following arrest. Each court is to identify, by rule, the method for setting the earliest practicable day.

### **HJM 4015: Immigration Laws and Policies**

*Prime Sponsor: Representative Lisk*

- Asks the federal government and the Immigration and Naturalization Service to review policies and laws that have allowed the INS much greater power to detain and deport suspected illegal aliens and that have curtailed the due process rights of all aliens, illegal or legal.

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# LABOR & WORKFORCE DEVELOPMENT

786-7426

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## **ESB 5040: Updating the Statute on Boilers and Unfired Pressure Vessels**

*Prime Sponsor: Senator Fairley*

- The boiler and unfired pressure vessel statutes are updated and the membership of the board of boiler rules is modified.
- Additional small boilers are exempted from inspection requirements, and company-employed special inspectors are given broader inspection authority.

## **SB 5122: Changing the Statute of Limitations for Repayment or Recoupment of Workers Compensation Benefits**

*Prime Sponsor: Senator Fairley (HB 1051)*

- The Department of Labor and Industries will be allowed up to three years from discovery of workers compensation claimant fraud to investigate and demand repayment or recoupment.

## **SSB 5147: Payment of Industrial Insurance Awards After Death**

*Prime Sponsor: Senator Patterson*

- If a person dies before receiving an industrial insurance benefit payment, and if there is no surviving spouse and no child, the payment is paid according to the decedent's will, if there is one, or the state's statute controlling distribution of assets for those who die without a will.

## **2SSB 5171: Washington State Patrol Employment Agreements**

*Prime Sponsor: Senator Goings (HB 1141)*

- The Washington State Patrol may enter into collective bargaining, mediation, and arbitration over wage-related matters, but not over wages, retirement benefits, health insurance benefits, or employee insurance benefits.
- Agreements must be conditioned upon approval by the Legislature of necessary funds.

## **SB 5233: Modifying Department of Corrections Exempt Job Titles**

*Prime Sponsor: Senator Patterson*

- Several job titles listed in statute as civil service exempt are changed to be consistent with the Department of Corrections' 1997 reorganization.

## **SB 5614: Employer Defense to WISHA Citations**

*Prime Sponsor: Senator Hochstatter (HB 1369)*

- Washington state employers with safety programs that are compliant with Washington Industrial Safety and Health Act standards will be able to rely upon the "unpreventable employee misconduct" defense allowed by Federal courts and federal OSHA when unsafe acts occur due to employee misconduct.



## **SSB 5669: Regulating Conversion Vendor Units and Medical Units as Distinct Categories of Factory Assembled Structures**

*Prime Sponsor: Senator Snyder*

- Creates new categories of factory assembled structures for conversion vending units and medical units.
- Defines each type of unit and instructs the Department of Labor and Industries to develop specific sets of rules.

## **ESB 5798: Assisting Needy Families**

*Prime Sponsor: Senator Fairley (HB 1812)*

- Technical requirements for qualifying for Temporary Assistance for Needy Families are streamlined and updated from the AFDC criteria, including allowing families to qualify even if the adult is on strike, and allowing disabled children between 18 and 21, who are full time students, to remain on assistance.
- Legal immigrant eligibility for state food assistance is clarified.

## **ESSB 5909: Job Skills Program**

*Prime Sponsor: Senator Fairley*

- The State Board for Community and Technical Colleges is to operate the Job Skills Program and develop a plan for distribution of other worker training funds for dislocated workers.
- A workforce training customer advisory committee is established to assist the board in developing the plan, establishing selection criteria for grants, and providing advice on other workforce development activities.

## **ESSB 6020: Delaying the Required Collection of Social Security Numbers with Non-Commercial Driver's License Applications**

*Prime Sponsor: Senator Hargrove*

- Individuals are not required to give their Social Security numbers on non-commercial driver's license applications or renewals until the time necessary for the state to comply with federal law.

## **SB 6048: Entrance Criteria for Retrospective Rating Groups**

*Prime Sponsor: Senator Haugen (HB 2233)*

- The retrospective rating program for industrial insurance, formerly operated under administrative rules, is codified.
- Employer groups previously approved are allowed to continue to offer their members a retrospective rating insurance plan.

## **HB 1050: Repealing Laws Relating to the Inspection of Coal Mines**

*Prime Sponsor: Representative Conway*

- Repeals two RCW sections related to coal mine inspections that were inadvertently not repealed with the rest of the coal mining statute in 1997.

## **HB 1224: Permanent Roof Anchors for Fall Protection**

*Prime Sponsor: Representative Hurst (SB 5367 Senator Kline)*

- The Washington Building Code Council will report to the Legislature by October, 1999, with an evaluation of the

safety benefits of permanent roof anchors, and recommendations for their design and placement.

### **HB 1238: Permitting a Temporary Appointment to the Board of Industrial Insurance Appeals in Case of Illness**

*Prime Sponsor: Representative Conway (SB 5422 Senator Fairley)*

- If a member of the Board of Industrial Insurance Appeals or an immediate family member is incapacitated by illness for more than 30 days, a temporary member may be appointed in that member's absence.

### **HB 1261: Modifications of Motor Vehicles of Injured Workers**

*Prime Sponsor: Representative Romero*

- The Director of Labor and Industries may increase the amount of the payment made for modifying an eligible injured worker's motor vehicle up to approximately \$19,000, an increase of \$4,000.

### **SHB 1282: State Employee Relocation**

*Prime Sponsor: Representative Romero (SB 5306 Senator Gardner)*

- State agencies may use existing resources to offer lump-sum relocation payments as an incentive to new or current employees to locate in high-cost or remote areas.
- The payment must be reimbursed if the recipient leaves state employment within one year of the new employment for reasons other than lay-off, disability, or other good cause as determined by the agency director.

### **SHB 1289: Conforming Unemployment Compensation Statutes with Federal Law**

*Prime Sponsor: Representative Conway*

- Assures state eligibility for a distribution of certain federal Reed Act excess funds by stating that the money will only be used to administer the unemployment compensation program.

### **HB 1524: Reciprocal Agreements Regarding Workers' Compensation**

*Prime Sponsor: Representative Doumit*

- Authorizes the Department of Labor and Industries to enter into reciprocal agreements requiring employers from other states or provinces to provide coverage under Washington's workers' compensation law for work performed in Washington.

### **EHB 1845: Increasing Vocational Rehabilitation Benefits**

*Prime Sponsor: Representative Chandler (SB 5631 Senator Wojahn)*

- Vocational rehabilitation funds for injured workers are increased from \$3,000 to \$4,000 over a 52-week period.
- Transportation expenses are not limited by the \$4,000 cap.
- The Department of Labor and Industries must conduct a cost-benefit study of the benefit increase and report back to the Legislature.

### **EHB 1894: Industrial Insurance Benefit Errors**

*Prime Sponsor: Representative Conway*

- An injured worker may receive, upon request, an adjustment of benefits when the Department of Labor and

Industries or a self-insurer fails to pay benefits because of clerical error, mistake of identity, or innocent misrepresentation.

**HB 1936: Employability Screens for Recipients of Temporary Assistance for Needy Families**

*Prime Sponsor: Representative Tokuda*

- DSHS will perform an initial employability screening of Temporary Assistance for Needy Families recipients and defer those considered unemployable from the job search requirement of WorkFirst.

**EHB 2232: Occupational Safety and Health Impact Grants**

*Prime Sponsors: Representatives Conway and Clements*

- Establishes a safety and health grant program to educate employees and employers about workplace hazards and safe workplace practices.

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## NATURAL RESOURCES, PARKS & RECREATION

786-7406

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### **SB 5020: Dealer Fees for Sale of Fishing and Hunting Licenses**

*Prime Sponsor: Senator Snyder*

- The dealer fee for sale of fishing and hunting licenses is increased from \$1.00 to a minimum of \$2.00.
- A transaction fee is authorized for on-line computer license sales, the amount of the fee to be determined by the Fish and Wildlife Commission. The proceeds of the transaction fee go directly to contractor providing the service.
- The Fish and Wildlife Commission may charge less than standard dealer fees for stamps, cards, and tags.

### **SSB 5179: Creating Title 79A RCW, Public Recreational Lands**

*Prime Sponsor: Senator Oke*

- Creates a new title, dedicated for parks and recreation.
- The Parks and Recreation Commission is given greater flexibility to accomplish its mission including a greater ability to acquire or exchange land as needed to meet management goals.
- The statutes are cross-referenced for easier use.

### **SB 5255: Reauthorizing the Washington Conservation Corps**

*Prime Sponsor: Senator Jacobsen (HB 1246)*

- Renews the Washington Conservation Corps, which would have expired under a sunset clause.
- Authorizes merit raises and extended membership in the corps for participants.
- Requires that not more than 20% of the funds allotted to the program be spent on administrative and support costs.

### **SB 5307: An Act Relating to the Reclamation of Surface Disturbances Caused by Underground Mining**

*Prime Sponsor: Senator Jacobsen*

- The authority to regulate surface disturbances caused by underground mining is transferred from the Department of Ecology to the Department of Natural Resources.
- The Division of Earth Resources of the Department of Natural Resources already regulates surface mining for all other mines.
- Ongoing reclamation projects will be completed under the Department of Ecology using the Department of Natural Resources' expertise.

### **SB 5401: Repealing an Obsolete Provision Pertaining to Hydraulic Project Applications**

*Prime Sponsor: Senator Haugen*

- The 1990 floods necessitated changes in the hydraulics act so that damage could be repaired.
- The law allowing those one time repairs is no longer needed and is repealed.

### **SB 5402: An Act Relating to the Forest Practices Appeals Board**

*Prime Sponsor: Senator Haugen*

- The 1997 Legislature amended the statute twice and the two versions need to be merged.
- No substantive changes are made since this is a technical code change.

### **ESSB 5508: Catch Record Cards for the Recreational Crab Fishery**

*Prime Sponsor: Senator Spanel*

- Recreational Dungeness crab fishers are required to have a free crab catch record card.
- The Fish and Wildlife Commission is required to develop rules for administration of the card.
- If funding for the program is not included in the budget, the act is null and void.

### **SB 5525: An Act Relating to Appointment of a County Legislative Authority Member of the Forest Practices Board**

*Prime Sponsor: Senator Hargrove*

- The Governor must appoint the elected member of a county legislative authority to the Forest Practices Board from a list of three persons submitted by the Washington State Association of Counties.

*\* Vetoed in its entirety.*

### **2SSB 5536: An Act Relating to State Forest Lands and Municipal Drinking Water Protection**

*Prime Sponsor: Senator Spanel*

- The Department of Natural Resources will initiate a pilot project in the Lake Whatcom watershed to determine what forestry and other management actions are needed to achieve water quality standards to fully protect drinking water.
- The department will establish an advisory committee of state agencies, citizens and local governments.
- The department will report to the legislature by June 30, 2000.
- Timber sales will be deferred until the project is finished.

### **SSB 5619: An Act Relating to Forest Fire Protection Assessment**

*Prime Sponsor: Senator Jacobsen*

- Owners of forest land within forest fire protection zones are required to pay an assessment of \$14.50 for all parcels owned in each county to the Department of Natural Resources for fire protection under a law enacted in 1993.
- A landowner who has paid assessments on two or more parcels, each of which contain less than 50 acres in the same county, is eligible for a refund.
- Under this bill, owners of small parcels may submit a single application and the Department will compute the assessment in order to insure that the forest land owner will only pay one assessment in each county where there is more than one parcel owned. The county will bill the owner.
- A schedule is established from the year 2000 through 2004 to gradually reduce the number of parcels from ten to

two that are needed to use this alternate assessment procedure designed to address persons who own more than one parcel in any given county.

- Property owners are required to notify the Department of Natural Resources of and changes in ownership of the parcels.

### **SSB 5638: Correcting Fish and Wildlife Enforcement Code Provisions**

*Prime Sponsor: Senator Hargrove*

- Makes the Fish and Wildlife enforcement code clearer and more useful.
- Unlawful possession and trafficking in wildlife, fish, or shellfish is clearly prohibited.
- It is illegal to waste wildlife, fish, and shellfish.
- The use of department-controlled lands, in addition to department-owned lands, must comply with the protections and rules of the Department of Fish and Wildlife.
- Hunting while under the influence of intoxicating liquor or drugs is increased to a gross misdemeanor.
- A license suspension applies to all activities licensed by the department, not just hunting and fishing.
- Practicing taxidermy without a license for commercial purposes is unlawful regardless of whether it is done for profit.

### **SSB 5651: An Act Relating to Timber Sales**

*Prime Sponsor: Senator Winsley*

- When timber is sold from state lands, a performance bond or other security is required by the Department of Natural Resources.
- Taxes due to the county must be paid before the security is released.
- Counties must notify the Department of Natural Resources within thirty days of the tax payment by the timber harvester.

### **E2SSB 5658: Changing Shellfish Provisions**

*Prime Sponsor: Senator Spanel*

- Reduces the number of commercial sea urchin and sea cucumber licenses to 25 each from 58 sea urchin and 68 sea cucumber licenses currently.
- Only individuals, not corporations, may own a license for sea urchins or sea cucumbers.
- New fees on license renewals and transfers will fund a license buy-back to reduce the number of licenses. Fees include \$100 for license renewal, \$500 for designation of an alternate operator in the first two years and \$2,500 after two years, and \$500 for the first license transfer after 1999 and \$2500 for subsequent transfers (except for a one time exemption from fee for transfer to spouse or child). The excise tax on sea urchins and sea cucumbers is also increased to fund the buy-back.
- Licensees no longer need to catch a minimum amount to keep a license.

### **SSB 6052: An Act Relating to Funding Hunter Safety Programs**

*Prime Sponsor: Senator Jacobsen*

- Volunteer support is added to the allowed uses of the funds coming from the additional three dollars charged when an expired concealed weapon permit is renewed.
- Funds are deposited into the Wildlife Fund.

### **EHB 1014: Requiring Children Age Twelve and Under to Wear a Personal Flotation Device while on a Vessel on the Waters of the State**

*Prime Sponsor: Representative Carlson*

- Requires children age 12 and under to wear personal flotation devices (PFDs) on vessels over 19 feet.
- The PFD must meet or exceed Coast Guard standards.
- The boat operator receives an infraction if children on board do not wear their PFDs.
- Children need not wear a PFD if they are below deck, in an enclosed cabin, on a Coast Guard inspected passenger carrying vessel, or in a situation where one would not reasonably expect drowning to occur.

### **HB 1330: Granting Concessions or Leases in State Parks and Parkways**

*Prime Sponsor: Representative Alexander (SB 5484 Senator McAuliffe)*

- Allows the Parks and Recreation Commission to grant leases for up to 50 years, instead of the current limit of 40 years.

### **HB 1331: Using Volunteers at the State Parks and Recreation Commission**

*Prime Sponsor: Representative Buck (SB 5483 Senator McAuliffe)*

- Authorizes Parks and Recreation Commission to expand use of volunteers and pay some expenses, including materials, travel, and recognition expenses.
- Restricts volunteers from performing tasks that would normally be fulfilled by employees.

### **SHB 1448: An Act Relating to Clarifying State Agency Responsibility for Cleaning-up Contaminated Sediments**

*Prime Sponsor: Representative Linville*

- The authority to direct the cleanup of contaminated aquatic lands regardless of ownership is given to the Department of Ecology.
- The Department of Natural Resources will continue to manage aquatic lands for purposes other than the cleanup of contaminated sediments.
- The Shoreline Management Act and the Growth Management Act are each reaffirmed as the planning tools for land use in aquatic areas.
- Water dependent uses of aquatic land will include aquatic habitat mitigation.

### **SHB 1485: Selling the Whidbey Island Game Farm**

*Prime Sponsor: Representative Barlean*

- If the sale of the Whidbey Island Game Farm occurs within one year it can only be sold to nonprofit corporations

or municipal corporations for the purpose of keeping it in an undeveloped state.

- If the property is not sold by June 30, 1999 then a loan of \$694,000 (the estimated value of the property) is provided from the General Fund to the Wildlife Fund.
- The loan must be repaid by June 30, 2001.

### **SHB 1490: Delivery of Salmon into Ports of the State**

*Prime Sponsor: Representative Hatfield*

- Washington citizens who hold a commercial salmon trolling license in Oregon or California may land salmon into Washington ports if the salmon were taken South of Cape Falcon. (It is believed this salmon would most likely be of Oregon or California origin).
- A salmon delivery license would no longer be needed.
- The landing tax would need to be paid (5% of the value of chinook salmon, for instance).

### **HB 1491: An Act Relating to the Use of Dredge Spoils on the LT-1 and Cook Ferry Site in Cowlitz County**

*Prime Sponsor: Representative Hatfield (SB 5497 Senator Snyder)*

- Cowlitz County is given authority to use revenues from the sale of dredge spoils from the eruption of Mt. St. Helens for recreation programs throughout the entire county.

### **2SHB 1681: Establishing a Program to Plant Privately Grown Trout**

*Prime Sponsor: Representative Buck (SB 5428 Senator T. Sheldon)*

- The Department of Fish and Wildlife may purchase privately grown trout for planting in public waters in order to increase fishing opportunities.
- The Fish and Wildlife Commission may authorize the program only if program costs will be recovered by increased fishing license sales directly attributable to the planting of private trout.
- The planting of private trout must not harm wild trout.
- The Fish and Wildlife Commission shall identify appropriate waters and numbers of trout to be purchased, and seek a statewide distribution of private trout.

### **SHB 1701: Allowing for the use of Funds to Dredge Marine Recreation Land**

*Prime Sponsor: Representative Buck (SB 5703 Senator Hargrove)*

- Periodic dredging of marine recreation is added as an approved use for expenditures from the Marine Recreation Account. Without periodic dredging some marine boat launching ramps are unusable.

### **2SHB 1716: Warm Water Game Fish Program**

*Prime Sponsor: Representative Chandler*

- Funding for the warm water gamefish program funding is continued at the same level as the last biennium by depositing \$1,250,000 for each of the next two years into the warm water game fish account, the effect of this funding is to assure that the warm water gamefish program will continue despite changes in the fishing license format.



- Subsequently, the Department of Fish and Wildlife must survey freshwater anglers to determine what proportion fish for warm water fish. Funding for the program will then be determined by the survey findings.
- Ninety-one thousand dollars from the warm water gamefish account may be used for the Rod Meseberg Hatchery from the warm water gamefish account, a null and void clause applies to this section.

### **SHB 1718: An Act Relating to the Disposal of State Parks and Recreation Commission Land in Moses Lake**

*Prime Sponsor: Representative Chandler*

- The Parks and Recreation Commission is given authority to transfer 58 acres of land in the city limits of Moses Lake to the city without cost.
- The city must use the land for park purposes only.
- Any deed restrictions or reversionary clauses affecting the land will be addressed prior to transfer.
- An emergency clause is included.

### **2SHB 1871: An Act Relating to Salmon Stamps**

*Prime Sponsor: Representative Linville*

- A salmon stamp program is created in the Department of Fish and Wildlife and the proceeds from sales of stamps and posters created will be placed in the Regional Fisheries Enhancement Account.
- Regional fisheries enhancement funds assist in the costs for volunteers to develop and improve fish habitat in all areas of the state.
- A salmon stamp committee is created to select the winning stamp design and there will be a junior program for children in kindergarten through grade 12.

### **ESHB 2107: Puget Sound Commercial Shrimp Fishery**

*Prime Sponsor: Representative Anderson*

- The Puget Sound commercial shrimp fishery will be managed as a limited entry fishery effective January 1, 2000. The fishery was previously managed as an emerging commercial fishery.
- The Department of Fish and Wildlife and the shrimp fishers are to meet and make recommendations to the legislature on future statutory changes needed.

### **HJM 4008: Aquatic Nuisance Management**

*Prime Sponsor: Representative Regala (SB 8010 Senator Jacobsen)*

- Congress is asked to fully fund the Federal Aquatic Nuisance Act at the \$4 million dollar a year level as authorized in law. The current funding is about \$200,000 dollars a year.
- Funds would go to states to help fund aquatic nuisance species management and control plans that the states are developing.
- Species such as European green crabs, mitten crabs, and zebra mussels have the potential to severely damage the environment and the economy if allowed to spread in Washington.
- Washington has an active aquatic nuisance species control program.

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## STATE & LOCAL GOVERNMENT

786-7432

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### **SB 5004: Remediating a Technical Problem in School Bond Elections**

*Prime Sponsor: Senator Loveland (HB 1034)*

- The school district election held in Asotin County in May, 1998, authorizing bonds or tax levies is validated regardless of any failure to publish notice of the election.
- A challenge of the validity of this election must be brought within 30 days after the effective date of the act (effective date of act is January 29, 1999).

### **ESB 5095: Public Corporations, Commissions, and Authorities**

*Prime Sponsor: Senator Thibaudeau*

- Public corporations, commissions, and authorities created by cities, towns, and counties must comply with the general laws regulating local governments, multi-member governing bodies, and local governmental officials, including, but not limited to: audit by the state auditor, open public records requirements, prohibition on using public facilities for campaign purposes, open public meetings, code of ethics for municipal officers, and the local government whistleblower law.

### **ESSB 5175: Donation of Surplus Computers**

*Prime Sponsor: Senator Patterson*

- A state agency may donate to any school district or educational service district surplus computers and computer-related equipment. The Office of Superintendent of Public Instruction and the Department of General Administration must, no later than September 1, 1999, develop guidelines and distribution standards. These guidelines and distribution standards must give priority to meeting the computer-related needs of children with disabilities, including those disabilities that require the portability of laptop computers.
- The House, Senate, and other legislative agencies may authorize surplus computers owned by those agencies to be donated to school districts and educational service districts.

### **SB 5202: Preventing Convicted Embezzlers from Working for the County Treasurer**

*Prime Sponsor: Senator Loveland*

- A person convicted or having pled guilty to a felony involving theft or embezzlement may be denied employment with the county treasurer's office even though more than 10 years have passed since the conviction or plea.

### **SSB 5231: Revising Duties of County Treasurer Related to Management of Debt**

*Prime Sponsor: Senator Hale*

- Common school boards of directors are permitted to choose to invest funds from state, county and federal sources in the county investment pool. School district moneys in the capital projects fund are not limited to investment only in U.S. government securities.
- The governing body of a municipal corporation and, by reference, school districts, may direct the county treasurer to sell or redeem investments before their stated maturity dates.

- The county finance committee is given authority effective January 1, 2000, to approve a debt policy; a public utility district is not required to demand that a PUD treasurer, who is not the county treasurer, obtain a bond; and the county treasurer must include penalties as well as interest in foreclosure of a property tax lien.

### **ESSB 5219: Port District Annexations**

*Prime Sponsor: Senator Swecker*

- Allows a port district (Port of Chehalis) that is less than county-wide to petition for annexation of an area that is contiguous to its boundaries, not located within the boundaries of any other port district, and contains no registered voters. Annexation for industrial development or other port district purposes requires a majority vote of the port commission and the written consent of all owners of property to be annexed.

### **ESSB 5348: Reorganizing the State Library Commission**

*Prime Sponsor: Senator Gardner*

- The Superintendent of Public Instruction is no longer a member of the State Library Commission.
- Board members' terms of office are staggered and full terms are increased to five years. One commissioner must be a representative of the legislative branch of state government and one commissioner must be a member of the public.
- The authority to provide grants to local libraries for children learn-in-library programs is eliminated.

### **SSB 5352: Removing the Term Limit for Members of Boundary Review Boards**

*Prime Sponsor: Senator McCaslin*

- The limitation to eight consecutive years as the maximum that may be served by any boundary review board member is removed (effective immediately).

### **ESB 5385: Dissolution of Cultural Arts, Stadium and Convention Districts**

*Prime Sponsor: Senator Shin*

- An alternative procedure for dissolution of cultural arts, stadium and convention districts is authorized. A petition signed by at least two-thirds of the legislative bodies who have representatives on the district governing body is submitted for an order of dissolution to the superior court of a county of the district. All signatures must be collected within 120 days of the date of submission to the court. Provision is made for the division of any assets.

### **2SSB 5452: City-Created, Regional Public Facility Districts**

*Prime Sponsor: Senator Bauer*

- A new type of public facility district (PFD) is established, one that is created by a city or contiguous cities. The purpose of the district must be to build a new or renovate an existing regional convention, conference or special events center at a cost of at least \$10,000,000. The city or group of contiguous cities may be in any county or counties other than King County.
- A new funding source is provided for both the new city-created PFD and the existing county-created PFD. Both may assess a 0.033% sales tax, deducted from the state sales tax, and matched by the PFD from public or private sources to 33% of the new sales tax collected. This new sales tax is limited to those county-created PFDs not

imposing a sales tax for major league stadiums.

- Both the city and county-created PFDs may impose a voter-approved sales tax of two-tenths or one-tenth percent, respectively.

### **SB 5567: Using Federal Funds to Reduce the Outstanding Debt of School Districts within Counties**

*Prime Sponsor: Senator Hale (HB 1585)*

- A mechanism is provided for the Benton County legislative authority to direct the county treasurer to use that portion of the federal assistance payments, which the levy-based formula in the settlement agreement allocates to state schools, to pay the school districts' outstanding voter-approved school debt.

### **SSB 5609: Making Awards for State Employees' Suggestions**

*Prime Sponsor: Senator Horn*

- The Productivity Board is directed to adopt rules establishing a payment awards schedule. Detailed criteria for determining savings or revenue generated by employee teamwork is eliminated. The Board may delegate to an agency head the authority to establish an agency-unique suggestion program.
- The maximum allowable amount of employee recognition awards is increased from \$100 to \$200.

### **ESSB 5640: Primary Election Task Force**

*Prime Sponsor: Senator Gardner*

- A 13-member task force will study issues relating to the timing of the primary election, the canvassing of ballots and the certification of election results. A report will be made by December 1, 1999.
- Ballots are canvassed at least every third day after every election as long as there are at least 25 ballots to canvass. Auditors may vary this requirement during the final four days.

### **SB 5643: The State Voters' Pamphlet**

*Prime Sponsor: Senator Gardner (HB 1840)*

- The provisions governing the publication and distribution of state voters' pamphlets and state candidates' pamphlets are consolidated. Information regarding candidates, participation process, party information, and an application form for an absentee ballot must be included in the pamphlet in specified years.
- Arguments prepared by committees for or against ballot measures may contain graphs and charts supported by factual, statistical data and pictures or other illustrations but not cartoons or caricatures.

### **SSB 5672: Retaliating Against a Whistleblower**

*Prime Sponsor: Senator Kline*

- If a state employee can prove that he or she is a whistleblower and that his or her employer took at least one of the adverse actions listed in the statute, the Human Rights Commission has enough proof to establish reasonable cause to believe that retaliation took place.
- The employer can then rebut that presumption by proving by a preponderance of the evidence that the adverse action was justified by reasons unrelated to the employee's status as a whistleblower.

### **SSB 5728: Relating to Proposed Bond Issues**

*Prime Sponsor: Senator Winsley*

- The state can now test the validity of bond issues. Only one suit on a bond issuance is allowed. The suit must be in superior court, without a jury, and the judgment of the court is binding upon all persons.
- References to "taxpayers" are replaced by references to "interested parties," which is expanded to ensure inclusion of all parties in the suit. Notice of the action must be published in a newspaper.

### **SB 5731: Municipal Officers' Interest in Contracts**

*Prime Sponsor: Senator Snyder (HB 1805)*

- The dollar thresholds for contracts which are exempt from the municipal conflict of interest statutes are applicable to the portion of the contract that benefits the business operated by the municipal officer only. The dollar amounts for contracts that are exempt from the conflict of interest statutes are increased.
- First class school districts are no longer required to publish notice of these proposed contracts. Municipal officers are prohibited from voting on the authorization, approval, or ratification of a contract to which he or she is beneficially interested, even if an exemption applies. The civil penalty that may be imposed on a municipal officer for violating the municipal code of ethics is increased.

### **SB 5734: Relating to Mother Joseph Day and Marcus Whitman Day**

*Prime Sponsor: Senator Bauer (HB 2222)*

- The legislature recognizes the sixteenth day of April as Mother Joseph Day, (a non-legal holiday).
- The legislature recognizes the fourth day of September as Marcus Whitman Day, (a non-legal holiday).

### **SB 5772: Strengthening Confidentiality for Victims of Domestic Violence**

*Prime Sponsor: Senator Gardner*

- The Secretary of State may not make any records in a program participant's file available for inspection or copying, other than the address designated by the Secretary of State, except under the following circumstances:
  - (1) if requested by a law enforcement agency, to the law enforcement agency;
  - (2) if directed by a court order, to a person identified in the order; or
  - (3) to verify the participation of a specific program participant, in which case the Secretary may only confirm information supplied by the requester.

### **SB 5806: Automatic Location Identification**

*Prime Sponsor: Senator Haugen (HB 1875)*

- It is clarified that the State Fire Protection Policy Board makes automatic location identification recommendations to the Adjutant General.
- The Adjutant General must establish rules on minimum information requirements of automatic location identification for the purposes of enhanced 911 emergency service. The rules must allow consideration of local circumstances when approving the accuracy of location information generated within a service area.

### **SSB 5828: Washington Gift of Life Award**

*Prime Sponsor: Senator Sheldon*

- The recognition is changed to the form of an award. It is presented annually by the Governor's Office in coordination with the organ procurement organization. Six awards are made to representative families each year.

### **ESB 5915: Obsolete or Unwanted Reports**

*Prime Sponsor: Senator Patterson*

- Various statutes are amended or repealed to eliminate reports to the Legislature that are no longer wanted or considered necessary.

### **E2SSB 5931: Public Disclosure Commission / Electronic Filing**

*Prime Sponsor: Senator Patterson*

- Dates and time limits are set by which electronically filed and non-electronically filed reports must be accessible on the PDC's web site. By a date certain, the PDC must operate or contract for a web site that allows access to specified reports.
- The PDC must develop a technology plan and submit it to the Legislature by February 1, 2000. The Joint Legislative Audit and Review Committee must complete a performance audit of the PDC by December 1, 2000.
  - \* *The following contains provisions from ESHB 1884.*
- Campaign books of account must be open by appointment during the seven days before an election.

### **HB 1073: Public Hospital Districts / Small Works Roster**

*Prime Sponsor: Representative D. Schmidt (SB 5224 Senator Patterson)*

- It is clarified that a public hospital district may use the small works roster process for projects estimated to cost \$50,000 or less.

### **SHB 1075: Port Districts / Small Works Roster**

*Prime Sponsor: Representative D. Schmidt*

- The dollar limit for public works projects eligible for the small works roster is increased to projects estimated to cost \$200,000 or less.
- The dollar amount for projects required to use the open competitive sealed bid process is increased to those estimated to cost over \$200,000. A report on the effectiveness of these changes must be submitted to the Alternative Public Works Committee prior to the 2003 legislative session.

### **2SHB 1132: Establishing a Capitol Furnishings Preservation Committee**

*Prime Sponsor: Representative Romero*

- The 19-member Capitol Furnishings Preservation Committee is created. Except for the four members of the Legislature, all members are appointed by the Governor, representing the tenants of the state capitol campus buildings and three private citizens.
- The purpose of the Preservation Committee is to promote and encourage the recovery and preservation of the original and historic furnishings of the state capitol campus buildings. Historic furnishings—defined as furniture,

fixtures and artwork at least 50 years old--on the state capitol campus are not surplus unless so declared by the Preservation Committee.

### **SHB 1133: Periodically Maintaining Voter Registration Lists**

*Prime Sponsor: Representative Bush*

- The county auditor is required to compare the list of deceased persons, sent monthly by the state registrar, with the voter registration lists within at least 45 days prior to the next primary or election held in the county.
- A new program is established to maintain voter registration lists. The Secretary of State and all county auditors are required to participate in a program to detect persons who may be registered to vote in more than one county.
- The Secretary of State is required to create a standard electronic file format for voter registration information to be transferred between counties and the Secretary of State.

### **HB 1154: Emergency Medical Service Levy**

*Prime Sponsor: Representative Cooper (SB 5467 Senator Costa)*

- Presently, an emergency medical service levy may be imposed for six consecutive years. The bill allows two new duration options: 10 years and permanently.
- A taxing district imposing a permanent levy must provide for separate accounting for expenditures for this levy. A referendum procedure is provided for any taxing district imposing the permanent levy.

### **HB 1221: Lewis and Clark Bicentennial Advisory Committee**

*Prime Sponsor: Representative Ogden (SB 5275 Senator Bauer)*

- The Lewis and Clark Bicentennial Advisory Committee is created under the auspices of the Washington State Historical Society and sunsets in June, 2007. The Committee has 15 members, including private citizens and members of government.
- The Committee is authorized to coordinate and lead the observance of the Bicentennial.

### **ESHB 1245: Exemption of Certain Financial and Proprietary Information from Public Disclosure**

*Prime Sponsor: Representative Morris*

- The exemption from public disclosure of financial or proprietary information about a business only applies to the Office of the Governor and the Department of Community, Trade and Economic Development (CTED).
- Information on siting and the identity of the business may be disclosed once a siting decision has been made or if no written contact between CTED and the business has been made for 60 days.

### **SHB 1251: Elimination and Consolidation of Boards, Commissions, and Programs**

*Prime Sponsor: Representative Miloscia*

- Thirty-three boards, commissions, and committees are eliminated. In addition, 12 advisory boards are abolished, as well as the Athlete Agent Regulatory Program.
- The regulation requiring debt adjusters to be licensed by the state is abolished, and the authority for the inspection and investigation of debt adjusters is transferred to the Office of the Attorney General.

- The Secretary of the Department of Health is required to keep a list of contacts from regulated health care professions for policy advice and information dissemination.

### **EHB 1264: Relating to Combining of Water and Sewer Districts**

*Prime Sponsor: Representative D. Schmidt (SB 5361 Senator Patterson)*

- The distinction between sanitary sewer systems and drainage systems, initiated in 1996, is further clarified.
- Language is clarified relating to the authority to reject bids for sales of unnecessary property.
- Associations of water-sewer districts are no longer subject to audit by the State Auditor.

### **SHB 1291: Making Various Changes in Election Laws**

*Prime Sponsor: Representative D. Schmidt*

- The bill clarifies and cleans up a number of election procedures. It makes no major policy changes. Among the changes are the elimination of the requirement that precincts be numbered consecutively; clarifies that voters may change their names for voter registration purposes when applying for a driver's license; clarifies that a person must be a registered voter when he or she files a declaration for candidacy for office; and requires the county auditor to report on absentee ballots by precinct after every general election.
- The maximum fine for using registered voter data for commercial advertising or solicitation is increased from \$5,000 to \$10,000.

### **HB 1310: Changing the Authority of Public Utility Districts**

*Prime Sponsor: Representative Scott*

- PUDs are authorized to provide water, for public and private purposes, outside the limits of the district or county.
- PUDs are authorized to establish local utility districts to provide water for all public and private purposes, located partly or entirely outside the district or the county. Sewer facilities are authorized to provide services in the local utility district, subject to the statutory election authorization process.

### **HB 1413: Staggering Terms of the Members of the Washington Citizens' Commission on Salaries for Elected Officials**

*Prime Sponsor: Representative McMorris*

- The terms of the members of the Salary Commission are staggered so that every two years, eight of the sixteen terms expire.
- The names of the persons who are selected to be members are forwarded to the Governor no later than July 1, every two years.

### **HB 1425: Municipal Water or Sewer Utilities / Canada**

*Prime Sponsor: Representative Linville*

- Cities and towns contiguous to Canada are authorized to contract with Canadian corporations for water or sewer facilities.



## **SHB 1494: Powers of the Director of General Administration**

*Prime Sponsor: Representative Miloscia*

- Outdated provisions regarding the Director's duties and the internal organization of the Department of General Administration are eliminated and replaced with provisions that more clearly reflect the roles and responsibilities of the Department and the Director.
- The Director may create such administrative structures as he or she deems appropriate. The Director may also accept gifts and grants on behalf of the Department that relate to the purposes of the Department.

## **HB 1542: Recording Surveys**

*Prime Sponsor: Representative Ericksen*

- All records of survey must be on a Mylar map and suitable for copying legible prints through scanning, microfilming or other photocopying procedures. Counties must reject any record of survey not suitable for producing legible prints.
- County auditors must accept surveys that are in compliance with the recorder's checklist as jointly developed by a committee consisting of the Survey Advisory Board and two representatives of the Washington State Association of County Auditors.
- County Auditors are authorized to process an electronic version in place of the original surveyor's print. Counties are authorized to accept digital signatures issued by a licensed certification authority if the capability exists.

## **ESHB 1547: Authorizing a Sales Tax for Zoo and Aquarium Purposes**

*Prime Sponsor: Representative Mitchell*

- Upon the joint request of the City of Tacoma, Pierce County, and the Metropolitan Park District of Tacoma, an authorizing proposition may be submitted to the voters for the imposition of a one-tenth percent sales tax. If approved by a majority of those voting on the proposition, the moneys received from this tax can be used solely for the purpose of providing funds for the costs associated with the maintenance and improvements of zoo, aquarium, and wildlife preservation and display facilities.
- If the sales tax is approved, a zoo and aquarium advisory committee is created, consisting of representatives from the City of Tacoma, smaller cities, and the unincorporated areas of Pierce County. The advisory committee, in addition to overseeing the maintenance and improvement of the facilities, will fix rates and charges for the use of the facilities.

## **EHB 1556: Increasing Timeliness of Fire Death Reports**

*Prime Sponsor: Representative Hatfield (SB 5574 Senator Kohl-Welles)*

- All fire related deaths must be reported within two business days to the State Director of Fire Protection for the purpose of compiling the annual statistical report.
- The deadline for releasing the statistical report is extended to July 1 of each year.

## **SHB 1560: Relating to the State Toxicology Laboratory**

*Prime Sponsor: Representative McMorris*

- All powers, duties, functions and employees of the State Toxicology Laboratory are transferred to the Bureau of

Forensic Laboratory Services, which is created within the Washington State Patrol as of July 1, 1999.

- The Forensics Investigation Council must submit three names to the Chief of the Washington State Patrol to serve as director of the Bureau of Forensic Laboratory Services. The Council must appoint a state toxicologist and establish the policies, objectives and priorities of the Bureau of Forensic Laboratory Services.

### **HB 1584: Fire Protection Districts / Annexation**

*Prime Sponsor: Representative Hurst (SB 5760 Senator Goings)*

- A territory adjacent (no longer has to be contiguous) to a fire protection district and not within the boundaries of a city, town, or other fire protection district may be annexed to the fire protection district by petition of 15 percent of the qualified registered electors residing within the territory proposed to be annexed.
- A city or town lying adjacent to a fire protection district may be annexed to such district if at the time of the annexation the population of the city or town is 100,000 or less.

### **SHB 1592: Relating to Write-In Voting**

*Prime Sponsor: Representative D. Schmidt*

- Changes are made relating to write-in voting. If an optical scan system of voting is used, a voter desiring to cast a write-in vote must complete the proper mark next to the write-in line for that office. It is clarified that a person who files a declaration of candidacy as a write-in candidate must pay the regular filing fee for the office.

### **SHB 1593: Regulating Poll-Site Ballot Counting Devices**

*Prime Sponsor: Representative Edmonds*

- Various requirements are established for poll-site ballot counting devices to ensure accuracy and secrecy. Requirements are established for testing the devices, procedures if the device foils, transmission of the accumulated tally to a central reporting location, the deadline for returning tallied ballots to the elections department and treatment of the programmed memory pack.

### **SHB 1647: Amending Recording Statutes**

*Prime Sponsor: Representative Mulliken*

- Numerous outdated recording references are changed, processes are streamlined, and some processes applicable to document standardization are clarified.
- Some substantive changes are: auditors are authorized to keep a separate tax lien index; the recording statutes are updated to add the definition of "legible and capable of being imaged;" the definition of an abbreviated legal description used when recording is expanded to include quarter/quarter sections; the county auditor is authorized to charge "appropriate recording fees" to record the liens on real estate; and the county auditor's authority to accept nonstandard recording documents is added, under certain circumstances, for a \$50 fee.

### **SHB 1653: Raising the Limit on Agency Direct-Buy Authority without Competitive Bids**

*Prime Sponsor: Representative Kenney*

- The direct-buy minimum dollar value of purchases that may be made by state agencies and institutions of higher education, without using any procedure, is increased from \$800 to \$3,000 (up to \$5,000 maximum for inflation).

- The current \$2,500 direct-buy limit for higher education is also raised to \$3,000 (up to \$5,000 maximum for inflation).

### **SHB 1673: Relating to False Political Advertising**

*Prime Sponsor: Representative Lambert*

- The statute that prohibits persons from sponsoring, with actual malice, political advertising containing false statements of material fact is limited to false statements of material fact about a candidate for public office. This prohibition does not apply to statements about a candidate made by that candidate or that candidate's agent.

### **HB 1766: Requiring Identification of Subcontractors in Bids on Public Works**

*Prime Sponsor: Representative Romero (SB 5725 Senator Heavey)*

- The dollar bid threshold requiring general contractors to list the names of subcontractors as part of the bid is raised from in excess of \$100,000 to in excess of \$1 million.
- The general contractor only has to list subcontractors that contract directly with the general contractor for specific areas of work and may not list more than one subcontractor for each category of work. The specific areas of work are defined as heating, ventilation and air conditioning, plumbing, and electrical work.

### **SHB 1777: Technical Assistance Documents**

*Prime Sponsor: Representative B. Chandler*

- Technical assistance documents are defined as documents conveying the information provided to a business during the technical assistance visit and are entitled technical assistance documents by the agency head or its designee.
- Technical assistance documents do not include notices of correction, violation, or enforcement action. Technical assistance documents do not impose mandatory obligations or serve as the basis for a citation.

### **SHB 1827: Public Printing / State Agencies**

*Prime Sponsor: Representative D. Schmidt*

- Printing, binding, and stationery work ordered by a state agency must be done in the state, subject to the same exceptions for out-of-state work that are currently applicable to such work ordered by a county, city, town, port district, or school district.

### **SHB 1848: Clarifying the Authority of Port Districts**

*Prime Sponsor: Representative Grant*

- A port district located in a county with contiguous borders with another state and a population between 50,000 and 70,000 (Port of Walla Walla) is authorized to promote trade or industry outside its district or outside the state.
- This port district is also authorized to enter into inter-local cooperation agreements with municipal corporations of adjoining states to operate within or outside the district.

## **SHB 1884: Campaign Account Books**

*Prime Sponsor: Representative Lambert*

*\* The substance of this bill was incorporated into E2SSB 5931.*

## **ESHB 1951: Protecting Remains in Abandoned Cemeteries**

*Prime Sponsor: Representative Lantz*

- Abandoned cemeteries are considered permanently dedicated by operation of law. A procedure is established for anyone with knowledge of an undedicated abandoned cemetery to record a "notice of abandoned cemetery" document with the county auditor.
- Removal of the dedication of a cemetery requires an action in superior court. Both the Office of Archaeology and Historic Preservation and the county auditor must be given 60 days' advance notice of the proceedings.

## **ESHB 1963: Flood Plain Management**

*Prime Sponsor: Representative Koster*

- An exemption to the floodway prohibition is created for farmhouses and a mechanism for the Department of Ecology to consider waiver of the floodway prohibition for other structures is established.
- Existing farmhouses in designated floodways and located on lands of long-term commercial significance according to the Growth Management Act are exempt from the prohibition against construction or replacement of existing farmhouses in designated floodways under specified conditions.
- The Department of Ecology must develop rules to guide assessment procedures and develop criteria for repair or replacement of farmhouses and other residential structures. The act takes effect immediately.

## **SHB 2005: Whistleblowers**

*Prime Sponsor: Representative Wolfe*

- Changes are made to the state employees' whistleblower act that make the process more open and accessible, add due process protections for the person accused of wrongdoing, and establish a formal process for the evaluation of anonymous complaints.

## **HB 2010: Historic Cemeteries**

*Prime Sponsor: Representative Ogden (SB 5888 Senator Fraser)*

- The Office of Archeology and Historic Preservation is responsible for supervision of the re-interment of human remains in an inadvertently disturbed historic grave. The Office provides the expenses to re-inter to the extent that such funds are appropriated by the Legislature.

## **HB 2116: Public Utility District Disposition of Property**

*Prime Sponsor: Representative Scott*

- Public utility districts are authorized to sell, convey, lease or otherwise dispose of equipment or materials from the district's stores to any other districts without voter approval or a resolution of a district's board.
- This authority is granted only if the equipment or materials cannot practically be obtained on a timely basis from any other source and if the district receives either an amount equal to the purchase price or the reasonable market value of the equipment or materials.

## **HB 2206: Declaratory Actions / Abandoned Responsibilities**

*Prime Sponsor: Representative Mulliken*

- A county legislative authority may take action in superior court seeking a declaratory judgment that a county elected official has abandoned his or her responsibilities. Abandonment is caused by being absent from the county and failing to perform his or her official duties for a period of at least 30 days.
- The county official is not eligible to receive compensation from the date a declaratory judgment finding abandonment is issued until the court issues a subsequent declaratory judgment finding that the county official has resumed performing his or her duties.

## **EHB 2207: Increasing Legislative Commission Membership**

*Prime Sponsor: Representative Kessler*

- Two more legislators are added to the membership of the following: The Washington Arts Commission; Washington State Information Services Board; and the Puget Sound Council.

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## WAYS & MEANS

786-7715

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### **SB 5021: Exempting Certain Nonprofit Organizations from Property Taxation**

*Prime Sponsor: Senator Snyder*

- A demonstration farm and related facilities owned by a nonprofit organization is exempt from property taxation if used by a state university for agricultural research and education programs.
- New property tax exemptions for nonprofit organizations will be subject to standard restrictions on the use of the property, unless exempted in the act creating the new exemption.

### **SSB 5029: Clarifying Membership Limitations for the Public Employees Retirement System (PERS)**

*Prime Sponsor: Senator Franklin*

- Clarifies that government employers can cover their employees in PERS even if they also cover those employees in a defined contribution pension plan for the same period of employment.

### **SSB 5030: Adjusting Washington State Patrol (WSP) Surviving Spouse Retirement Allowances**

*Prime Sponsor: Senator Long*

- An annual cost-of-living adjustment (COLA) is provided to surviving spouses of WSP members and to WSP retirees and surviving spouses who are receiving the minimum retirement allowance.
- The COLA is \$0.77 per month, per year of service beginning July 1, 1999, increased by three percent per year thereafter.
- The Department of Retirement Systems is to create a new survivor option for WSP retirees by July 2000 that permits the retirees to provide a different level of continuing benefit for their surviving spouses that includes an automatic 2 percent annual increase.

### **ESSB 5180: 1999-2001 Operating Budget**

*Prime Sponsor: Senator Loveland (HB 1186)*

- Provides operating appropriations.

### **SB 5432: Authorizing Charitable Deductions from PERS Retirement Allowances**

*Prime Sponsor: Senator Fraser*

- Permits PERS retirees and beneficiaries to authorize deductions from their retirement allowances for charitable purposes on the same terms as state employees who participate in the annual combined fund drive.

### **SSB 5495: Repealing a Restriction on Regular Property Tax Levies**

*Prime Sponsor: Senator Snyder*

- A taxing district that has levied a property tax after 1985 but that has not levied in the 3 most recent years is assumed to have levied at the maximum rate since its last levy for purposes of the 106 percent limit on future levies.
- For a taxing district that has not levied since 1985 that elects to restore its levies, the restored levy is limited to

the taxing district's last levy plus increases for new construction occurring since then. The new limit replaces the existing limit of the amount it could have levied in 1973 plus increases for new construction occurring since then.

### **ESSB 5661: Providing Clarification and Administrative Simplification for the Leasehold Excise Tax**

*Prime Sponsor: Senator Rasmussen*

- For purposes of permits to remove materials and products from public lands that are not subject to the leasehold excise tax, "products" includes natural resource products such as cut or picked evergreen foliage, Cascara bark, wild edible mushrooms, native ornamental trees and shrubs, ore and minerals, natural gas, geothermal water and steam, and forage removed through the grazing of livestock.
- The use of public lands for natural resource energy exploration is exempted from leasehold excise tax.
- Agricultural product leases are treated the same as other types of product leases. The value of the agricultural products is determined on the date that the products are sold.

### **SSB 5746: Modifying Certain Exemption Language for New and Rehabilitated Multiple-Unit Dwellings in Urban Centers**

*Prime Sponsor: Senator Wojahn*

- The 10-year property tax exemption for the value of new and rehabilitated multi-unit housing in urban areas begins the year following the completion of construction rather than the year after the year of completion.
- The April 1st application deadline is removed.

### **SB 5837: Providing Optional PERS Membership for Chief Administrative Officers of a Public Utility District (PUD), Port District, or a County**

*Prime Sponsor: Senator Bauer*

- Gives persons who are employed as the chief administrative officer of a PUD, port district, or a county the option to be a member of the Public Employees Retirement System (PERS) for such service. Under current law membership in PERS is mandatory.

### **SSB 5967: Nursing Home Certificate of Need**

*Prime Sponsor: Senator Loveland*

- Lowers the nursing home certificate of need standard to 40 beds per thousand people aged 65 and older until June 30, 2001.
- Authorizes the Department of Health to approve new beds above the 40 per thousand standard if more are needed in order to be reasonably close to the people served.
- Appropriates \$1.9 million so that facilities with high property costs will not experience a reduction in their total property rate as a result of the 1999-01 budget and the new property payment system.

### **SSB 5968: Public Hospital-Based Nursing Homes**

*Prime Sponsor: Senator Loveland*

- Authorizes increased payment rates for nursing homes operated by rural public hospital districts.
- Provides \$20 million of increased revenue for rural public hospital districts, and \$36 million of increased revenue for the Health Services Account.

**SB 5986: Clarifying the Status of Duty Connected Death Benefits Under the Law Enforcement Officers and Fire Fighters Retirement System Plan 1 (LEOFF 1)**

*Prime Sponsor: Senator Goings*

- Splits the current LEOFF 1 death benefit statute into two separate statutes, one that applies only to duty-connected deaths and one that applies to nonduty-connected deaths.
- Clarifies the legislature's intent that the current LEOFF 1 duty-connected death benefits are a type of workers compensation benefit in order to make the benefits exempt from federal income taxes.

**SB 5987: Withdrawing Member Contributions Under the Law Enforcement Officers and Fire Fighters Retirement System Plan 2 (LEOFF 2)**

*Prime Sponsor: Senator Goings*

- Permits a LEOFF 2 member who recovers from a disability but does not return to employment to apply for a refund of the difference between the member's accumulated contributions and the total LEOFF 2 payments previously received by the member.

**SSB 6012: Declaring Estimated Monthly Unit Values for Teachers Retirement System Plan 3 (TRS 3) Member Accounts**

*Prime Sponsor: Senator Long*

- Provides that the State Investment Board (SIB) declare a unit value each month for TRS 3 member accounts that are invested with the TRS combined plan 2 and 3 trust fund.
- Clarifies that the unit value will be based on the SIB's estimate of the TRS trust fund value and will be used by the Department of Retirement Systems to credit investment returns to the TRS 3 member accounts.

**SSB 6090: Modifying provisions that relate to the management and administration of agricultural college lands.**

*Prime Sponsor: Senator Loveland*

- The Agricultural College Trust Management Account is created for the purposes of making appropriations for the management costs of the agricultural trust lands. Income from the agricultural trust lands is no longer deposited in the Resource Management Cost Account, and no portion of the income may be deducted for management costs.

**SB 6065: Providing an Excise Tax Exemption for Property Owned, Operated, or Controlled by a Public Corporation**

*Prime Sponsor: Senator Wojahn*

- An exemption from the in lieu excise tax is provided for property of a public development authority that is used as a public esplanade, street, park, etc. or that is contaminated with hazardous substances and was acquired to implement a plan to cleanup and develop the contaminated property.

**SSB 6090: Modifying Provisions that Relate to the Management and Administration of Agricultural College Lands**

*Prime Sponsor: Senator Loveland*

- The Agricultural College Trust Management Account is created for the purposes of making appropriations for the management costs of the agricultural trust lands. Income from the agricultural trust lands is no longer



deposited in the Resource Management Cost Account, and no portion of the income may be deducted for management costs.

### **ESJM 8013: Requesting Federal Disaster Recovery Assistance**

*Prime Sponsor: Senator T. Sheldon*

- The Legislature requests, that if the Governor asks for federal disaster assistance, the President and the Federal Emergency Management Administration will respond favorably to the request and provide the maximum available disaster recovery support.

### **SSJR 8208: Authorizing Investments as Specified by the Legislature**

*Prime Sponsor: Senator Loveland*

- The State Constitution is amended to allow the Emergency Reserve Fund to be invested in such investments as the Legislature may authorize by law, which may include corporate stock.

### **HB 1023: Sharing Extraordinary Investment Gains with Members of the Teachers Retirement System Plan 3 (TRS 3)**

*Prime Sponsor: Representative H. Sommers (SB 5031 Senator Long)*

- Corrects a technical problem with the 1998 TRS 3 gain sharing legislation to provide gain sharing payments to teachers who transferred from TRS Plan 2 to TRS Plan 3 between September 1, 1997, and December 31, 1997.

### **SHB 1024: Providing a New Option to Members of the Teachers Retirement System Plan 1 (TRS 1) and the Public Employees Retirement System Plan 1 (PERS 1) who have more than 30 Years of Service**

*Prime Sponsors: Representative Carlson*

- Provides TRS 1 and PERS 1 members who have 30 years of service the option to receive a refund of their contributions made after their 30th year of service, if the members agree to have their retirement allowances calculated using only the salary earned in their first 30 years.

### **SHB 1041: Authorizing Funds for Public Works Projects**

*Prime Sponsors: Representatives Mitchell and Murray*

- Approves the 1999 list of projects recommended by the Public Works Board. Forty-two projects are approved totaling \$76 million worth of construction. Appropriates \$26.5 million to correct prior biennia reappropriations. A list of projects is available from the Ways and Means Committee.

### **SHB 1069: Relating to Multiple Death Investigations**

*Prime Sponsor: Representative Scott*

- Subject to appropriation, authorizes the Forensic Investigation Council to provide up to \$250,000 per biennium to local jurisdictions for multiple death investigations.

### **HB 1154: Eliminating the Time Limit on Regular Tax Levies for Medical Care and Services**

*Prime Sponsor: Representative Cooper (SB 5467 Senator Costa)*

- In addition to the six-year emergency medical service levy, a ten-year levy and a permanent levy are authorized. The initial levy must be approved by the voters. A referendum procedure to eliminate the levy must also be provided if a permanent levy is authorized.

### **SHB 1165: The 1999-2001 Capital Budget**

*Prime Sponsor: Representatives Murray and Mitchell*

- Provides appropriations for state and local capital improvements.

### **SHB 1166: Issuing General Obligation Bonds**

*Prime Sponsors: Mitchell and Murray (SB 5184 Senator Bauer)*

- Provides bonding authority to finance the capital budget. Bonds sales of \$988 million plus financing charges are authorized which will be supported by state general fund debt service payments. Additional bonding authority is authorized for non-general fund bonds such as UW Medical School, UW Law School and WSU Health Science Center.

### **SHB 1219: Making Technical Changes to the Volunteer Fire Fighters and Reserve Officers' Relief and Pension Plan**

*Prime Sponsor: Representative Ogden*

- Makes technical changes to the statutes that provide pension and relief benefits for volunteer firefighters and reserve law enforcement officers. Clarifies that the benefits a local government can provide its reserve officers include the medical benefits available to volunteer fire fighters.

### **SHB 1222: Creating a Competitive Grant Program to Assist Nonprofit Organizations with Capital Projects**

*Prime Sponsor: Representative Ogden*

- Provides for consistency for Building for the Arts, Heritage and Social Services Facilities Capital Programs. Sets limits on future budget requests of \$4.5 million per biennia for each program. Provides an expiration date for the programs of June 30, 2007.

### **E2SHB 1484: Nursing Home Property Costs**

*Prime Sponsor: Representative Parlette*

- Lowers the financing rate which the state pays on new nursing home assets to 8.5%. Existing facilities and those currently well along in their planning would continue to receive a 10% financing rate.
- Discontinues the previous practice of paying the 10% financing rate on working capital.
- Provides a mechanism so that capital rather than direct care payment rates will be reduced if capital costs start to exceed budgeted levels.
- Places a June 30, 2001, sunset date on this capital payment system.

### **HB 1495: Regarding Refunding Bonds**

*Prime Sponsor: Representative Fisher*

- Refunding bonds are redefined to conform with the Internal Revenue Code definition.
- All local governments may refund general obligation bonds with revenue bonds.
- Local governments (not just the state) may refund revenue bonds with general obligation bonds.

### **HB 1599: Creating an Extraordinary Criminal Justice Assistance Mechanism**

*Prime Sponsor: Representative McMorris*

- Establishes a mechanism administered by the Office of Public Defense (OPD) to provide financial assistance to counties for costs associated with aggravated murder cases.
- Requires OPD to submit a prioritized list of the petitions for assistance to the Legislature.

### **HB 1623: Updating the Tax Code by Making Administrative Clarifications, Correcting Oversights, and Deleting Obsolete References**

*Prime Sponsor: Representative Haigh*

- A number of technical changes are made.
- The tax exemption for fund-raising by nonprofit organizations does not apply to the regular sale of services. Sales of used items in a library are eligible for the fund-raising exemption if the proceeds are used to support the library.
- The requirement that duplicate exemption certificates be sent to Department of Revenue is eliminated.
- A use tax exemption is provided for sales of amusement, recreation, and other personal services by nonprofit youth organizations.
- The tax exemption statutes for ride sharing for the elderly and the handicapped are changed to refer to persons with special transportation needs.
- The interest rate for court-ordered excise tax recoveries is applied to recoveries beginning January 1, 1999, rather than January 1, 1992.
- References to the federal Internal Revenue Code are updated to refer to the code as it exists on January 1, 1999, rather than January 1, 1998, for purposes of the estate tax and the probate code.

### **HB 1654: Amending the Definition of "Veteran" as it Applies to Persons who Served in the Merchant Marine During World War II**

*Prime Sponsor: Representative Kessler*

- Amends the state definition of "veteran" to include persons who served in the merchant marine during the period from August 15, 1945, to December 31, 1946. This makes the state statute consistent with a 1998 federal change.

### **HB 1664: Preventing the Use of Step Transactions to Avoid Real Estate Excise Tax**

*Prime Sponsor: Representative Dickerson (SB 5584 Senator Fraser)*

- The exemption from the real estate excise tax for real property transfers involving the formation, liquidation, dissolution, or reorganization of entities does not apply if: 1) there is more than one in 12 months, and 2) the result is the acquisition of a controlling interest in any entity with an interest in real property in this state.

### **HB 1741: Simplifying Tax Reporting by Revising the Active Nonreporting Threshold so that it Parallels the Small Business Credit**

*Prime Sponsor: Representative Fortunato (SB 5648 Senator Thibaudeau)*

- The exemption for persons with incomes under \$24,000 per year from filing excise tax returns is increased to

\$28,000 so that persons with no tax liability do not have to file tax returns.

\* *The following contains provisions from HB 1621/SB 5496.*

- The Department of Revenue may allow electronic filing of excise tax returns or remittances from any taxpayer. The return or remittance is considered files as provided by rule of the department

### **HB 1831: Requiring Adoption of Rules for Certain School Construction Management Techniques**

*Prime Sponsor: Representative Ogden*

- Requires the adoption of rules for value engineering, construction management, constructibility reviews and building commissioning and provides that the cost of such activities are part of state matching funds.

### **EHB 1832: Authorizing the Use of Nonvoter-Approved Debt for School Construction and Repair**

*Prime Sponsor: Representative Ogden*

- School districts may use non-voter approved debt for improving energy efficiency and repair of school buildings.

### **HB 1833: Authorizing School Districts to Use 63-20 Financing with Nonprofit Organizations**

*Prime Sponsor: Representative Alexander*

- School district authority to enter into leases for building space and portables is extended to 10 years.
- School districts may use voter approved bond funds, operating levies, and state capital matching funds for:
  1. Payments of installment purchase contracts for school plant facilities, and
  2. Payments under any financing lease with a term of 10 years or longer that contains a purchase option for a nominal consideration.
- Districts may borrow money and issue bonds for payment of installment purchase contracts having a term 10 or more years and a purchase option for a nominal consideration, but only if the payments constitute a capital expenditure.

### **ESHB 1887: Revising the Machinery and Equipment Tax Exemption for Manufacturers and Processors for Hire**

*Prime Sponsor: Representative Kessler*

- An explicit definition of "manufacturing" for purposes of the manufacturing sales tax exemption is provided to include (1) the cutting, delimiting, and measuring of harvested trees, and (2) rock crushing and blending. In addition, "testing" is explicitly defined to match the current DOR policy and a new sales tax exemption is provided for equipment used in the testing of tangible personal property for a manufacturer by a third party.

### **SHB 1969: Exempting Real Property that will be Developed by Nonprofit Organizations to Provide Homes for the Aging**

*Prime Sponsor: Representative McIntire*

- For purposes of property tax exemption, the date for calculating the number of low-income occupants of a nonprofit home for the aging is moved from January 1st to December 31st for the 1st year of operation.

### **ESHB 1991: Metro Tract**

*Prime Sponsor: Representatives Murray and Mitchell*

- Provides an extension of the regents leasing authority from 60 to 80 years for the University of Washington Metropolitan Tract.
- The bill provides additional management authority to the regents; requires a biennial report on the Metro Tract to JLARC; and creates a new account for deposit of the net proceeds from the Metro Tract. Debt service on the Law School bonds will be paid from the new non-appropriated local account. Funds in the account which are in excess of debt service needs shall be transferred to the UW Building Account which is an appropriated account in the state treasury.

### **SHB 2111: Eliminating the Tort Claims Revolving Fund**

*Prime Sponsor: Representative Alexander*

- Consolidates funding for all state tort-related costs into one account, the Liability Account. Modifies the manner in which agencies pay for tort defense to a self-insurance approach.

### **HB 2261: Clarifying the Phrase "Services Rendered in Respect to Constructing" for Business and Occupation Tax Purposes**

*Prime Sponsor: Representative Reardon*

- Wholesaling B&O tax treatment is limited to services that are directly related to construction, building, repairing, improving, and decorating of buildings or structures. The service B&O tax rate applies to engineering, architectural, survey, flagging, accounting, legal, consulting, management, or administrative services.

### **HB 2264: Meeting the Federal Requirements for the Juvenile Accountability Incentive Block Grant**

*Prime Sponsor: Representative H. Sommers*

- Creates the Juvenile Accountability Incentive Account in order to meet federal requirements for the receipt of new juvenile justice grant funding.
- Provides the account is to retain its own interest as required by the federal government.



Date: May 25, 1999

TO: Washington State Senate Senators and Staff

FROM: Stan Pynch, Director *S.P.*  
Senate Committee Services

SUBJECT: Addendum to Bills Passed During the 1999 Regular Legislative Session

Attached is the addendum to the Senate Committee Services' Bills Passed During the 1999 Regular Legislative Session, by Committee of Origin. This supplement provides a brief description of each Senate and House bill passed during the 1<sup>st</sup> Special Session of the 1999 Legislature.

These bills are awaiting action by the Governor. While this report does not include information regarding vetoes, this information will be provided in detail in the upcoming 1999 Final Legislative Report.

We trust that you find both the initial report and this supplement to be useful. Once again, it was a pleasure to serve you during these 1999 legislative sessions. We look forward to working with you in preparation for challenges ahead.

**BILLS PASSED BY  
THE 1999 1ST SPECIAL LEGISLATIVE SESSION**  
*By Committee of Origin*

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**EDUCATION**  
**786-7420**

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**EHB 2304: Relating to School Safety Programs**

*Prime Sponsor: Representative Quall*

- Appropriates a total of \$7 million for school safety grants.
- Grants are to be used for alternative schools for instructing at-risk children, implementing prevention and intervention safety programs and hiring security monitors.

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**ENVIRONMENTAL QUALITY & WATER RESOURCES**  
**786-7407**

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**ESHB 2247: Reducing the Account Balance Requirements Necessary for the Imposition of the Oil Spill Response Tax**

*Prime Sponsor: Representative Cooper*

- The cap on the oil spill response account is lowered from \$10 to \$9 million.
- Once the cap is exceeded, the tax is not reimposed until the account falls below \$8 million.
- Allows the State Treasurer to transfer \$1 million from the oil spill response account to the oil spill administration account.
- Requires the House of Representatives, jointly with the Senate, to convene an oil spill risk reduction work group to provide recommendations for an oil spill risk management plan.

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**HUMAN SERVICES & CORRECTIONS**  
**786-7436**

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**ESHB 1004: Transient Sex Offenders**

*Prime Sponsor: Representative Ballasiotes*

- Responds to court case by clarifying state's intent that registration is required for sex and kidnapping offenders whether or not the offender has a fixed residence.
- Specifies registration, notification and reporting requirements for sex and kidnapping offenders without a fixed residence.
- Defines that there is an affirmative defense for homeless sex and kidnapping offenders who have complied with the act's requirements.

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## **NATURAL RESOURCES, PARKS & RECREATION**

**786-7406**

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### **SB 5670: Creating Criteria for the Issuance of Water Quality Permits for the Treatment of Noxious Weeds**

*Prime Sponsor: Senator Snyder*

- The Department of Agriculture may authorize the use of experimental herbicides to control Spartina, an invasive, non-native, noxious weed.
- The Department of Ecology will issue the permits for the use of experimental herbicides on Spartina when authorized by the Department of Agriculture.
- Specific application safeguards and conditions must be followed.

### **2E2SSB 5595: Salmon Funding Board**

*Prime Sponsor: Senator Jacobsen*

- Creates a ten member Salmon Recovery Funding Board. Five of the members are citizen voting members, appointed by the Governor and confirmed by the Senate, one of which represents the Governor. Five additional board members are nonvoting and represent the executives of the Department of Fish and Wildlife, Conservation Commission, Department of Transportation, Department of Ecology, and the Department of Natural Resources.
- \$120 million is provided to the Salmon Recovery Funding Board for grants for salmon restoration projects and activities. These funds will be allocated to projects across the state to remove fish passage barriers, restore fish habitat, reduce water quality degradation, and support community-based restoration efforts.
- The Interagency Committee for Outdoor Recreation will provide staff support, grant and loan assistance and track salmon recovery expenditures for the board.
- A Salmon Recovery Technical Review Team is created to review and rank projects and make recommendations to the board. The team is composed of at least five members selected by the Director of the Department of Fish and Wildlife. Team members are scientists representing state, federal, tribal and local government interests.
- The Interagency Review Team created in 1998 legislation is repealed effective July 1, 2000.
- The existing lead entity process of locally developed habitat recovery projects is preserved. Lead entities will submit their project lists to the Salmon Recovery Technical Review Team for review and ranking.
- The existing Independent Science Panel is given additional duties. Standardized monitoring indicators and data quality guidelines are developed by the Independent Science Panel in conjunction with the Technical Review Team for the purpose of evaluating project effectiveness. The Independent Science Panel is to report to the Governor and the Legislature by December 31, 2000.
- The Governor and the Governor's Salmon Recovery Office are required to develop a statewide salmon recovery strategy by September 1, 1999, and submit the strategy to federal regulatory agencies.



## **ESHB 2091: An Act Relating to Forest Practices as they Affect the Recover of Salmon and Other Aquatic Resources**

*Prime Sponsor: Representative Buck*

- The Forest Practices Board may adopt emergency rules to protect salmon habitat. The emergency rules may remain in effect until permanent rules are adopted or until June 30, 2001.
- The Forest Practices Board will incorporate scientific management rules to direct changes to forest practices over time.
- A small forest land owner office is created in the Department of Natural Resources.
- The Department of Natural Resources is authorized to accept riparian easements in name of the state of Washington.
- The state timber excise tax is currently 5%. This bill provides a 0.8% tax credit for timber harvesters affected by the new forest practices rules. The credit is against the state portion of the tax therefore there is no local impact. The state impact is a tax reduction of approximately \$8 million per year.
- Large woody debris can be left in streams to provide benefit for salmon, other fish, wildlife and for water quality enhancement. The state's and landowner's liability is limited when debris is left in streams.
- The Forest Practices Board is expanded to 12 members by adding the director of the Department of Fish and Wildlife.
- The Department of Natural Resources will coordinate with the Department of Ecology's Forest Practices Board designee to adopt forest practices rules pertaining to water quality, approval of road maintenance and abandonment plans, the acquisition of conservation easements, the acquisition of forest lands in stream channel migration zones and the acquisition of conservation easements.
- A forest and fish account is created in the state treasury and receipts will come from appropriations by the Legislature, federal grants, gifts from private organizations and individuals. Monies in the account may be spent after appropriation and will be used for the small forest land owner office.

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## **WAYS & MEANS**

**786-7715**

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## **SHB 2273: Changing Provisions Relating to Taxation of Destroyed Property**

*Prime Sponsor: Representative Haigh*

- The assessed value for property taxes due in the year following the damage is reduced by the full amount of the damage, rather than being reduced by a portion of the damage equal to the amount of time remaining in the year. This change applies for taxes levied for collection in 2000 and thereafter.
- The property tax on property that is destroyed in whole or in part is reduced for the year in which the destruction occurs. The current year tax reduction is equal to the reduction in value due to the damage multiplied by the proportion of time remaining in the year multiplied by the tax rate. Taxes already paid are refunded and taxes not yet paid are abated. This provision applies for property taxes levied for collection in 1998 through 2004.

**HB 2295: Providing that Growing or Packing Agricultural Products is not a Manufacturing Activity for Tax Purposes**

*Prime Sponsor: Representative B. Chandler*

- A recent court of appeals decision held that the “packing” of agricultural products is manufacturing. Had this remained unchanged, agricultural packers and farmers would have been subject to the business and occupation tax for the first time. In addition, they would have been eligible for the distressed area sales tax deferral/exemption program.
- This measure reverses the court’s decision by stating that the “packing” of agricultural products is not manufacturing.

**EHB 2297: Calculating Maximum Levy Amounts**

*Prime Sponsor: Representative Sommers*

- The levy lid act requires that inflation factors for school levies be included in the biennial budget act. Those factors are added to the base year in order to adjust for inflation in the calculation of multi-year levies. One of the inflation factors included in the 1999-01 biennial budget (ESSB 5180) was incorrect and therefore vetoed by the governor.
- This bill establishes the correct inflation factors at 4.0% for the calendar year 2000 levies and 3.4% for the calendar year 2001 levies.

**HB 2303: Timber Tax Credit**

*Prime Sponsor: Representative Regala*

- Provides a January 1, 2000 effective date for the 0.08% timber tax credit passed in ESHB 2091. (The effective date was mistakenly left out of the original bill.)