

Washington State



**S
C
S**

**Senate Committee
SERVICES**

SENATE COMMITTEE SERVICES

BILLS PASSED

DURING THE 2006

LEGISLATIVE SESSION

BY COMMITTEE OF ORIGIN



DATE: March 9, 2006

TO: Washington State Senate Senators and Staff

FROM: Stan Pynch, Director
Senate Committee Services

SUBJECT: Bills Passed During the 2006 Regular Legislative Session Report

We are pleased to provide you this Senate Committee Services (SCS) report, Bills Passed During the 2006 Legislative Session, by Committee of Origin. This report includes a brief description of each Senate and House bill passed by the 2006 Legislature. Bills are listed under their committee of origin in the Senate.

We have noted the Governor's action on bills through March 9. The Governor has not yet taken action on the overwhelming majority of bills included in this report.

We will be working with House staff in the weeks ahead to prepare the more comprehensive 2006 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 2006 Legislature and relevant gubernatorial veto messages.

It was a pleasure to serve you again this session, and we hope you find this report useful.

Table of Contents

Agriculture & Rural Economic Development	1
Early Learning, K-12 & Higher Education	5
Financial Institutions, Housing & Consumer Protection	13
Government Operations & Elections	19
Health & Long-Term Care	27
Human Services & Corrections	35
International Trade & Economic Development	43
Judiciary	47
Labor, Commerce, Research & Development	57
Natural Resources, Ocean & Recreation	65
Transportation	69
Water, Energy & Environment	77
Ways & Means	85

AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

786-7411

SSB 6365: CHANGING FEES IN THE WEIGHTS AND MEASURES PROGRAM

Prime Sponsor: Senator Rasmussen

(HB 2559 Representative Hasegawa)

- The registration and licensing fees that fund the weights and measures program are adjusted with half of the increase to take affect on July 1, 2006, and the remaining increase to take affect on July 1, 2007.
- The Department of Agriculture is to convene its advisory committee on weights and measures on a quarterly basis to monitor implementation of the act.
- Reports to the Legislature are due on the program on December 1, 2006, and on December 15, 2007.

SB 6371: REGULATING THE DISPOSAL OF DEAD ANIMALS

Prime Sponsor: Senator Rasmussen

(HB 2558 Representative Pettigrew)

- The Department of Agriculture is authorized to prescribe, by administrative rule, the time frame and methods of disposal of livestock that die from disease. "Livestock" includes horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, and game birds, but not free ranging wildlife. Disposal methods may include burial, composting, incinerating, landfilling, and natural decomposition or rendering.
- Only livestock found dead from an unknown cause are presumed to have died from disease.

ESB 6376: CHANGING LIVESTOCK INSPECTION FEE PROVISIONS

Prime Sponsor: Senator Rasmussen

(HB 3032 Representative Pettigrew)

- The fees for conducting livestock inspections by the Department of Agriculture are increased.
- Methods of livestock identification, in addition to the use of the owner's registered brand, may be authorized by rule of the Department of Agriculture.

SSB 6377: CHANGING THE REGULATION OF MILK AND MILK PRODUCTS

Prime Sponsor: Senator Doumit

- State milk quality laws apply to raw milk and arrangements known as "cow shares" but does not prohibit the sale of raw milk or cow share arrangements. Criminal penalties are specified for non-compliance.
- The Department of Agriculture is authorized to have access to unlicensed dairy farms if information exists that the dairy is engaged in an activity that requires a license. If denied access, the department may apply to the court for a search warrant.
- A work group is to be convened to help resolve obstacles encountered by small dairies in meeting licensing requirements. The work group is to report to the Legislature by December 1, 2006.

SSB 6617: REGARDING THE CONTENTS OF FARM PLANS PREPARED BY CONSERVATION DISTRICTS

Prime Sponsor: Senator Haugen

- The contents of farm plans must be verified by the owner or operator who requested it prior to it being available for disclosure to the public.
- Farm plans may be disclosed to the public with the permission of the owner or operator, or if the farm plan is used for application or issuance of a permit.

ESB 6661: ESTABLISHING THE WASHINGTON BEER COMMISSION

Prime Sponsor: Senator Rasmussen

(SHB 3046 Representative P. Sullivan)

- Washington microbrewers--state-licensed brewers producing less than 100,000 barrels annually per location--may create a Washington Beer Commission if they elect to do so in a referendum process.
- If created, the commission will promote Washington beer, with oversight by the director of the state Department of Agriculture. The commission may conduct research, promotional, and educational campaigns, and may promote Washington-grown hops, malting barley, and wheat.
- To fund its activities, the commission is authorized to assess affected brewers and, beginning July 1, 2007, to sell beer at beer festivals.
 - * *SSB 6838 is incorporated in its entirety into ESB 6661, as described below.*
- A nonprofit statewide organization of microbreweries (i.e., the Washington Brewers Guild) may obtain a special occasion liquor license to conduct up to six beer festivals until July 1, 2007.

SSB 6868: PROVIDING EXCISE TAX EXEMPTIONS FOR CERTAIN AIRCRAFT FUEL.

Prime Sponsor: Senator Mulliken

* *SSB 6868 is incorporated in part into HB 2424.*

SHB 1523: EXTENDING A SALES AND USE TAX EXEMPTION TO THE CONSTRUCTION OF NEW FACILITIES TO BE USED FOR THE CONDITIONING OF VEGETABLE SEED

Prime Sponsor: Representative Quall

- A sales and use tax deferral/exemption program applying to investments by certain businesses in plant construction, expansion, or equipment acquisition is extended to include businesses conditioning vegetable seeds.

HB 2424: PROVIDING SALES AND USE TAX EXEMPTIONS FOR USERS OF FARM FUEL

Prime Sponsor: Representative Grant

- Diesel used by farm fuel users for on-farm purposes is exempt from the sales and use tax. Fuel used for space or water heating for human habitation is not exempt.
 - * *SSB 6868 is incorporated in part into HB 2424, as described below.*
- Aviation fuel used for farm use is exempt from the sales and use tax.
- These exemptions are effective immediately upon signature by the Governor.

**Signed by the Governor*

SHB 2457: AUTHORIZING SALES AND USE TAX EXEMPTIONS FOR REPLACEMENT PARTS FOR FARM MACHINERY AND EQUIPMENT

Prime Sponsor: Representative Grant

- Replacement parts for farm machinery and equipment are exempt from the sales and use tax for qualifying farmers. This includes replacement parts that are installed by the farmer and those parts installed by others if the parts are separately itemized on the bill.
- To qualify, an exemption certificate must be obtained from the Department of Revenue. To qualify for an exemption certificate, the farm has to document that it had a gross income from sale of agricultural products that exceeded \$10,000 in the prior year.
- Paint, fuel, oil, grease, hydraulic fluids, antifreeze, and similar items are excluded from the definition of replacement parts and do not qualify for this exemption.

ESHB 2651: REGARDING DISCLOSURE OF ANIMAL INFORMATION

Prime Sponsor: Representative Pettigrew

(SB 6854 Senator Rasmussen)

- Information submitted to a state or national animal identification system by livestock producers is exempt from public disclosure.
- The exemption does not affect the disclosure of information used in reportable animal health investigations under state animal health statutes once those investigations are complete.

SHB 2917: IDENTIFYING ACCESSORY USES ON AGRICULTURAL LANDS

Prime Sponsor: Representative P. Sullivan

(SB 6575 Senator Rasmussen)

- Counties may authorize limited nonagricultural uses within zones that have been designated for agricultural use. These uses must be consistent with the size, scale, and intensity of the existing agricultural use, not convert more than one acre of agricultural land, and be located in the area that contains buildings.
- Agriculturally related accessory uses may be authorized by counties within areas designated as agricultural lands including the production, marketing, and distribution of value-added agricultural products and related support services.

SHB 3033: CREATING AN ADVISORY COMMITTEE TO EVALUATE ANIMAL IDENTIFICATION PROGRAMS

Prime Sponsor: Representative Pettigrew

(SSB 6375 Senator Rasmussen)

- The Department of Agriculture is to convene an advisory committee composed of representatives of various segments of the cattle industry to evaluate the requirements of the national animal identification program that is being formulated for animal disease trace-back purposes.
- The advisory committee is to make a recommendation on how the federal requirements should be implemented including funding amounts and sources.
- A written report of the recommendations of the advisory committee are to be submitted to the Legislature by December 1, 2006.

ESHB 3222: MODIFYING EXCISE TAX EXEMPTIONS FOR THE HANDLING AND PROCESSING OF LIVESTOCK MANURE

Prime Sponsor: Representative Pettigrew

- The current exemption from sales tax previously available only to dairy cattle operations is expanded to all confined livestock feeding operations with nutrient management plans approved by conservation districts. The sales tax exemption applies to livestock nutrient management equipment and facilities purchased to implement the approved nutrient management plan.
- The current exemption from sales tax previously available for the construction and repair of anaerobic digesters only for treating dairy manure is expanded to be available to anaerobic digesters that treat other kinds of livestock manure as well.

EARLY LEARNING, K-12 & HIGHER EDUCATION

786-7415

2SSB 5717: REQUIRING A STUDY ON THE AVAILABILITY AND USE OF SKILL CENTERS

Prime Sponsor: Senator Rockefeller

- The Workforce Training and Education Coordinating Board must study and recommend how to increase opportunities for students not adequately served by skill centers

SB 6219: PROVIDING FOR FINANCIAL LITERACY EDUCATION

Prime Sponsor: Senator Keiser

** Senate Bill 6219 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

ESSB 6255: IMPROVING STUDENT PERFORMANCE THROUGH STUDENT-CENTERED PLANNING

Prime Sponsor: Senator Eide

- Subject to the availability of funds, the Office of the Superintendent of Public Instruction (OSPI) must develop and disseminate a guidance and planning program curriculum to all school districts by the 2006-07 school year. OSPI must award planning and program grants by December 2006 and by January 2007.
- OSPI must develop and disseminate electronic student planning tools and a software package to analyze student performance; develop and disseminate options for diagnostic assessments; conduct regional training seminars for teachers; and monitor program implementation during the fall of 2006 in order to revise the curriculum by the spring of 2007.
- By January 1, 2009, OSPI must report to the Legislature on the programs' impact on student performance.

SSB 6437: PROVIDING FOR ADOPTION OF COURSE EQUIVALENCIES FOR CAREER AND TECHNICAL COURSES

Prime Sponsor: Senator McAuliffe

** SSB 6437 is incorporated in its entirety into SB 2973.*

ESSB 6475: AUTHORIZING ALTERNATIVE METHODS OF ASSESSMENT AND APPEAL PROCESSES FOR THE CERTIFICATE OF ACADEMIC ACHIEVEMENT

Prime Sponsor: Senator McAuliffe

(E2SHB 2785 Representative Quall)

- Beginning in the 2006-07 school year, the Office of the Superintendent of Public Instruction (OSPI) must implement three objective alternative assessment methods for students to demonstrate achievement on the state standards in content areas where they were not successful on the high school Washington Assessment of Student Learning (WASL). Additionally, a student's score on the mathematics portion of the Preliminary Scholastic Assessment Test, Scholastic Assessment Test, or the American College Test can be used as an alternative assessment for demonstrating that a student has met the mathematics standard on the WASL.
- OSPI must study the feasibility of using existing mathematics assessments in languages other than English as an additional alternative assessment option.

* SHB 2733 is incorporated in its entirety into ESSB 6475, as described below.

- The requirement that the standardized high school transcript contain a student's highest scale score in each content area of the WASL and the scholar designation for high-scoring students is removed.

SSB 6487: PROHIBITING FALSE ACADEMIC CREDENTIALS

Prime Sponsor: Senator Schoesler

* SSB 6487 is incorporated into ESHB 2507.

SSB 6605: REGARDING EDUCATIONAL INTERPRETERS FOR HEARING-IMPAIRED STUDENTS

Prime Sponsor: Senator Fraser

* SSB 6605 was not enacted, but the study has been funded in the 2006 Supplemental Budget Act (ESSB 6386).

ESB 6606: REQUIRING STANDARDS FOR EDUCATIONAL INTERPRETERS FOR STUDENTS WHO ARE DEAF OR HARD OF HEARING

Prime Sponsor: Senator Fraser

- To the extent funds are appropriated, by January 15, 2007, the Superintendent of Public Instruction (SPI), with an advisory committee, must develop standards for educational interpreters of students who are deaf or hard of hearing.
- The SPI must report on any standards developed and get formal legislative approval before implementing any standards for educational interpreters.

SSB 6618: REQUIRING A STUDY TO EXPLORE OPTIONS TO AUGMENT THE CURRENT EDUCATIONAL ASSESSMENT SYSTEM

Prime Sponsor: Senator McAuliffe

(ESHB 2998 Representative P. Sullivan)

- The Washington State Institute for Public Policy must study options to augment the current system of assessments to demonstrate students have met the state learning standards.
- The interim report, due by December 2006, must include a preliminary statistical analysis of student data and recommendations on at least two alternative assessment options, methods, procedures, or performance measures.
- The final report, due by December 2007, must include suggestions for any follow-up studies that the Legislature could undertake to continue to build on the information obtained in this study.
- The act is named for former Governor Booth Gardner.

SB 6706: REQUIRING THAT A REVIEW OF CLASSIFIED SCHOOL EMPLOYEE FUNDING BE CONSIDERED IN THE WASHINGTON LEARNS STUDY

Prime sponsor: Senator Rockefeller

(HB 3028 Representative P. Sullivan)

* SB 6706 as not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).

SB 6766: REGARDING THE NATIONAL GUARD CONDITIONAL SCHOLARSHIP

Prime Sponsor: Senator Schmidt

- The eligibility for Washington National Guard conditional scholarships is expanded to include students who attend programs approved under the Montgomery GI Bill.

- Priority is given to eligible students who attend institutions in Washington that are accredited by the Northwest Association of Schools and Colleges.

SHB 1107: PROVIDING FOR EARLY INTERVENTION SERVICES FOR CHILDREN WITH DISABILITIES

Prime Sponsor: Representative Dickerson

(SSB 5141 Senator Rasmussen)

- By September 1, 2009, each school district must provide or contract for early intervention services for all eligible children with disabilities from birth to three years of age.
- The Department of Social and Health Services is the payor of last resort for provided birth-to-three early intervention services.
- The services provided are not part of the state's program of basic education pursuant to of the Washington State Constitution.

SHB 2233: MANDATING THAT A PERCENTAGE OF TUITION WAIVERS GO TO VETERANS

Prime Sponsor: Representative Kristiansen

- Washington colleges and universities must engage in outreach activities to increase the number of veterans who receive tuition waivers.
- Colleges and universities must revise the applications for admission to provide applicants with the opportunity to indicate whether they are veterans who need assistance.
- Each institution of higher education must ask veterans whether they have any federal GI Bill funds available to them. The institutions must encourage veterans to access the federal funds prior to providing a tuition waiver.

SHB 2414: REGARDING LOCAL CONTROL AND FLEXIBILITY IN THE STATE ASSESSMENT SYSTEM

Prime Sponsor: Representative Haler

(SSB 6532 Senator Delvin)

- Before the beginning of the 2006-07 school year, the Office of the Superintendent of Public Instruction (OSPI) must request flexibility from the United State's Department of Education (DOE) under the No Child Left Behind Act to conduct pilot projects with no more than six school districts using an assessment other than the Washington Assessment of Student Learning (WASL).
- If the request for flexibility is granted, OSPI must revise the state accountability plan to incorporate the pilot project. School districts in the pilot project are not required to administer the WASL in reading and mathematics in grades three, five, six, and eight during the pilot.
- OSPI must evaluate whether the piloted assessment can be used on a statewide basis and forward its findings and recommendations to the Legislature and the DOE.

SHB 2446: PERMITTING CERTAIN SCHOOL DISTRICT SUBSTITUTE EMPLOYEE CONTRACTS

Prime Sponsor: Representative Buri

(SSB 6149 Senator Schoesler)

- An exception is added to the prohibition on a school officer (school director or superintendent) benefitting from a contract entered into by the school district that permits a school officer in a school district that has fewer than 200 students to be employed by the district as a substitute teacher or instructional aide.

- The contract must be aligned with the collective bargaining agreement and the school district board of directors must determine that there is a shortage of substitute teachers.

ESHB 2507: PROHIBITING FALSE OR MISLEADING COLLEGE DEGREES

Prime Sponsor: Representative Kenney

- It is clarified that the minimum standards of HECB for degree-granting institutions must require an institution be accredited, have an application pending before the accrediting agency, or have been granted a waiver by the HECB waiving accreditation. The HECB must periodically review the waivers of accreditation.
* *SSB 6487 is incorporated into ESHB 2507, as described below.*
- It is an unfair or deceptive business practice and a crime of fraud if any person grants or offers to grant a false academic credential. The crime is a class C felony.
- It is a crime of fraud if a person knowingly uses a false academic credential or falsely claims to have a credential issued by an accredited and Higher Education Coordinating Board (HECB) recognized institution. The crime is a gross misdemeanor.

EHB 2579: REQUIRING CLASSROOM-BASED CIVICS ASSESSMENTS

Prime Sponsor: Representative Upthegrove

(SB 6468 Senator Johnson)

- Students must take a classroom-based civics assessment in fourth or fifth grade, seventh or eighth grade, and eleventh or twelfth grade. School districts must annually verify the use of the assessments.
* *HB 3145 is incorporated in its entirety, except for the appropriations, into EHB 2579, as described below.*
- A civics instruction pilot project is created. The Office of the Superintendent of Public Instruction will work with up to fifteen county auditors' offices to develop an interactive high school civics curriculum.

E2SHB 2630: CREATING THE OPPORTUNITY GRANT PROGRAM

Prime Sponsor: Representative Kenney

** ESSB 2630 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

SHB 2733: CHANGING THE REQUIREMENTS FOR INFORMATION ON HIGH SCHOOL TRANSCRIPTS

Prime Sponsor: Representative P. Sullivan

** SHB 2733 is incorporated in its entirety into ESSB 6475.*

2SHB 2789: EXPANDING APPRENTICESHIP OPPORTUNITIES FOR HIGH SCHOOL GRADUATES

Prime Sponsor: Representative Quall

(SB 6483 Senator Kohl-Welles)

- Centers of Excellence and other colleges identified by the State Board for Community and Technical Colleges are authorized to act as brokers of relevant information and resources.
- The Washington State Apprenticeship and Training Council (WSATC) is required to lead an educational outreach program about apprenticeships for middle and secondary school students, educators, and parents.
- The WSATC is required to oversee and approve direct-entry programs, including awarding up to 10 incentive grants to school districts for personnel to negotiate and implement agreements with local apprenticeships.

- Four pilot programs to expand student enrollment in pre-apprenticeship programs are established.
- The Office of the Superintendent of Public Instruction must convene a workgroup to identify barriers and opportunities for further expansion and scale-up of pre-apprenticeship programs.

SHB 2812: INCREASING THE LEVY BASE FOR SCHOOL DISTRICTS

Prime Sponsor: Representative Hunter

(SSB 6438 Senator Weinstein)

- The provisions of SSB 6211 from 2004 are extended for an additional four years beyond 2007. This means that from calendar 2008 through 2011 that each district's levy base will be increased by adjustment factor related to not fully funding I-728 and I-732 (as originally passed by the voters) during the 2003-05 biennium.
- This applies to the calculation for excess levies and state levy equalization allocations in calendar years 2008 through 2011.
- Beginning January 1, 2007, state levy equalization is required to be fully funded at 100 percent and can not be reduced.

SHB 2817: ESTABLISHING A TECHNOLOGY EMPHASIS FOR INSTITUTIONS OF HIGHER EDUCATION

Prime Sponsor: Representative Sells

(SSB 6697 Senator Berkey)

- A priority is placed on student enrollments and degrees in the fields of engineering, technology, biotechnology, science, computer science, and mathematics.
- Institutions of higher education will determine local student demand for these programs and submit findings and proposed alternatives to meet demand to the Higher Education Coordinating Board (HECB) and the Legislature by November 2008.
- The HECB is required to track progress on student enrollment and other statistics in certain high-tech fields and report biennially.

HB 2857: REVISING TERMS OF APPOINTMENT OF STUDENT REGENTS AND TRUSTEES

Prime Sponsor: Representative Kenney

(SB 6567 Senator McAuliffe)

- The one-year appointment term of student regents at each of the public baccalaureate institutions is changed to begin July 1 and end July 1 of the following year or until a successor is appointed, whichever is later.

SHB 2867: REGARDING EXPANSION OF WSU TRI-CITIES INTO A FOUR-YEAR INSTITUTION

Prime Sponsor: Representative Kenney

(SSB 6464 Senator Delvin)

- Washington State University (WSU) Tri-Cities must prepare a plan for expanding into a four-year institution by November 30, 2006.
- WSU Tri-Cities is authorized to expand into a four-year institution by admitting, beginning in the fall of 2007, lower-division students directly into programs beyond the biotechnology field.

EHB 2910: REQUIRING A STUDY OF ENVIRONMENTAL, NATURAL SCIENCE, WILDLIFE, FORESTRY, AND AGRICULTURE EDUCATION

Prime Sponsor: Representative Quall

(SB 6735 Senator McAuliffe)

- The Office of the Superintendent of Public Instruction (OSPI) must conduct an environmental, natural science, wildlife, forestry, and agricultural education study in partnership with public and private entities that promote environmental education experiences.
- OSPI must provide an interim update to the Legislature by December 1, 2006, and the study must be completed by October 1, 2007.

2SHB 2964: CREATING THE DEPARTMENT OF EARLY LEARNING

Prime Sponsor: Representative Kagi

(SSB 6466 Senator Kohl-Welles)

- The Department of Early Learning (Department) is established as an executive branch agency.
- The Department's primary duties are to implement early learning policy; to coordinate, consolidate, and integrate child-care and early learning programs to promote an efficient use of funds; and to collaborate with the K-12 school system to improve transitions from pre-kindergarten to kindergarten.
- The Director of the Department will actively participate in the creation of a nongovernmental private-public partnership.

SHB 2973: CREATING A CAREER AND TECHNICAL HIGH SCHOOL GRADUATION OPTION FOR STUDENTS MEETING STATE STANDARDS IN FUNDAMENTAL ACADEMIC CONTENT AREAS

Prime Sponsor: Representative Priest

- The State Board of Education (SBE) is directed to establish a career and technical graduation option where students: (1) take courses to prepare for the Certificate of Academic Achievement; (2) enroll in an approved career and technical program and attain the program's credential; and (3) may be permitted to not meet state standards in content areas not addressed on the high school assessment.
- The SBE must reevaluate the graduation requirements for students enrolled in career and technical education programs to ensure that students enrolled in these programs have sufficient opportunity to earn a Certificate of Academic Achievement, earn the program's certificate or credential, and complete other graduation requirements. The SBE must report findings and recommendations to the Legislature by December 1, 2007.

** SSB 6437 is incorporated in its entirety into SHB 2973, as described below.*

- Each high school or school board must adopt course equivalencies for career and technical courses.

HB 3028: REQUIRING THAT A REVIEW OF CLASSIFIED SCHOOL EMPLOYEE FUNDING BE CONSIDERED IN THE WASHINGTON LEARNS STUDY

Prime Sponsor: Representative P. Sullivan

(SB 6706 Senator Rockefeller)

** HB 3028 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

SHB 3087: CONCERNING COST SAVINGS ON COURSE MATERIALS FOR STUDENTS AT STATE UNIVERSITIES, REGIONAL UNIVERSITIES, AND THE EVERGREEN STATE COLLEGE

Prime Sponsor: Representative Ormsby

- The board of regents or trustees at the baccalaureate institutions must adopt rules requiring that affiliated bookstores: (1) provide students the option of purchasing unbundled materials; (2) disclose student costs to faculty and staff; (3) disclose the difference between new and previous editions; (4) promote and publicize book buyback programs; and (5) disclose per-course costs.
- Boards must also adopt rules requiring faculty and staff to consider the least costly practices in assigning course materials.

E2SHB 3098: TRANSFERRING DUTIES OF THE RECONSTITUTED STATE BOARD OF EDUCATION

Prime Sponsor: Representative McDermott

(2SSB 6436 Senator McAuliffe)

- The duties of the State Board of Education (SBE) are redistributed to align with its new purpose: Certain duties remain with the SBE; selected duties of the SBE are transferred to other state agencies; selected duties of the SBE are repealed; and the SBE is assigned a few specific duties and directed to review the redistribution of the duties.

SHB 3113: EXPANDING ACCESS TO HIGHER EDUCATION USING THE UNIVERSITY CENTER MODEL

Prime Sponsor: Representative Sells

- To meet the higher education needs of the North Snohomish, Island, Skagit counties region, the Legislature intends to provide funding for a minimum of 250 full-time equivalent (FTE) students at the upper-division and graduate levels for the fiscal year ending June 30, 2007.
- The funding will support fields of study including engineering, technology, nursing and health professions, environmental sciences, education, interdisciplinary studies, and other areas of study based on student and employer demand.
- By July 1, 2007, Everett Community College, with Edmonds Community College, Skagit Valley College, and the universities participating in offering enrollment, will report to the Legislature the number of enrollments and degrees resulting from the new FTE funding and the effect of those enrollments and degrees on the local communities.

ESHB 3127: REGARDING THE CENTER FOR THE IMPROVEMENT OF STUDENT LEARNING

Prime Sponsor: Representative Santos

- The Center for the Improvement of Student Learning (CISL) is reactivated within the Office of the Superintendent of Public Instruction (OSPI) with additional duties. Beginning September 1, 2007, the OSPI will biennially report on the operations of the CISL.
- The Office of the Education Ombudsman is created within the Office of the Governor. Before appointing the Ombudsman, the Governor must share information about the appointment with a 6-person legislative committee. Subject to appropriations, the Ombudsman may certify regional ombudsmen. Beginning September 1, 2007, the Ombudsman will annually report to the Governor, Legislature, and

the State Board of Education about the Ombudsman's program.

HB 3145: CREATING A PILOT PROJECT IN CIVICS EDUCATION

Prime Sponsor: Representative P. Sullivan

** HB 3145 is incorporated in its entirety, except for the appropriations, into EHB 2579.*

FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

786-7408

SB 5590: DISSOLVING JOINT HOUSING AUTHORITIES

Prime Sponsor: Senator Fairley

(HB 1601 Representative Ormsby)

** SB 5590 is incorporated in its entirety into E2SHB 2418.*

**SSB 6168: REGULATING BUSINESS DEVELOPMENT COMPANIES AND THE
PARTICIPATION OF FINANCIAL INSTITUTIONS AND NONDEPOSITORY
LENDERS IN ECONOMIC DEVELOPMENT WITHIN THE STATE**

Prime Sponsor: Senator Fairley

(HB 2339 Representative Kirby)

- Washington's business development law is modernized, to promote job creation and encourage investment.
- Under the regulatory oversight of the Department of Financial Institutions, investors (including venture capitalists) can help form "Business Development Corporations" (BDCs).
- BDCs can convert to Limited Liability Companies.

**ESB 6169: AUTHORIZING REMOVAL OF DISCRIMINATORY PROVISIONS IN THE
GOVERNING DOCUMENTS OF HOMEOWNERS' ASSOCIATIONS**

Prime Sponsor: Senator Kohl-Welles

(EHB 2801 Representative Chase)

- A simplified process is created for homeowners' associations to amend their governing documents for the purpose of removing restrictive covenants. The documents may be amended by a simple majority vote of the association board.
- The existing judicial remedy is expanded to allow not only owners, occupants, and tenants to bring a cause of action in court to strike statutorily discriminating language, but the board is allowed also to bring an action.

**SB 6231: EXEMPTING CERTAIN PRIVATE AIR AMBULANCE SERVICES FROM
LICENSING UNDER THE INSURANCE CODE**

Prime Sponsor: Senator Spanel

(HB 2615 Representative Quall)

- The Washington State Office of the Insurance Commissioner (OIC) studied subscription air ambulance services, and provided recommendations for legislative action.
- Private air ambulance services that solicit and accept membership subscriptions, charge fees, and provide services are not considered "insurers," under Washington law, if they meet licensure and aeromedical transport services criteria, have been in operation for a minimum of two years, and submit evidence of compliance to the OIC.

SSB 6234: CREATING THE INSURANCE FRAUD PROGRAM

Prime Sponsor: Senator Fairley

(HB 2482 Representative O'Brien)

- Washington State is among the top 10 for insurance fraud. A majority of states have antifraud units, usually within the Insurance Commissioner's office. Washington has not had an antifraud unit, to combat this type of fraud.

- An antifraud unit is created in the Office of the Insurance Commissioner, with a primary focus on high impact organized crime cases. Insurers are mandated to report fraudulent activity. A 10-member Fraud Advisory Board is established, and criminal penalties for insurance fraud are increased.

SB 6463: ALLOWING BANKS AND SAVINGS BANKS TO ORGANIZE AS LIMITED LIABILITY COMPANIES

Prime Sponsor: Senator Fairley

(HB 2757 Representative Kirby)

- Washington State allows many types of businesses to form as or convert to "Limited Liability Corporations" (LLCs). Generally, however, banks and insurers have not been permitted to be LLCs.
- Banks, bank holding companies, and savings banks are now permitted to be structured as LLCs, by obtaining approval from the Department of Financial Institutions.
- Approval is based upon meeting criteria important to safety and soundness, and conforming to FDIC Regulations, including a prohibition against automatic termination, dissolution, or suspension.

SSB 6570: REQUIRING LENDERS TO CONSIDER RETAIL INSTALLMENT CONTRACTS FOR THE PURCHASE OF MOTOR VEHICLES

Prime Sponsor: Senator Fairley

(SHB 2863 Representative Kirby)

- For the purchase of a motor vehicle, lenders are required to consider retail installment contracts from automobile dealers that are on generic, or standard, forms.

SSB 6571: REFINING THE DEFINITION OF "BUSHING"

Prime Sponsor: Senator Berkey

(SHB 1827 Representative Wood)

- The statutes on "bushing" (requiring that an automobile dealer must accept or reject a buyer's offer within three days when the dealer is providing financing for the vehicle) are clarified:
- The time period for a dealer to approve or reject a buyer's application for credit is extended from three to four days; a dealer's right to take legal action against a buyer, who provides false information on the credit application is not restricted by the bushing statutes; and a dealer can condition a refund on the return of the vehicle.

SSB 6851: REVISING PROVISIONS CONCERNING CLOSURE OF MOBILE HOME PARKS AND MANUFACTURED HOUSING COMMUNITIES

Prime Sponsor: Senator Prentice

- Landlords of mobile home parks must meet additional requirements in regards to notice of mobile home park closures or conversions.
- Within 10 days of providing tenants with the requisite notice, the landlord must submit notice to the Department of Community, Trade and Economic Development (CTED) along with the names and mailing addresses of all tenants.
- CTED must send applications and information to the tenants on the state's relocation assistance program within 10 days of receiving the landlord's notice.
- In addition to existing requirements, notice provided to tenants in their rental agreements must be in bold and located directly above the tenant's signature line.

SCR 8423: CREATING A HOMEOWNERS' ASSOCIATION ACT COMMITTEE

Prime Sponsor: Senator Fairley

- The Homeowners' Association Act committee is created to review existing statutes and current issues affecting homeowners' associations.
- The committee will consist of 10 members, including one legislator from both the Senate and the House.
- A report with the committee's recommendations will be developed and submitted to the Legislature by September 1, 2007.

SHB 1257: PROVIDING AN OPPORTUNITY TO REJECT MOTORCYCLE OR MOTOR-DRIVEN CYCLE INSURANCE COVERAGE

Prime Sponsor: Representative Roach

- Insurance companies that opt to sell underinsured motorist coverage to motorcyclists must give those motorcyclists, who also carry a liability policy with that company, the opportunity to reject underinsured motorist coverage for the motorcycle in writing.

HB 2338: EXTENDING THE MORTGAGE LENDING FRAUD PROSECUTION ACCOUNT

Prime Sponsor: Representative Kirby

(SB 6167 Senator Fairley)

- The expiration date of the Mortgage Lending Fraud Prosecution Account is delayed for five years (June 30, 2011).

**Signed by the Governor*

EHB 2340: REGULATING MORTGAGE BROKERS AND LOAN ORIGINATORS

Prime Sponsor: Representative Kirby

(SSB 6166 Senator Fairley)

- Loan originators are required to be licensed by the Department of Financial Institutions (DFI).
- The Mortgage Brokers Practices Act is revised to clarify and expand the DFI's investigation and examination authority.
- The existing Mortgage Brokers Commission is expanded from five to seven members, two of whom must be loan originators.
- All licensees must file an annual report with the DFI on their mortgage broker activity.

**Signed by the Governor*

HB 2406: CHANGING INSURANCE STATUTES, GENERALLY

Prime Sponsor: Representative Roach

- The Washington State Office of the Insurance Commissioner (OIC) periodically updates the Insurance Code, to correct errors, and modernize regulatory policies. This new law enacts more than a dozen such technical and substantive changes, dealing with actuarial opinions, financial statements, risk-based capital and health carrier compensation reporting, miscellaneous other reports, fire marshall statutory location, flood insurance, and underinsured motorist coverage.

** HB 2406 incorporates the provisions of SB 6187, as described below.*

- Retired military personnel employed by the State may choose their Department of Defense-funded TRICARE Supplemental Health Insurance coverage, allowing the State to pay only for less-costly supplemental benefits.

**Signed by the Governor*

SHB 2415: COMPENSATING THE VICTIMS OF UNINSURED AND UNDERINSURED MOTORISTS

Prime Sponsor: Representative Ericks

(SSB 6182 Senator Berkey)

- For the purpose of underinsured motorist coverage, "accident" is defined as an occurrence that is unexpected and unintended from the standpoint of the covered person.
- An insurer is required to provide underinsured coverage whether or not an incident was intentional, unless the insurer can demonstrate that the covered person intended to cause the damage for which underinsured coverage is sought.

E2SHB 2418: INCREASING THE AVAILABILITY OF AFFORDABLE HOUSING

Prime Sponsor: Representative Springer

- Up to \$25 million may be appropriated to the Housing Trust Fund for the creation of low-income affordable housing.
- The Department of Community, Trade and Economic Development (CTED) must, by December 31, 2007: (1) report to the Legislature on the use of appropriated funds at the local level and (2) conduct a study to evaluate the need for a waiting list of statewide low-income housing.
- By December 31, 2009, CTED must: (1) implement and update, at least annually, the Washington homeless client management information system, providing information on homeless persons statewide and (2) develop a master affordable housing database.
** SB 5590 is incorporated in its entirety into E2SHB 2418, as described below.*
- A process for the dissolution of a joint housing authority is created.

SHB 2471: CREATING A VETERAN HOMEOWNERSHIP DOWNPAYMENT ASSISTANCE PROGRAM

Prime Sponsor: Representative McCune

- The Washington State Housing Finance Commission (HFC) is required to create and implement a down payment assistance homeownership program for veterans.
- This program is to work in conjunction with the HFC's existing homebuyer financing programs.

SHB 2481: INSURING VICTIMS OF CRIMES

Prime Sponsor: Representative Williams

- Arson can put an organization or person out of business, if, as a result, they are unable to obtain affordable insurance after the crime.
- For health care facilities, providers and religious organizations, an insurer may not cancel, nonrenew, or change the terms or benefits of a property insurance policy because of a claim for loss incurred due to arson or malicious mischief.
- Insurers may still take underwriting actions based upon other factors.

SHB 2497: PROVIDING ASSISTANCE FOR BUSINESS OWNERS WHO ARE ACTIVE DUTY NATIONAL GUARD MEMBERS

Prime Sponsor: Representative Kilmer

- If a service member is called to military service, the interest rate on a business loan is limited to the interest rate in the federal Servicemembers Civil Relief Act (6 percent).

SHB 2553: REGULATING SERVICE CONTRACTS AND PROTECTION PRODUCT GUARANTEES

Prime Sponsor: Representative Kirby

- Although insurance products are regulated in Washington State, some anti-theft products that come with monetary guarantees which act like insurance have not been regulated. Motor vehicle service contracts also have not been regulated.
- Providers of "protection product guarantees" (anti-theft products) will now register with the Office of the Insurance Commissioner, and motor vehicle service contracts will be regulated, as well. The Consumer Protection Act will apply to these products, giving consumers significant legal remedies for violations.

ESHB 2661: EXPANDING THE JURISDICTION OF THE HUMAN RIGHTS COMMISSION

Prime Sponsor: Representative Murray

(SB 6019 Senator Thibaudeau)

- The Law Against Discrimination is expanded to prohibit discrimination based on a person's sexual orientation.
- "Sexual orientation" is defined as heterosexuality, homosexuality, bisexuality, and gender expression or identity.
- "Gender expression or identity" is defined as having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.
- It is specifically provided that the inclusion of "sexual orientation" is not to be construed to modify or supercede state law relating to marriage.

**Signed by the Governor*

SHB 2723: CHANGING THE SELLER'S REAL ESTATE DISCLOSURE OF PROXIMITY TO FARMING

Prime Sponsor: Representative Tom

(SSB 6494 Senator Kline)

- The disclosure requirements from sellers of real property are modified to provide that buyers must be notified as to whether the property for sale "may lie within close proximity to a farm."

SHB 2776: REGULATING HOME HEATING FUEL SERVICE CONTRACTS

Prime Sponsor: Representative Dickerson

(SB 6611 Senator Kohl-Welles)

- A new chapter is created in the Insurance Code to specifically address the regulation of home heating fuel service contracts.
- Home heating fuel service providers must, among other requirements, meet standards for financial protection, submit annual reports, and comply with minimum obligations for reimbursement policies.

HB 2975: GRANTING AN EXEMPTION UNDER THE STATE SECURITIES ACT

Prime Sponsor: Representative Newhouse

- Public policy encourages gifts to charities (nonprofit organizations). However, some types of gifts were not feasible under state law.
- By changing a "nontransferability" provision of the State's Securities Act, this law now allows farmers or others with a legal interest in a mutual or cooperative association to transfer that interest by gifting it to a nonprofit entity.

ESHB 2984: AUTHORIZING CITIES, TOWNS, AND COUNTIES TO IMPLEMENT AFFORDABLE HOUSING INCENTIVE PROGRAMS

Prime Sponsor: Representative Springer

- Local governments planning under the Growth Management Act may opt to enact or expand affordable housing incentive programs for the development of low-income housing.
- Incentive programs may include, but are not limited to: density and height bonuses, parking reductions, fee waivers, and expedited permitting.

2SHB 3070: INCREASING NONPROFIT HOUSING DEVELOPMENT CAPACITY

Prime Sponsor: Representative Miloscia

(SB 6334 Senator Fairley)

- The Washington State Housing Finance Commission debt limit is increased from \$3 billion to \$4.5 billion.

GOVERNMENT OPERATIONS & ELECTIONS

786-7432

SB 5439: AUTHORIZING BACKGROUND CHECKS ON GUBERNATORIAL APPOINTEES

Prime Sponsor: Senator Roach

(HB 1306 Representative Haigh)

- The Governor and the Director of the Department of Personnel will be able to request confidential nonconviction criminal history record checks by the State Patrol on gubernatorial appointees to head state agencies.

ESB 6152: REGARDING PENALTIES FOR VIOLATIONS OF THE PUBLIC DISCLOSURE ACT

Prime Sponsor: Senator Kastama

(HB 2358 Representative Haigh)

- The Public Disclosure Commission's authority to assess penalties is raised from \$1,000 to \$1,700 for a single violation of the campaign finance and disclosure statutes, and from \$2,500 to \$4,200 in the aggregate for multiple violations contained in a single complaint.

ESB 6236: CHANGING ELECTION DATES AND DEADLINES

Prime Sponsor: Senator Schmidt

- The date of the primary is moved to the third Tuesday in August.
- Other election-related events and deadlines are changed to conform to the new primary date.

SSB 6362: MODIFYING VOTER REGISTRATION PROVISIONS

Prime Sponsor: Senator Kohl-Welles

- Modifies existing laws related to challenging voter registrations.

ESSB 6427: CONCERNING SCHEDULES FOR THE REVIEW OF COMPREHENSIVE PLANS AND DEVELOPMENT REGULATIONS

Prime Sponsor: Senator Kastama

(HB 2814 Representative Simpson)

- Smaller, slower-growing counties and cities will have 3 additional years to complete updates of comprehensive plans and development regulations originally due in 2005, 2006, or 2007 under the Growth Management Act.
- An eligible county is one whose population is no more than 50,000 and has increased by no more than 17 percent in the previous 10 years. An eligible city is one whose population is no more than 5,000 and has increased by the greater of either 100 persons or no more than 17 percent in the previous 10 years.
- In addition, any city or county can amend its comprehensive plan more often than once a year for a planned action, as long as it observes all public participation and notice requirements.

SSB 6246: OUTLINING THE DUTIES OF THE LIEUTENANT GOVERNOR

Prime Sponsor: Senator Kastama

(SHB 2420 Representative Kessler)

- Creates a new chapter of law that contains the duties of the Lieutenant Governor.

SB 6268: ADDRESSING TRANSPORTATION CONCURRENCY UNDER THE GROWTH MANAGEMENT ACT

Prime Sponsor: Senator Kastama

** SB 6268 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Transportation Budget Act (SSB 6241).*

SSB 6323: CONCERNING CAMPAIGN FINANCE DISCLOSURE

Prime Sponsor: Senator Regala

(SHB 2846 Representative Miloscia)

- Campaign finance reporting is required of all candidates for office of any political subdivision if the candidate receives \$5,000 or more in contributions.

SB 6429: EXEMPTING CERTAIN NATIVE AMERICAN CULTURAL RESOURCES INFORMATION FROM PUBLIC DISCLOSURE.

Prime Sponsor: Senator Jacobsen

(HB 2675 Representative B. Sullivan)

- Exempts from public disclosure, information acquired during watershed analysis that identifies the location of archaeological sites, historic sites, artifacts, or the sites of traditional activities of Indian tribes.

ESB 6433: ESTABLISHING THE EMERGENCY MANAGEMENT, PREPAREDNESS, AND ASSISTANCE ACCOUNT

Prime Sponsor: Senator Kastama

** ESS B 6433 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

SB 6504: PROHIBITING PUBLIC HOSPITAL DISTRICT EMPLOYEES FROM SERVING AS COMMISSIONERS

Prime Sponsor: Senator Berkey

- An employee of a public hospital district may not hold office as a commissioner of that public hospital district.

SSB 6509: MODIFYING THE CANCELLATION PROCESS FOR PUBLIC CONTRACTS

Prime Sponsor: Senator Kastama

** SSB 6509 was incorporated in its entirety into HB 1439.*

SB 6816: ALLOWING COUNTY CEMETERY DISTRICTS TO INCLUDE AREAS WITHIN CITIES AND TOWNS

Prime Sponsor: Senator Zarelli

- The population limit for cities that can be included in a cemetery district is removed.

3SHB 1226: ADJUSTING APPLICATION OF CAMPAIGN CONTRIBUTION LIMITS

Prime Sponsor: Representative Schual-Berke

- The same contribution limit that applies to candidates for statewide office applies to all judicial candidates and to candidates for port district commissioner in port districts with over 200,000 registered voters (King and Pierce Counties).
- The same contribution limit that applies to candidates for the Legislature applies to candidates for county

office in counties with over 200,000 registered voters (King, Pierce, Snohomish, and Spokane Counties).

* *ESB 6522 is incorporated in its entirety into 3SHB 1226, as described below.*

- Out-of-state political committees must report out-of-state contributors of more than \$2,500 to the Public Disclosure Commission (PDC) by the 10th of each month, if the out-of-state committee makes an expenditure supporting or opposing a candidate or ballot measure in the state of Washington.
 - The exemption from reporting to the PDC for out-of-state political committees that report to the Federal Election Commission is removed.
- * *SB 6798 is incorporated in its entirety into 3SHB 1226, as described below.*
- The postmark date controls for purposes of determining whether a candidate for legislative or statewide office receives a contribution within 30 days before a legislative session begins.

2SHB 1384: AUTHORIZING THE CONSTRUCTION AND OPERATION OF RENEWABLE ENERGY PROJECTS BY JOINT OPERATING AGENCIES

Prime Sponsor: Representative Haler

(SB 5291 Senator Poulsen)

- A joint operating agency with an executive board formed under the same statutes Energy Northwest's board is formed may use competitive negotiation for construction and materials contracts for renewable energy generation projects.

HB 1439: ALLOWING THE STATE PURCHASING AND MATERIAL CONTROL DIRECTOR TO RECEIVE ELECTRONIC AND WEB-BASED BIDS

Prime Sponsor: Representative Green

(SB 5373 Senator Berkey)

- Bidders may provide their bids in written, electronic, or web-based form. Bid prices will not be disclosed during electronic or web-based bidding prior to the letting of the contract.
- * *SSB 6509 is incorporated in its entirety into HB 1439, as described below.*
- Agencies procuring personal services, purchasing information technology equipment, or executing a public works project, using a competitive solicitation process cannot reject all solicitations after opening unless there is a compelling reason.
 - Certain counties and cities that execute public works projects using a competitive bidding process cannot reject all bids after opening without a compelling reason.

ESHB 1883: PROVIDING FOR COLLECTION OF ORAL HISTORIES ABOUT HOOD CANAL

Prime Sponsor: Representative McCoy

* *ESHB 1883 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

SHB 2033: MODIFYING THE ALLOCATION OF PRINTING AND PUBLISHING INCOME FOR MUNICIPAL BUSINESS AND OCCUPATION TAXES

Prime Sponsor: Representative McIntire

- The methodology adopted in 2003 for apportioning business income for purposes of municipal business and occupation taxes, beginning in 2008, will not go into effect for printing and publishing businesses. The gross income of printing and publishing businesses will, instead, be allocated to the principal place in the state from which they are directed or managed.

SHB 2155: REGARDING PRESERVATION OF STATE PUBLICATIONS BY THE STATE LIBRARY SERVICES

Prime Sponsor: Representative Lantz

(SSB 6005 Senator Rockefeller)

- The State Library must ensure permanent public access to public state government publications, regardless of the format.

SHB 2345: ADDRESSING REGIONAL FIRE PROTECTION SERVICE AUTHORITIES

Prime Sponsor: Representative Simpson

(SB 6163 Senator Kastama)

- Technical corrections are made to the Regional Fire Protection Authority chapter of law.
- A process is added for the Authority to use in determining whether an area is not adequately served by existing private ambulance service, for purposes of the Authority's decision to undertake the provision of ambulance service.
- The civil service coverage and collective bargaining agreements that apply to the employees of the participating fire jurisdictions are addressed for purposes of those employees' transition to employment by the Authority.

HB 2477: MAKING TECHNICAL CHANGES TO ELECTION LAWS

Prime Sponsor: Representative Green

(SB 6235 Senator Kastama)

- Technical changes are made to election statutes.
- Duplicate election statutes are repealed.

ESHB 2479: MODIFYING PROVISIONS ON VOTING EQUIPMENT

Prime Sponsor: Representative Haigh

(SB 6242 Senator Kastama)

- Instead of being used in another state prior to certification in Washington, voting devices and tallying systems must be certified by an independent testing authority designated by the United States Election Assistance Commission.
- Auditors are required to provide for in-person disability access voting starting twenty days before the election.
- County auditors are required to establish an advisory committee to develop a plan to improve the accessibility of elections for voters with disabilities.
- County auditors may use automated signature verification systems to verify signatures on absentee ballot security envelopes.

HB 2520: RECODIFYING AND MAKING TECHNICAL CORRECTIONS TO PUBLIC DISCLOSURE LAW

Prime Sponsor: Representative Nixon

- Conforms the Public Records Disclosure chapter, which was new in 2005, to Code Reviser requirements for accuracy.

SHB 2543: MAKING PERMANENT THE ENHANCED 911 ADVISORY COMMITTEE

Prime Sponsor: Representative Kilmer

(SB 6217 Senator Kastama)

- The sunset date for the enhanced 911 (E-911) advisory committee is extended five years to 2011.
- A representative from a voice-over-internet protocol company is added to the E-911 committee.

HB 2606: ALLOWING VOLUNTEER FIRE FIGHTER PERSONNEL TO HOLD ELECTIVE OR APPOINTED OFFICE

Prime Sponsor: Representative Curtis

- Unless specifically prohibited by law, any volunteer firefighter, except a fire chief, will be able to hold an elected or appointed office.

HB 2676: POSTING INTERLOCAL AGREEMENTS IN AN ELECTRONIC FORMAT IN LIEU OF FILING WITH THE COUNTY AUDITOR

Prime Sponsor: Representative Linville

- A public agency may post interlocal agreements on its website instead of filing the agreements with the county auditor.

SHB 2695: MODIFYING ABSENTEE OR PROVISIONAL BALLOT NOTICE REQUIREMENTS

Prime Sponsor: Representative Haigh

(SB 6423 Senator Haugen)

- County auditors may notify voters of absentee or provisional ballot signature problems by mail rather than by telephone.
- A voter with a mismatched signature on his or her ballot may attempt to cure the mismatch by sending a signed signature affidavit and a copy of a government or tribal-issued identification to the county auditor.

SHB 2713: CLARIFYING THAT STATE AND LOCAL GOVERNING BODIES MAY SUPPORT OR OPPOSE BALLOT PROPOSITIONS

Prime Sponsor: Representative Simpson

- The elected governing bodies of special purpose districts are included in the exemption in the Public Disclosure Act that allows elected legislative bodies to use the facilities of their public office to express their collective opinions in support of, or in opposition to, ballot measures.

SHB 2715: REGARDING THE STATE INTEROPERABILITY EXECUTIVE COMMITTEE

Prime Sponsor: Ericks

(SSB 6431 Senator Kastama)

- The state interoperability executive committee must ensure all newly purchased state wireless radio communications systems are compatible with or upgradable to P-25 standards.

2SHB 2754: CREATING THE VETERANS INNOVATIONS PROGRAM

Prime Sponsor: Representative Morrell

- The Veterans Innovations Program is created within the Department of Veterans Affairs.
- The Program funds initiatives to provide emergency and hardship relief, education, training, and employment assistance to qualified veterans and their families.

SHB 2759: AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY AND FACILITIES

Prime Sponsor: Representative Ericks

(SB 6442 Senator Shin)

- Public bodies who bought, built, or improved social and health services facilities with 1972 Referendum 29 and 1979 Referendum 37 bond proceeds are authorized to transfer the facilities to non-profit

providers of social and health services, who may, in turn, sell the facilities and use the proceeds for new facilities for the same services. If the non-profits stop providing the services, they must return the facilities to the public bodies or reimburse them, if the facilities were sold.

SHB 2780: AUTHORIZING ADDITIONAL PAYROLL DEDUCTIONS FOR STATE EMPLOYEES

Prime Sponsor: Representative McDermott

(SB 6643 Senator Kastama)

- In addition to labor or employee organization dues, an employee may authorize payroll deductions for contributions to any funds, committees, or subsidiary organizations maintained by that labor or employee organization.
- The labor or employee organization may choose only one fund for the voluntary employee contributions.

SHB 2898: REGULATING DISTRIBUTION OF COMMUNICATIONS BY STATE EMPLOYEES

Prime Sponsor: Representative Hunt

(SB 6645 Senator Kline)

- The Ethics in Public Service Act is amended to allow state employees to use state facilities to distribute communications from unions or charitable organizations to other state employees so long as the communications are not for campaign purposes or for lobbying.

SHB 2908: MODIFYING THE BOUNDARY PROVISION FOR ISLAND COUNTY

Prime Sponsor: Representative Bailey

- Strawberry, Baby, Minor, and Kalamut Islands are added as islands within the boundaries of Island County.

HB 2991: CONCERNING BACKGROUND CHECKS OF METROPOLITAN PARK DISTRICT EMPLOYEES

Prime Sponsor: Representative Darneille

(SB 6633 Senator Regala)

- Metropolitan park districts are authorized to adopt requirements for criminal background checks of employees, volunteers, and independent contractors who will have unsupervised access to children or vulnerable adults or who will handle money and credit cards.

HB 3019: CLARIFYING THE ROLE OF A CHIEF FINANCIAL OFFICER IN A CHARTER COUNTY

Prime Sponsor: Representative Haigh

- A charter county must designate the official who serves as the ex officio deputy state auditor.
- This official may be either the county auditor or the financial officer.

SHB 3024: INCREASING THE NUMBER OF DEMONSTRATION PROJECTS THAT MAY BE AUTHORIZED BY THE SCHOOL DISTRICT PROJECT REVIEW BOARD

Prime Sponsor: Representative Haigh

(SB 6682 Senator Kastama)

- Increases the number of General Contractor/Construction Manager (GC/CM) projects that may be approved by the school district project review board from 16 to 23.
- Requires a report from the Board by January, 2007.

HB 3041: MODIFYING VOTER REGISTRATION TIMELINES

Prime Sponsor: Representative Alexander

(SB 6777 Senator Swecker)

- Voter registration transfers are no longer allowed during the late voter registration period.

HB 3056: ALLOWING SECOND CLASS CITIES AND TOWNS TO PAY CLAIMS BY CHECK OR WARRANT

Prime Sponsor: Representative Takko

(SB 6586 Senator Haugen)

- A second class city, or a town, may adopt by ordinance a policy, within specified parameters, that allows the city or town to pay claims or obligations out of solvent funds by using warrants or checks.

EHB 3192: AUTHORIZING A CONTRACT EXTENSION FOR REIMBURSEMENT BY PROPERTY OWNERS FOR STREET, ROAD, AND WATER OR SEWER PROJECTS

Prime Sponsor: Representative B. Sullivan

- Developers who put in street, road, water, or sewer infrastructure beyond what is needed for their own projects will be able to extend the duration of contracts under which they can recover some of the cost from property owners who come later and benefit. The duration of these extensions beyond the current 15-year maximum is limited to the duration of the moratorium or similar action that delays further development in the area by more than 6 months. Affected property owners must be notified of the extensions.

HEALTH & LONG-TERM CARE

786-7436

ESSB 5305: PROHIBITING VACCINATING PREGNANT WOMEN AND CHILDREN WITH MERCURY-CONTAINING VACCINES

Prime Sponsor: Senator Rasmussen

(HB 2201 Representative Dunshee)

- Prohibits vaccinating pregnant women and children under 3 with a vaccine that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose.

ESSB 5535: MODIFYING OPTOMETRY LICENSING REQUIREMENTS

Prime Sponsor: Senator Franklin

(HB 1549 Representative Morrell)

- Requires all optometrists receiving an initial license to meet specific requirements by January 1, 2007.
- Requires all optometrists to meet certain standard requirements of the Board of Optometry by January 1, 2009.
- Requires all optometrists to meet specific certification and other requirements by January 1, 2011.
- Authorizes the Board of Optometry to adopt rules relating to inactive status.

2ESB 5714: ESTABLISHING AN EARLY DETECTION BREAST AND CERVICAL CANCER SCREENING PROGRAM

Prime Sponsor: Senator Keiser

(HB 1738 Representative Cody)

- Authorizes the Department of Health to administer a state-supported early detection breast and cervical cancer screening program to assist eligible women with preventative health services, within available resources.
- Establishes a medical advisory committee to provide expert medical advice and guidance in the implementation of the breast and cervical cancer screening program.

SSB 5838: LIMITING THE SUBSTITUTION OF PREFERRED DRUGS IN HEPATITIS C TREATMENT

Prime Sponsor: Senator Kastama

- Exempts refills of certain drugs used to treat hepatitis C from the therapeutic interchange requirements of the state's preferred prescription drug program.

ESSB 6106: REQUIRING DISCLOSURE OF SPECIFIED HEALTH CARE INFORMATION FOR LAW ENFORCEMENT PURPOSES

Prime Sponsor: Senator Brandland

- Requires health care providers to furnish certain information to law enforcement authorities upon request, when a patient has been treated for an injury arising from the discharge of a firearm, a sharp instrument, or blunt force injury.
- Authorizes law enforcement authorities to obtain a missing person's dental records with family consent and in circumstances where consent cannot be obtained.

SB 6183: CREATING PROVISIONS RELATING TO THE HEPATITIS C VIRUS

Prime Sponsor: Senator Kastama

** 6183 is incorporated into the operating budget as a proviso.*

SB 6187: REMOVING TRICARE SUPPLEMENTAL INSURANCE POLICIES FROM THE DEFINITION OF HEALTH PLAN OR HEALTH BENEFIT PLAN

Prime Sponsor: Senator Keiser

** SB 6187 is incorporated in its entirety into HB 2406.*

SSB 6188: PROVIDING HEALTH BENEFIT PLANS OFFERING COVERAGE FOR PROSTATE CANCER SCREENING

Prime Sponsor: Senator Johnson

- Requires health insurance plans to cover prostate cancer screening, provided that the screening is delivered upon the recommendation of a patient's physician, advanced registered nurse practitioner, or physician assistant.

ESSB 6189: REQUIRING HOSPITALS TO PROVIDE PATIENTS CERTAIN BILLING INFORMATION

Prime Sponsor: Senator Keiser

- Encourages hospitals to develop health information technologies that provide patients with understandable billing information.
- Requires a hospital to furnish patients with a list of those professionals that commonly provide care at the hospital and from whom the patient may get a bill, along with appropriate contact information.

2SSB 6193: REQUIRING SURVEYS OF HEALTH PROFESSIONS WORK FORCE SUPPLY AND DEMOGRAPHICS

Prime Sponsor: Senator Franklin

(HB 3049 Representative Morrell)

- Requires the Department of Health (DOH), in collaboration with the Work Force Training and Education Coordinating Board, to distribute a voluntary survey to licensed health care providers every two years.
- At a minimum, the survey must collect data related to race and ethnicity, gender, education, training background, and multiple zip codes of practice locations.
- Requires DOH to report on the effectiveness of the survey program by July 1, 2009.

ESB 6194: REQUIRING MULTICULTURAL EDUCATION FOR HEALTH PROFESSIONALS

Prime Sponsor: Senator Franklin

(HB 3050 Representative Morrell)

- Defines multi-cultural health and requires the Department of Health to establish an ongoing multi-cultural health awareness and education program.
- Requires disciplining authorities that offer continuing education to provide multi-cultural health training.
- Requires education programs for health care professions to integrate instruction in multi-cultural health into the basic education preparation curriculum no later than July 1, 2008.

SSB 6196: INCLUDING A HEALTH OFFICIAL FROM A FEDERALLY RECOGNIZED TRIBE ON THE STATE BOARD OF HEALTH

Prime Sponsor: Senator Franklin

(HB 2887 Representative Morrell)

- Requires that one of the existing ten members of the State Board of Health be a member of a federally recognized tribe.

2SSB 6197: CREATING THE GOVERNOR'S INTERAGENCY COORDINATING COUNCIL ON HEALTH DISPARITIES

Prime Sponsor: Senator Franklin

(HB 3096 Representative Santos)

- Creates the Governor's Interagency Coordinating Council on Health Disparities. The council is required to hold public hearings and gather information to understand how the actions of state government ameliorate or contribute to health disparities.
- Defines health impact review as a review of a legislative or budgetary proposal that determines the extent to which the proposal improves or exacerbates health disparities.
- Requires the Board of Health to conduct health impact reviews at the request of any state legislator or the Governor.

SB 6363: DEVELOPING WORKSITE HEALTH PROMOTION PROGRAMS

Prime Sponsor: Senator Keiser

** SB 6363 is incorporated in part into the operating budget as a proviso.*

ESSB 6366: CONCERNING PREPARATION AND RESPONSE TO PANDEMIC INFLUENZA

Prime Sponsor: Senator Keiser

- Requires each local health jurisdiction in the state, by November 1, 2006, to develop and implement a pandemic flu preparedness and response plan consistent with Department of Health (DOH) standards, and in consultation with appropriate public and private sector partners.
- Directs DOH to assist in plan development, to disburse funds to support the preparedness and response activities identified in the plans, and to provide ongoing assessment of local compliance with the established DOH standards.

SB 6469: CREATING A BLUE RIBBON COMMISSION ON HEALTH CARE COST AND ACCESS

Prime Sponsor: Senator Thibaudeau

** SB 6469 is incorporated into the operating budget as a proviso.*

SB 6373: REMOVING EXPIRATION OF REPORTING TO THE LEGISLATURE OF HOLDING A BOARDING HOME MEDICAID ELIGIBLE RESIDENT'S ROOM OR UNIT

Prime Sponsor: Senator Keiser

(HB 2864 Representative Morrell)

- Removes the expiration date of the current bed hold policy.
- Removes language requiring the Department of Social and Health Services to submit a report to the Legislature. The report was previously submitted on or before December 31, 2005.

ESSB 6391: CONCERNING THE PROVISION OF SERVICES FOR NONRESIDENT INDIVIDUALS RESIDING IN LONG-TERM CARE SETTINGS

Prime Sponsor: Senator Keiser

(HB 2742 Representative Clibborn)

- Defines adult day services as the care and services provided to a nonresident individual by the boarding home on the boarding home premises, for a period of time not to exceed ten continuous hours, which does not involve an overnight stay.
* *SSB 6690 is incorporated in its entirety into ESSB 6391, as described below.*
- Permits health care assistants to conduct blood drawing procedures on research study participants in the residences of the research study participants as long as they do so as part of a research study authorized by the institutional review board of a comprehensive cancer center or a nonprofit degree-granting institution of higher education.

SB 6418: ADDING REQUIREMENTS TO RENEW INITIAL LIMITED LICENSES FOR DENTAL HYGIENISTS

Prime Sponsor: Senator Keiser

(HB 2849 Representative Hinkle)

- In order to be issued an initial limited license by the Department of Health without an examination, a dental hygienist who holds a license issued by another state need only show that the other state license allows a substantively equivalent scope of practice.

E2SSB 6459: SUPPORTING COMMUNITY-BASED HEALTH CARE SOLUTIONS

Prime Sponsor: Senator Keiser

(HB 3146 Representative Linville)

- Establishes the community health care collaborative grant program to further the efforts of community-based organizations to increase access to health care, particularly for those who are employed, but uninsured or underinsured.
- Directs the administrator of the Health Care Authority, in consultation with other relevant state agency heads, to award grants of up to five-hundred thousand dollars to qualified nonprofit organizations serving a defined substate region.

E2SSB 6630: ESTABLISHING THE COMMUNITY PROTECTION PROGRAM FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

Prime Sponsor: Senator Kline

- Places the community protection program in statute.
- Establishes the right of a person to request a hearing under the Administrative Procedures Act if the person wants to appeal termination of community protection waiver eligibility, assignment to the community protection waiver, or denial of a request for a less restrictive community residential placement.
- Grants the Department of Social and Health Services the authority to take action against contracted providers of residential services who fail or refuse to comply with the terms of their contract.

SB 6637: CONCERNING QUALIFICATIONS FOR ADULT FAMILY HOME PROVIDERS

Prime Sponsor: Senator Keiser

(HB 2959 Representative Morrell)

- Requires that a provider applying for an adult family home license after January 1, 2007, complete a Department of Social and Health Services' approved 48 hour adult family home administration and business planning class.

- Requires Department of Social and Health Services to prioritize bilingual training within available resources.

SB 6658: REVISING EXPERIENCE REQUIREMENTS FOR LICENSED MENTAL HEALTH COUNSELORS

Prime Sponsor: Senator Thibaudeau

- In order to become licensed, mental health counselors must complete a minimum number of hours of counseling experience under a specifically qualified supervisor, or under an equally qualified licensed mental health practitioner.

SB 6690 : PROVIDING A CERTIFICATION EXEMPTION FOR THE CONDUCT OF BLOOD-DRAWING PROCEDURES BY RESEARCH STAFF IN THE HOMES OF RESEARCH STUDY PARTICIPANTS

Prime Sponsor: Senator Thibaudeau

(HB 3136 Representative Green)

* *SSB 6690 is incorporated in its entirety into ESSB 6391.*

SB 6732: STUDYING MILITARY URANIUM EXPOSURE

Prime Sponsor: Senator Franklin

(HB 3107 Representative Williams)

* *SB 6732 is incorporated into the operating budget as a proviso.*

EHB 1383: REQUIRING THE PUBLIC EMPLOYEES' BENEFITS BOARD TO DEVELOP A HEALTH SAVINGS ACCOUNT OPTION FOR EMPLOYEES

Prime Sponsor: Representative Condotta

(SB 5202 Senator Parlette)

- Requires the Public Employees Benefit Board to develop a health savings account with a high-deductible health plan as an option for employees who receive their health care coverage through the Health Care Authority.

ESHB 1850: CREATING A RETIRED VOLUNTEER MEDICAL WORKER LICENSE

Prime Sponsor: Representative Schual-Berke

- Authorizes the Department of Health to issue a retired volunteer medical worker license and provides that these individuals are covered volunteers while providing assistance during or in preparation for an emergency.

2SHB 2292: ADDRESSING HEALTH CARE LIABILITY REFORM

Prime Sponsor: Representative Lantz

(SB 6087 Senator Brown)

- Increases patient safety and makes reforms in the areas of insurance and health care liability.
- Statements of apology and reports of unprofessional conduct are protected, prior findings of unprofessional conduct may be considered, definitions are provided for adverse events and incidents, and provisions are made for an independent entity to provide related data.
- Requires medical malpractice insurance carriers to report specific data regarding claims and give notice regarding policy non-renewal.
- Re-establishes the statute of repose. Requires filing of a certificate of merit, establishes a system of voluntary arbitration, removes the restriction on presenting evidence of collateral source payments, and requires a notice of intent to file a lawsuit.

**Signed by the Governor*

2SHB 2342: ESTABLISHING A HEALTH CARE DECLARATIONS REGISTRY

Prime Sponsor: Representative Moeller

- Directs the Department of Health to establish and maintain a statewide registry of health care declarations submitted by Washington residents on a secure website.
- Creates a Health Care Declarations Registry Account for the purpose of creating and maintaining a registry and educating the public about the registry.

SHB 2376: PROHIBITING THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES FROM IMPOSING PREMIUMS ON CHILDREN IN HOUSEHOLDS WITH INCOME AT OR BELOW TWO HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL

Prime Sponsor: Representative Clibborn

- Prohibits the Department of Social and Health Services from imposing premiums on children in state medical assistance programs from households with income at or below 200 percent of the federal poverty level.

**Signed by the Governor*

SHB 2500: REQUIRING HEALTH CARRIERS TO REPORT CERTAIN INFORMATION

Prime Sponsor: Representative Green

(ESSB 6232 Senator Keiser)

- Requires a health insurance company to annually submit to the Office of the Insurance Commissioner (OIC) a report containing certain financial and enrollment information derived from the company's annual statement.
- Requires OIC to make this information available to the public through a searchable website in a format that allows comparisons among companies.

HB 2501: REGULATING GROUP HEALTH BENEFIT PLAN COVERAGE OF MENTAL HEALTH SERVICES

Prime Sponsor: Representative Schual-Berke

(SB 6392 Senator Keiser)

- Makes a technical amendment to the state's mental health parity law to include reference to the existing statutory definition of small groups.

E2SHB 2572: ESTABLISHING THE SMALL EMPLOYER HEALTH INSURANCE PARTNERSHIP PROGRAM

Prime Sponsor: Representative Morrell

- Establishes a new program through which the state will subsidize part of the cost of employer-sponsored health insurance for low income employees of small businesses, and their dependents.
- Directs the Department of Social and Health Services to seek a federal waiver allowing the use of the state's unspent federal State Children's Health Insurance allotment to cover the cost of parents enrolled in the Basic Health Plan (BHP) or Medicaid, with the resulting state savings used to expand enrollment in the BHP, or in this new small employer program.

SHB 2573: ADOPTING HEALTH INFORMATION TECHNOLOGY TO IMPROVE QUALITY OF CARE

Prime Sponsor: Representative Morrell

(SB 6307 Senator Keiser)

- Requires the Health Care Authority to promote and increase the adoption of health information technology systems by hospital, integrated delivery systems, and providers.
- Requires the Department of Corrections to create a demonstration project for an integrated electronic health records system to expedite the transfer of inmate health information between state and local correctional facilities.

E2SHB 2575: ESTABLISHING A HEALTH TECHNOLOGY ASSESSMENT PROGRAM

Prime Sponsor: Representative Cody

(SB 6306 Senator Keiser)

- Establishes a state health technology assessment program involving the Department of Social and Health Services, the Health Care Authority, and the Department of Labor and Industries.
- Directs the systematic, evidence-based assessment of selected health technologies and the determination by a clinical committee based on that assessment of the conditions, if any, under which the technologies will be covered in state health care programs.

ESHB 2925: CONCERNING ASSISTED LIVING FACILITY MEDICAID MINIMUM OCCUPANCY OF FIFTY PERCENT OR GREATER

Prime Sponsor: Representative Santos

(SB 6374 Senator Spanel)

- Requires capital add-on rates be paid to any assisted living facility that has a Medicaid occupancy of 60 percent or greater beginning July 1, 2006.
- Includes Medicaid managed care clients in the calculation of Medicaid occupancy.

HB 2972: DETERMINING COMMUNITY RATES FOR HEALTH BENEFIT PLANS

Prime Sponsor: Representative Clibborn

(SB 6761 Senator Parlette)

- Changes how the premium is calculated for individual health insurance plans purchased by members of a purchasing pool meeting certain requirements, including the requirement that multiple employers be able to contribute to the purchase of insurance for a single employee.
- Requires the Office of the Insurance Commissioner to obtain a federal opinion as to the legality of the purchasing pools authorized under the act before any other actions are taken.

SHB 2974: MODIFYING PROVISIONS WITH RESPECT TO DISCIPLINING HEALTH PROFESSIONS

Prime Sponsor: Representative Cody

- Requires the Secretary of Health to adopt rules for all licensed health care providers to report unprofessional conduct.
- Prohibits health care providers who have had their licenses revoked in another state from practicing in Washington until disciplinary proceedings are complete.
- Requires the Department of Health to identify the number of additional investigators and attorneys necessary to respond to the health profession's disciplinary workload in biennial budget requests.

ESHB 3079: REPORTING ON THE EMPLOYMENT STATUS OF RECIPIENTS OF MEDICAID AND THE BASIC HEALTH PLAN

Prime Sponsor: Representative Conway

(SB 6759 Senator Keiser)

- Directs the Health Care Authority and the Department of Social and Health Services to annually report to the Legislature certain information regarding employees, and dependents of employees, who are enrolled in state health care programs.

HJM 4023: REQUESTING CONGRESS TO ENACT THE KIDNEY CARE QUALITY IMPROVEMENT ACT OF 2005

Prime Sponsor: Representative Moeller

(SJM 8025 Senator Pridemore)

- Requests that the United States Congress enact the Kidney Care Quality Improvement Act of 2005 to improve education services, the home dialysis benefit, provide an annual update mechanism for payment rates, and increase public awareness about End Stage Renal Disease.

HJM 4038: REQUESTING THAT CERTIFIED DIABETES EDUCATORS BE ADDED AS MEDICARE PROVIDERS

Prime Sponsor: Representative Hinkle

- Respectfully request that the United States House of Representatives and the United States Senate enact the Diabetes Self-Management Training Act of 2005.

HUMAN SERVICES & CORRECTIONS

786-7414

SSB 6144: CHANGING REGISTRATION REQUIREMENTS FOR SEX OFFENDERS COMING FROM OUTSIDE THE STATE WHO ESTABLISH OR REESTABLISH WASHINGTON RESIDENCY

Prime Sponsor: Senator Stevens

- Compliance with the registration statute is required regardless of when the offenses triggering registration were committed.
- Compliance with registration statute is required within three business days of establishing residence in Washington by a person who is convicted of a sex offense and who enters the state to establish residence in the state.

2SSB 6172: INCREASING PENALTIES FOR SPECIFIED SEX OFFENSES

Prime Sponsor: Senator McAuliffe

- Possession of depictions of a minor engaged in sexually explicit conduct is raised from a class C to a class B felony and is defined as a "sex offense" for sentencing purposes and ranked at a seriousness level VI for sentencing purposes.
- Voyeurism is ranked at a seriousness Level II for sentencing purposes.
- Communication with a minor for immoral purposes includes electronic communications.

E2SSB 6239: CHANGING PROVISIONS RELATING TO CONTROLLED SUBSTANCES

Prime Sponsor: Senator Hargrove

(HB 2712 Representative O'Brien)

- Multi-jurisdictional drug task forces are funded and pilot projects are established in three rural areas of the state.
- A variety of changes are made to the local health department and Department of Health provisions related to methamphetamine clean-up.
- The drug offender sentencing alternative provisions are modified for individuals convicted of ranked drug offenses to provide sufficient time for treatment while incarcerated.
- The definitions of negligent treatment of vulnerable adults and children is expanded to include exposure to methamphetamine or its precursor chemicals.

SSB 6308: CREATING A JOINT SELECT COMMITTEE ON OFFENDER PROGRAMS, SENTENCING, AND SUPERVISION

Prime Sponsor: Senator Carrell

- A joint legislative task force is created to review offender programs, sentencing, and supervision of the offenders upon reentry into the community with the goal of increasing public safety, maximizing rehabilitation of offenders, and lowering recidivism.
- Task force membership and policy issues to be reviewed by the committee are specified in the bill. A report with the task force's recommendations and conclusions must be presented to the Governor and Legislature by November 15, 2006.

2SSB 6319: CHANGING PROVISIONS FOR SEX OFFENDER REGISTRATION

Prime Sponsor: Senator Regala

- The crime of failure to register is defined as non-compliance with any of the requirements of the registration statute, eliminating existing language that defines the crime as failure to register with the county sheriff, or changing one's name without notifying law enforcement.
- The court must impose a term of community custody for failure to register.
- For sentencing purposes, the crime of failure to register is changed from an unranked felony to a seriousness Level II for second and subsequent offenses.

SSB 6320: REVISING THE MODEL POLICY FOR DISCLOSURE OF SEX OFFENDER INFORMATION

Prime Sponsor: Senator Regala

(SHB 2747 Representative Lovick)

- When funded, the Washington Association of Sheriffs and Police Chiefs (WASPC) must convene a sex offender model policy work group to identify best practices on registration, community notification, and strategies for sex offender management.
- The work group's final draft model policy will be presented to the WASPC for adoption or rejection. If adopted, the WASPC must train law enforcement personnel on the new policy, as needed, across the state.

SSB 6325: ESTABLISHING RESIDENCE RESTRICTIONS FOR SEX OFFENDERS

Prime Sponsor: Senator Regala

- The state's preemption of local governments' laws restricting where sex offenders can live applies to laws restricting the residency of persons convicted of any sex offense at any time, except that the preemption does not apply to any local laws adopted before March 1, 2006.
- The Association of Washington Cities (AWC) must develop statewide consensus standards that local governments use when determining whether to impose local residency restrictions on sex offenders within cities and towns.

SSB 6406: INCLUDING ASSAULT OF A CHILD IN THE SECOND DEGREE IN THE LIST OF TWO-STRIKE OFFENSES

Prime Sponsor: Senator Hargrove

(SHB 2701 Representative O'Brien)

- Assault of a child in the second degree with sexual motivation is added to the list of two-strikes crimes and to the list of crimes subject to determinate-plus sentencing.

2SSB 6460: INCREASING PENALTIES FOR CRIMES COMMITTED WITH SEXUAL MOTIVATION

Prime Sponsor: Senator Hargrove

(HB 2699 Representative O'Brien)

- A statutory sexual motivation enhancement is created for sentencing purposes.

SSB 6502: CREATING A STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM

Prime Sponsor: Senator Roach

** SSSB 6502 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

SSB 6519: REQUIRING LEVEL II AND III SEX OFFENDERS TO REPORT TO LAW ENFORCEMENT EVERY NINETY DAYS

Prime Sponsor: Senator Benton

- Persons classified by the End of Sentence Review Commission or the county sheriff as either a Level II and Level III sex offender must report to the county sheriff's office, in person, every 90 days during normal business hours.
- A person may petition the superior court in the county where he or she lives or reports to be relieved of the duty to report every ninety days.
- The court must grant the petition if the petitioner can show that he or she has complied with the reporting requirement for a period of at least five years and has not been convicted of a criminal violation for failure to register for at least five years and if the court determines that the reporting no longer serves a public safety purpose.

SB 6576: CLARIFYING PROCEDURES FOR FORWARDING SEX OFFENDER INFORMATION

Prime Sponsor: Senator Hargrove

(HB 2983 Representative O'Brien)

- The information relevant to a particular registered sex offender that a county sheriff must forward to the Washington State Patrol, for inclusion in the state's central registry of sex offenders and kidnapping offenders, must include the sex offender's risk level classification.

ESSB 6580: CREATING WORK GROUPS TO EVALUATE ISSUES RELATING TO JUVENILE SEX OFFENDERS AND KIDNAPPING OFFENDERS IN SCHOOLS

Prime Sponsor: Senator McAuliffe

- The Office of the Superintendent of Public Instruction must convene a work group and develop a model policy for schools to follow when receiving notification that a sex or kidnapping offender is enrolled.
- The Washington Coalition of Sexual Assault Programs must create educational materials for parents and community members on how to recognize sex offender behaviors and keep themselves and their children safe.

ESSB 6635: CHANGING PROVISIONS RELATING TO ADOPTION

Prime Sponsor: Senator Franklin

(HB 2468 Representative Dunn)

- The Department of Social and Health Services (DSHS) must create a standardized training on applicable federal civil rights laws to be provided to persons involved in the placement of children for adoption or foster care.
- The Department of Health is directed to work with the DSHS, to develop recommendations for collecting and reporting adoption data. The DSHS must further consult with stakeholders to review adoption related fees as barriers to adoption and study accreditation standards for adoption agencies. The DSHS must report back to the Legislature with recommendations by January 1, 2007.
- Advertisers must make a reasonable attempt to verify whether an adoption-related entity is licensed prior to accepting advertising material. The Attorney General is explicitly authorized to file an action under the state Consumer Protection Act for unauthorized advertising related to adoption or placement of a child.

SSB 6717: EXTENDING THE JOINT TASK FORCE ON CRIMINAL BACKGROUND CHECK PROCESSES

Prime Sponsor: Senator Kohl-Welles

(HB 2762 Representative Dickerson)

- The task force is expanded to include a representative of the Washington Association of Criminal Defense Lawyers and is extended for one year.

SB 6720: REVISING REPORTING REQUIREMENTS FOR CRIMINAL HISTORY RECORD INFORMATION

Prime Sponsor: Senator Brandland

(HB 3118 Representative O'Brien)

- Technical corrections to statutory language are made at the recommendation of the Criminal Background Task Force and consistent with legislation passed last year.
- Dependency and protection proceeding record information are no longer required to be sent to the Washington State Patrol.

ESB 6741: REGARDING THE JOINT TASK FORCE ON THE ADMINISTRATION AND DELIVERY OF SERVICES TO CHILDREN

Prime Sponsor: Senator Stevens

(HB 3243 Representative Schual-Berke)

- The membership of the joint task force is expanded to include representatives of the Office of Superintendent of Public Instruction and the Office of Public Defense.
- The task force shall report its recommendations to the Governor and the Legislature by December 1, 2006.

SSB 6775: CREATING THE CRIME OF CRIMINAL TRESPASS AGAINST CHILDREN

Prime Sponsor: Senator Hargrove

- A person working for any public or private facility, the primary purpose of which, at any time, is to provide for the education, care, or recreation of a child or children, may order certain persons from the premises of the facility.
- The class of persons subject to ejection from public facilities or private businesses includes persons who are not currently under JRA supervision or serving a SSODA suspended sentence and who are Level II and Level III offenders.
- The person who works at the facility must give the person ordered to leave a written notice, informing him or her that he or she must leave and may not return without the written permission of the facility.
- If the person who has been ordered to leave refuses to leave or comes back another time, that person may be charged and prosecuted for the crime of criminal trespass against children, a Class C felony, ranked at a Level IV seriousness level for sentencing purposes.
- The types of facilities that may prohibit a person from entry include, but are not limited to, community and recreational centers, playgrounds, schools, swimming pools, and state or municipal parks.

** Note: Technical changes to SSB 6775 are reflected in HB 2409, which passed after the passage of SSB 6775.*

2SSB 6793: SPECIFYING ROLES AND RESPONSIBILITIES WITH RESPECT TO THE TREATMENT OF PERSONS WITH MENTAL DISORDERS

Prime Sponsor: Senator Hargrove

(SHB 3081 Representative Cody)

- The state is responsible for treatment services for all long-term intensive inpatient care.
- Regional Support Networks (RSNs) must serve at least 90 percent of the patients requiring short-term inpatient care.

- Each RSN must receive an allocated number of state hospital beds at no cost. If the RSN uses more than that allocation, reimbursement must be made.
- One-half of the reimbursement funds will be distributed to RSNs who use less than the contracted allocation and the other one-half is to be used for state hospital operating costs.
- The RSNs' ability to seek judicial remedies to disputes against the state regarding the allocation of funds, the allocation of state hospital beds, and payment for inpatient care is limited.

4SHB 1483: ESTABLISHING A REINVESTING IN YOUTH PROGRAM

Prime Sponsor: Representative Dickerson

(SB 5567 Senator Kohl-Welles)

- The Department of Social and Health Services is required to establish a statewide Reinvesting in Youth Program to award grants to counties to implement research-based early intervention programs for juveniles.
- The Reinvesting in Youth Account is created in the State Treasury to reimburse local governments for implementation of the Program. Participating counties will be reimbursed for a portion of their costs in proportion to the cost savings to the state.

2SHB 2002: AUTHORIZING LIMITED CONTINUING FOSTER CARE AND SUPPORT SERVICES UP TO AGE TWENTY-ONE

Prime Sponsor: Representative Dickerson

(SSB 6324 Senator Regala)

- 50 foster children per year may remain in foster care through the age of 21.
- These young adults are only permitted to stay in foster care if they pursue a post-secondary education or vocational training and maintain a 2.0 grade point average.
- Parents of these foster children ages 18 - 21 will not be required to pay child support.
- A Washington State Institute for Public Policy (WSIPP) study on the outcomes for foster youth who receive continued support, as well as any savings to the state, is authorized.
- The WSIPP is permitted to receive non-state funding to conduct the study.

SHB 2394: INCLUDING FINANCIAL LITERACY IN WORK ACTIVITY PROVISIONS

Prime Sponsor: Representative Dickerson

(SHB 6305 Senator Keiser)

- The definition of work activity under the statutory provisions for Temporary Aid to Needy Families is amended to include financial literacy activities.

SHB 2407: REVISING PROVISIONS RELATING TO ELECTRONIC MONITORING OF SEX OFFENDERS

Prime Sponsor: Representative Lovick

- The Department of Corrections (DOC) may recommend, and the Indeterminate Sentence Review Board may then impose, electronic monitoring as a condition of community custody for determinate-plus sex offenders.
- The DOC may impose electronic monitoring as a condition of community custody for those serving a term of community custody pursuant to a conviction for a sex offense.
- Civil immunity is extended to the DOC, local law enforcement, and the monitoring agency for acts or omissions related to information obtained through electronic monitoring.

HB 2409: CHANGING THE PROVISIONS RELATING TO SEX AND KIDNAPPING OFFENDER REGISTRATION

Prime Sponsor: Representative O'Brien

- Instead of requiring a person subject to the registration requirements to provide his or her "address" when registering, that person must provide his or her "complete residential address."
- The amount of time an out-of-state registrant is given to register once he or she has established a residence in Washington is reduced to three business days (from 30 days).
- A person is subject to criminal liability for any knowing non-compliance with the registration statute.
* HB 2409 incorporates technical changes made to SSB 6775.

HB 2612: INCLUDING FAILURE TO SECURE A LOAD IN THE FIRST DEGREE AS A COMPENSABLE CRIME UNDER THE CRIME VICTIMS' COMPENSATION PROGRAM

Prime Sponsor: Representative Kagi

(SB 6341 Senator Prentice)

- Failure to secure a load in the first degree is added to the list of vehicular offenses that constitute a criminal act for purposes of crime victims' compensation. A victim who suffers an injury or death as a result of a driver's violation of the failure to secure a load in the first degree may be compensated under the crime victims' compensation program.

SHB 2654: PROHIBITING CERTIFICATION OF SEX OFFENDERS AS SEX OFFENDER TREATMENT PROVIDERS

Prime Sponsor: Representative Darneille

- The statute controlling the certification process for sex offender treatment providers and affiliate sex offender treatment providers in the community is amended to preclude certification by the Department of Health if the person seeking certification has been convicted of a sex offense.

SHB 2985: CREATING A FOSTER CARE HEALTH UNIT IN THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Prime Sponsor: Representative Schual-Berke

- A Foster Care Health Unit is created within the Department of Social and Health Services to examine ways to improve medical care for foster children and make recommendations to the Legislature.
- The Department and child placing agencies are required to provide for the routine and necessary medical care of foster children

2SHB 3115: ESTABLISHING A FOSTER PARENT CRITICAL SUPPORT AND RETENTION PROGRAM

Prime Sponsor: Representative Darneille

(SSB 6749 Senator Hargrove)

- A critical support and retention program for foster parents who care for children who are sexually or physically aggressive is established.
- The Department of Social and Health Services (DSHS) is required to disclose behavioral and emotional problems of a child to a foster parent and to make recommendations regarding how the DSHS will respond to allegations of abuse and neglect against a foster parent arising from conduct of the child.
- The DSHS is required to make recommendations regarding the use of information gathered in the course of receiving and investigating allegations of abuse and neglect.

HB 3122: RECOGNIZING THE SAFETY OF CHILD PROTECTIVE, CHILD WELFARE, AND ADULT PROTECTIVE SERVICES WORKERS

Prime Sponsor: Representative Kagi

- Child protective, child welfare, and adult protective service workers are added to the list of persons for whom stalking constitutes a class C felony. Further, child protective, child welfare, and adult protective service workers, who are injured on the job, are entitled to reimbursement for uncovered sick leave under certain conditions.
- The Department of Social and Health Services is required to report to the Legislature by December 1, 2006, on the implementation of the remaining recommendations contained in its report to the Legislature entitled Child Protective Services - Staff Safety.

HB 3139: CLARIFYING KINSHIP CAREGIVERS' CONSENT FOR MENTAL HEALTH CARE OF MINORS

Prime Sponsor: Representative Pettigrew

- Informed consent for mental health care may be provided by parents and individuals included in the informed consent statute.
- With respect to involuntary inpatient mental health care for minors ages 13 through 18, only the parent or the court can override the minor's refusal to accept treatment.

HB 3156: CREATING A PILOT PROGRAM TO ASSIST LOW-INCOME FAMILIES

Prime Sponsor: Representative Darneille

- The Department of Community, Trade, and Economic Development (CTED) is required to establish a process to offer consulting services to community action agencies interested in developing pilot programs to assist low-income families accumulate assets.
- The CTED must also establish a program to create an outreach campaign to increase the number of eligible families who claim the federal Earned Income Tax Credit.

SHB 3182: CONCERNING TRIBAL FOSTER CARE LICENSING

Prime Sponsor: Representative Pettigrew

- The authority of Indian tribes to license foster care homes is expanded to include foster homes on or near a federally recognized Indian reservation or on or near the tribe's federally recognized service delivery area. The tribe must enter into an agreement with the Department of Social and Health Services to define the terms and geographic boundaries within which the tribe will license foster care homes.
- The Department and its employees are immune from civil liability for acts committed by tribally licensed foster care homes.

HB 3205: CLARIFYING THE AUTHORITY TO APPREHEND CONDITIONALLY RELEASED PERSONS

Prime Sponsor: Representative O'Brien

- A law enforcement officer who has responded to a request for assistance from an employee of the Department of Social and Health Services (DSHS) may apprehend a person on less restrictive alternative (LRA) status if the officer reasonably believes that the person is not complying with the terms of his or her conditional release. The person may be detained in the county jail or may be returned to the Secure Community Transition Facility (SCTF).

HB 3277: AUTHORIZING SPECIAL VERDICTS FOR SPECIFIED SEX OFFENSES AGAINST CHILDREN AND VULNERABLE ADULTS

Prime Sponsor: Representative O'Brien

- Prosecutors must file a special allegation in cases involving charges of certain types of sex offenses against certain classes of victims unless the prosecutor determines, after consulting with the victim, that filing a special allegation is likely to interfere with the ability to obtain a conviction.
- If the prosecutor proves such a special allegation beyond a reasonable doubt, the convicted person must be sentenced to 25 years or the statutory maximum for the offense, whichever is greater.

INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT

786-7409

ESB 5330: CREATING THE ECONOMIC DEVELOPMENT GRANTS PROGRAM

Prime Sponsor: Senator Shin

- The Department of Community, Trade, and Economic Development is to create an inventory of grant opportunities for state agencies, local governments, and other community organizations engaged in economic development activities.
- The department may facilitate efforts to attract grants and major events.

2SSB 6326: PROVIDING A SOURCE OF FUNDING FOR CUSTOMIZED WORK FORCE TRAINING

Prime Sponsor: Senator Shin

- The Washington Customized Employment Workforce Training program is to be administered by the State Board for Community and Technical Colleges. Training allowances are awarded to employers who have entered into training agreements with local colleges.
- At the completion of training, employers are required to pay one quarter of the cost of the training into the newly created Employment Training Finance Account. The additional three quarters of the cost are to be paid back over 18 months.
- A business and occupation tax credit is provided to employers for half of the amount that they pay for the employee training.
- Employers are to increase their employment in the state by an amount equal to at least 75 percent of the trainees in their training program.

SSB 6330: ESTABLISHING THE WASHINGTON TRADE CORPS FELLOWSHIP PROGRAM

Prime Sponsor: Senator Shin

(HB 3216 Representative Linville)

- The Department of Community, Trade and Economic Development is to research alternative funding sources for a fellowship program and make recommendations to the Legislature regarding starting and operating a program without the use of general fund monies.

ESJM 8019: REQUESTING THE UNITED STATES TRADE REPRESENTATIVE TO CREATE A FEDERAL-STATE INTERNATIONAL TRADE POLICY COMMISSION

Prime Sponsor: Senator Shin

- The United States Trade Representative (USTR) is requested to create a Federal-State International Trade Policy Commission to serve as a resource for objective trade policy analysis and foster communication among federal and state trade policy officials.

HB 2348: EXTENDING TAX RELIEF FOR ALUMINUM SMELTERS

Prime Sponsor: Representative Morris

- Instead of expiring in 2006, tax preferences for the aluminum smelting industry are continued through 2012.
- The preferences continued include: (1) a reduction in the business and occupation (B&O) tax rates under manufacturing and wholesaling to 0.2904 percent; (2) a credit against B&O tax liability for property taxes paid; (3) a credit against retail sales and use tax liability for the amount of the state portion of sales

and use taxes paid on property and labor and services associated with the property; and (4) an exemption from the brokered natural gas use tax.

- Reports to the Legislature on aluminum smelter incentives are due by December 1, of 2007, 2010, and 2015.

HB 2466: PROVIDING EXCISE TAX RELIEF FOR AEROSPACE BUSINESSES

Prime Sponsor: Representative Lovick

(2SSB 6604 Senator Prentice)

- The sales and use tax exemption for computer equipment and software used primarily in commercial airplane development and the business and occupation (B&O) tax credit for preproduction development expenditures related to commercial aircraft are extended to non-manufacturing firms.
- The B&O tax credit for property taxes paid on property used in the manufacture of commercial airplanes is expanded to include leasehold excise taxes.
- The reduced B&O tax rate for FAA certificated repair stations engaged in the repair of equipment used in interstate or foreign commerce is extended to July 1, 2011. The tax rate is set at 0.2904 percent.

2SHB 2498: ESTABLISHING AN INDUSTRY CLUSTER-BASED APPROACH TO ECONOMIC DEVELOPMENT

Prime Sponsor: Representative Kilmer

- The Department of Community, Trade and Economic Development (CTED) is to develop industry cluster-based strategies for economic development and assist local communities in identifying regional industry clusters and developing local industry cluster-based strategies.
- A competitive grant program is created to assist communities to fund activities designed to further regional cluster growth. Priority will be given to projects which use the grant funds to build linkages and joint projects, to develop common resources and common training, and to develop common research and development projects or facilities .
- A grant award may be up to \$100,000 per applicant. A maximum of \$100,000 may go to King, Pierce, Snohomish, and Kitsap counties. No more than 10 percent of funds received for the grant program may be used by CTED for administrative costs.

SHB 2640: PROVIDING BIOTECHNOLOGY PRODUCT AND MEDICAL DEVICE MANUFACTURING TAX INCENTIVES

Prime Sponsor: Representative B. Sullivan

(SB 6462 Senator Shin)

- State and local sales and use taxes are deferred for investments in construction or renovation of structures, or machinery and equipment, used for biotechnology product or medical device manufacturing.
- Persons claiming a tax incentive under the bill must file an annual report with the Department of Revenue. Failure to submit a survey in any year will result in a forfeit of the tax incentive for that year.

E2SHB 2673: AUTHORIZING ADDITIONAL ALTERNATIVES FOR LOCAL INFRASTRUCTURE FINANCING

Prime Sponsor: Representative Linville

- A local government may use bond financing to make public improvement in a specially designated revenue development area (RDA). The bonds are paid off with local excise and property taxes as well as federal and private monetary contributions.
- The Local Infrastructure Financing Tool Program is created. The program is administered by the Community Economic Revitalization Board (CERB) and board approval is required before a local government may impose a new sales and use tax. Project criteria is established but does not apply to three demonstration projects which must be approved prior to other projects. The demonstration projects are the Bellingham redevelopment project, the Spokane River district project, and the Vancouver Riverwest project.
- Local governments must adopt an ordinance to create an RDA, and the bill specifies a procedure for this and specifies limitations on RDAs. The new taxes allowed under the bill that are imposed in a single jurisdiction may not exceed \$1 million annually. Such new taxes imposed by all jurisdictions statewide are limited to \$5 million.
- Local governments sponsoring an RDA must report annually to CERB, and CERB must make an annual report to the public and the Legislature. The Joint Legislative Audit and Review Committee is to evaluate and report on the program quinquennially, starting in 2013, and CERB and the Department of Revenue are to evaluate and report on the program periodically.

SHB 2726: CREATING WASHINGTON MANUFACTURING SERVICES IN STATUTE

Prime Sponsor: Representative Chase

(SSB 6470 Senator Shin)

- Washington Manufacturing Services (WMS) is organized as a private, nonprofit corporation to operate a modernization extension system, coordinate modernization resources, and stimulate the competitiveness of small and midsize manufacturers.
- WMS may charge fees for services and receive funds from private and public sources.
- WMS is to assist in the modernization of businesses and provide technical assistance in advanced management practices, mechanisms for interfirm collaboration, choosing technologies and processes that improve quality and productivity, and product development. WMS is also to assist in improving financial skills and human resource and training systems.

SHB 2778: EXEMPTING CERTAIN AMOUNTS RECEIVED BY NONPROFIT CONVENTION AND TOURISM PROMOTION CORPORATIONS FROM BUSINESS AND OCCUPATION TAX

Prime Sponsor: Representative Murray

- Business and Occupation (B&O) taxes are not applied to a nonprofit organization's income received from state and local governments, federally recognized Indian tribes, or public corporations for promoting conventions and tourism.

JUDICIARY

786-7455

SSB 5042: TOLLING THE STATUTE OF LIMITATIONS FOR FELONY SEX OFFENSES

Prime Sponsor: Senator McCaslin

- For all felony sex offense cases, the time period for the statute of limitations begins to run on the date the crime was committed or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

ESSB 5204: MODIFYING THE CHATTEL LIEN PROCESS

Prime Sponsor: Senator Brandland

- When a personal property owner feels the lien claim is frivolous or excessive, the owner may file an action in superior court.
- The Department of Licensing is prohibited from transferring title to a vehicle through the chattel lien process until it has documented that the lien has been filed with the county auditor and notification has been given to the owner of the lien.
- The purchaser of chattel through a foreclosure proceeding takes the chattel subject to any security interest or lien that is superior to the lien subject of the foreclosure proceeding.

SB 5654: PROTECTING THE PRIVACY OF PERSONAL INFORMATION OF CRIMINAL JUSTICE OFFICIALS

Prime Sponsor: Senator Prentice

(HB 1784 Representative O'Brien)

- No person may knowingly make available on the internet the personal information of a peace officer, corrections person, justice, judge, commissioner, public defender, or prosecutor if the dissemination poses an imminent and serious threat to the public officers or their immediate families.
- Personal information includes: home addresses, home telephone numbers, pager numbers, social security numbers, home email addresses, directions to the person's home, and photographs of the person's home or vehicle.
- Any person who suffers damages as a result of the internet publication may bring a civil action for actual damages, and reasonable attorney's fees and costs of up to \$1,000 for each day the information appears on the internet.

SB 6208: SIMPLIFYING SESSION LAW PUBLICATION

Prime Sponsor: Senator Rockefeller

(HB 2375 Representative Williams)

- The statute law committee must publish only as many copies of the session laws as necessary; not a pre-determined amount.
- Surplus copies of the session laws will be sold and the money received paid into the state treasury general fund.
- The statute law committee is not required to publish a temporary set of session laws.

SB 6412: INCREASING THE NUMBER OF SUPERIOR COURT JUDGES IN CLALLAM AND COWLITZ COUNTIES

Prime Sponsor: Senator Doumit

(HB 2344 Representative Kessler)

- The number of superior court judges in Clallam county is increased to three.
- The number of superior court judges in Cowlitz county is increased to five.

- The superior court positions created by this bill are only effective if Clallam and Cowlitz counties document approval of the positions and agree to fund the expenses of the positions, including, but not limited to, court facilities.

**SSB 6441: CHANGING THE LAW RELATED TO JUDICIAL ORDERS CONCERNING
DISTRRAINT OF PERSONAL PROPERTY**

Prime Sponsor: Senator Johnson

- If there is probable cause to believe there is property within the county subject to distraint, any superior or district court judge in the county may, upon the request of the sheriff, county treasurer, or agent of the county treasurer, issue a warrant commanding the search for and seizure of the property at the place described in the request for the warrant.
- The criminal rules of superior court and district court govern the procedure for issuance, execution, and return of the warrant and for return of any property seized.

SSB 6417: CHANGING PROVISIONS RELATING TO ANIMAL CRUELTY

Prime Sponsor: Senator Roach

- Animal cruelty in the first degree is committed when a person knowingly engages in sexual conduct or sexual contact with an animal or when a person knowingly causes or aids another person to engage in sexual conduct or sexual contact with an animal and it is a class C felony ranked at seriousness level III.
- A person who knowingly permits sexual conduct or sexual contact with an animal to occur on premises under his or her control or who knowingly participates as an observer, organizer, promoter, or advertiser of such conduct is guilty of animal cruelty in the first degree and it is a class C felony ranked at level III on the seriousness listing.
- The court may order the convicted person to refrain from owning animals or residing in a household where animals are present; participate in appropriate counseling; and be responsible for costs incurred for the care of any animals that were removed.

SB 6531: PRESERVING REMEDIES WHEN LIMITED LIABILITY COMPANIES DISSOLVE

Prime Sponsor: Senator Weinstein

- When a limited liability company dissolves, an action for claims or rights against it must be commenced within three years after the effective date of dissolution in order to survive. This includes claims or rights, or liability incurred, prior to, or after dissolution.

SB 6568: MODIFYING ANIMAL FIGHTING PROVISIONS

Prime Sponsor: Senator Regala

- It is clarified that the offense requires knowing promotion, organization, participation in, advertisement, or performance of any service.
- The offense includes being a spectator.
- Wagering activity related to animal fighting is prohibited at any place or in any building.

SSB 6572: REVISING THE UNLAWFUL DETAINER PROCESS UNDER THE RESIDENTIAL LANDLORD-TENANT ACT

Prime Sponsor: Senator Hargrove

- In an unlawful detainer action based on the failure to pay rent, the tenant must notify the landlord in writing that rent has been paid into the court registry, or that a statement regarding why rent is not owed has been submitted to the court.
- The tenant may serve notice to the landlord either by personal delivery, mail, fax, or other means authorized by court rules.

SB 6596: REVISING THE DISSOLUTION OF WASHINGTON CORPORATIONS

Prime Sponsor: Senator Kline

- The procedures by which a corporation may be dissolved and the effects of that dissolution are set out in Washington's Business Corporations Act (WBCA). The recommendations of the Washington State Bar Association's Corporate Act Revision Committee changing these procedures are adopted.
- Some examples of the revisions are: amends provisions of the Business Corporations Act relating to the authorization, procedures, and legal effect of a voluntary dissolution; establishes claim-barring procedures triggered by either a dissolved corporation's compliance with notice requirements, a court order, or the expiration of a revised survival of claims period; specifies processes by which a dissolved corporation may make reasonable provision for the satisfaction of its liabilities, and by which an unpaid claim against a dissolved corporation may be recouped; and establishes a shareholder's liability for knowingly accepting an unlawful distribution from the dissolved corporation.

SSB 6597: MODIFYING TRUSTS AND ESTATES, GENERALLY

Prime Sponsor: Senator Johnson

- Makes technical amendments to the Washington Principal and Income Act of 2002, including clarifying provisions relating to unitrusts.
- Amends the state's trust gift distribution law to decrease the likelihood that a trust will inadvertently fail to qualify for the state and federal estate tax marital deduction.
- Clarifies that a spendthrift trust beneficiary's non-exercise of certain powers does not expose the assets of the trust to creditors' claims.
- Raises the small estate limit to \$100,000.
- Makes procedural and technical changes regarding trust and estate dispute resolutions, will contests, and powers of appointment.
- Trusts can be initially created as unitrusts. The payout percentage of unitrusts is changed to a range consistent with the federal internal revenue rate.

SSB 6670: CHANGING COURT FILING FEE PROVISIONS

Prime Sponsor: Senator Shin

- Any party filing a counterclaim, cross-claim, or third-party claim in an unlawful detainer action must pay a filing fee of \$157.
- The \$5 fee for certification of delinquent taxes is eliminated.
- A \$36 fee is charged for filing counterclaim, cross-claim, or third-party claim to a petition for modification of a decree of dissolution or paternity.
- When the county clerk requests an extension of judgment in a criminal case, the \$200 fee may be imposed as a cost to be paid by the offender.

SSB 6676: PROHIBITING FRAUDULENT FILINGS OF VEHICLE REPORTS OF SALE

Prime Sponsor: Senator Roach

- A person who files a vehicle report of sale without the knowledge of the transferee is guilty of fraudulent filing of a vehicle report of sale. If the unknowing transferee, or victim, incurred damages in an amount less than \$250, the transferor is guilty of a gross misdemeanor. If the monetary damage to the victim is more than \$250 but less than \$1500, the transferor is guilty of a class C felony.
- Fraudulent filing of a vehicle report of sale is a class B felony if the victim incurred damages in an amount great than \$1500.

SSB 6806: ESTABLISHING THE DOMESTIC VIOLENCE HOPE CARD STUDY COMMITTEE

Prime Sponsor: Senator Esser

- The domestic violence hope card study committee is created and directed to review the practicality of requiring the statewide distribution of wallet-size cards to victims of domestic violence. The cards will document the existence and contents of a protection order and provide identifying information about the respondent, including a photograph.
- The committee will review the information that is currently statutorily required to be provided to victims of domestic violence and whether victims are receiving the information. The costs involved with the implementation of such a program will also be studied and how nonstate funds could be utilized to pay for the costs involved in implementation. The committee report is required to be delivered to the Legislature by December 31, 2006.

ESHB 1080: PROTECTING DEPENDENT PERSONS

Prime Sponsor: Representative McDonald

- A person is guilty of criminal mistreatment when a person who has assumed the responsibility to provide a dependent person the basic necessities of life withholds the basic necessities of life.
- A person is guilty of abandonment of a dependent person if he or she assumed the responsibility to provide a dependent person with the basic necessities of life and abandons him or her.
- Criminal mistreatment in the first degree and abandonment of a dependent person in the first degree are ranked at level IX.
- Criminal mistreatment in the second degree and abandonment of a dependent person in the second degree are ranked at level V.
- Good Samaritans and government agencies that regularly provide care or assistance to dependant persons are provided protection from liability for negligent acts that may rise to the level of criminal mistreatment in the third or fourth degree.

HB 1471: CHANGING PROVISIONS RELATING TO AUTHENTICATION OF DOCUMENTS

Prime Sponsor: Representative Lovick

- Seals required to authenticate documents need only be printed onto the document in some fashion, including a printout from an electronic document bearing the seal, to be considered valid.
- Certified copies of official documents may be sent by fax or other electronic transmission and still be treated as genuine.

SHB 1650: DECRIMINALIZING REFUSAL TO SIGN CITATIONS AND NOTICES OF INFRACTIONS ISSUED ELECTRONICALLY OR BY MAIL

Prime Sponsor: Representative O'Brien

(SSB 5627 Senator Kline)

- The requirement that a cited person must sign a notice of traffic infraction or a citation is removed. The requirement that a person, arrested for a traffic law violation that is punishable as a misdemeanor, must give his or her written promise to appear in court by signing the notice is removed.
- For other non-traffic civil infractions, the requirement that a person must sign the notice of civil infractions statement is removed. The failure or refusal to sign an infraction or citation is decriminalized.
- A person who fails to exercise one of the options for responding to a notice of civil infraction is guilty of a misdemeanor. The person must have received a statement of the options.

HB 1966: CLASSIFYING IDENTITY THEFT AS A CRIME AGAINST PERSONS

Prime Sponsor: Representative Ericks

- The crimes of identity theft in the first and second degree are categorized as "crimes against persons" within the prosecuting standards and guidelines section of the Sentencing Reform Act.
- Offenders with a current or prior identity theft conviction may qualify for up to 33 percent of earned early release time. Offenders with current or prior identity theft convictions will be more likely to be under community supervision after release from prison or jail.

HB 2328: CHANGING PROVISIONS RELATING TO THE INSANITY DEFENSE

Prime Sponsor: Representative Lantz

- An insanity plea defendant's privilege against answering questions in a mental examination is removed.
- A defendant who refuses to answer questions during an examination may not present his or her own expert's testimony at trial.

SHB 2344: INCREASING THE NUMBER OF SUPERIOR COURT JUDICIAL POSITIONS IN CLALLAM AND COWLITZ COUNTIES

Prime Sponsor: Representative Kessler

(SB 6412 Senator Doumit)

- One additional superior court judge is authorized in Clallam County and one additional superior court judge is authorized in Cowlitz County. The additional judicial positions are effective only if each county documents its approval of the additional position and agrees to pay for its share of the costs for the position without reimbursement from the state.

HB 2366: MAKING CERTAIN COMMUNICATIONS BETWEEN FIRE FIGHTERS AND PEER SUPPORT GROUP COUNSELORS PRIVILEGED

Prime Sponsor: Representative B. Sullivan

- A testimonial privilege is created to protect communications made by a fire fighter to a peer support group counselor while receiving counseling as the result of an incident in which the fire fighter was involved while acting in his or her official capacity.

HB 2367: REGARDING THE CERTIFICATION OF TRIBAL POLICE OFFICERS

Prime Sponsor: Representative O'Brien

(SB 6404 Senator Johnson)

- Tribal governments may enter into an agreement with the criminal justice training center for the certification of tribal police officers.
- Under such an agreement, the criminal justice training center has the authority to grant, deny, or revoke the certification of tribal police officers.
- Similarly, under such an agreement, the tribal law enforcement agency and its officers must comply with the same requirements for certification as are applied to non-tribal peace officers certified in the state.
- A "tribal police officer" is defined as any person employed and commissioned by a tribal government to enforce the criminal laws of that government.

**Signed by the Governor*

HB 2379: DISPOSING OF NONPROBATE ASSETS UNDER WILL

Prime Sponsor: Representative Lantz

- Where there has been a beneficiary designated in a will that is later revoked by a new designation, which is also later revoked, the nonprobate asset is treated as any other general asset of the owner's estate, absent some other provisions controlling the disposition of the asset.
- The executor of the estate may rely on information provided to him or her by the financial institution when determining who is entitled to the asset.

HB 2380: CHANGING THE THRESHOLD AGE OF MINORS UNDER THE UNIFORM TRANSFERS TO MINORS ACT

Prime Sponsor: Representative Serben

- At the election of the transferor, the custodianship of property under the Uniform Transfers to Minors Act may be extended until the "minor" reaches age 25, instead of age 21.
- Extensions are available only for transfers of property made on or after July 1, 2007.
- The age at which a minor may independently exercise certain rights under a custodianship is raised from 14 years old to 18 years old.

SHB 2382: PROVIDING LIMITED LIABILITY IMMUNITY FOR INJURIES AT BOVINE HANDLING FACILITIES

Prime Sponsor: Representative Kretz

- Partial immunity is provided to an owner, operator, or manager of a bovine handling facility, and the owner of bovine handled at a bovine handling facility, for personal injuries or death to a person who, knowingly and voluntarily, participates in bovine handling activities or enters the premises as a spectator of bovine handling activities.
- The immunity does not apply if the injury or death was caused by an intentional act or an act or omission amounting to wilful and wanton disregard for the safety of the participant or spectator.
- The immunity also does not apply if the injury or death resulted from a known dangerous latent condition for which conspicuous warning signs were not posted.
- "Bovine handling facility" means a cooperative not-for-profit outdoor facility such as a corral and does not include commercial slaughter facilities.

HB 2454: REVISING THE PRIVILEGE FOR SEXUAL ASSAULT ADVOCATES

Prime Sponsor: Representative Williams

(SB 6479 Senator Regala)

- A sexual assault advocate may not be examined as to any communication made between the victim and the advocate, unless the victim consents.

HB 2567: PROVIDING PROVISIONS FOR METHAMPHETAMINE PRECURSORS

Prime Sponsor: Representative Wallace

- It is a gross misdemeanor to knowingly purchase in a 30-day period or possess any quantity of iodine in its elemental form, an iodine matrix, or more than two pounds of MSM.
- The Washington State Patrol develops a form for recording transactions involving these substances.
- A person who purchases any quantity of these substances must present an identification card or driver's license before purchase.
- A person who sells or transfers any quantity of iodine or MSM must record each sale or transfer.
- Failure to make or retain a required record or failure to comply with a request for access to records is a misdemeanor.

SHB 2576: CREATING SEXUAL ASSAULT PROTECTION ORDERS

Prime Sponsor: Representative Williams

(SSB 6478 Senator Regala)

- Any person who is a victim of nonconsensual sexual conduct or nonconsensual sexual penetration may file a petition for a sexual assault protection order (SAPO). A person 16 years old or older may file a petition on his or her own behalf.
- No filing fee may be charged for a SAPO. The petitioner must set forth the statements or actions made that give rise to a reasonable fear of future dangerous acts for which the order is sought.
- If the court finds by a preponderance of the evidence that the petitioner has been a victim of nonconsensual sexual conduct on the part of the respondent, the court shall issue a SAPO.

HB 2704: INCLUDING ORGANIZED RETAIL THEFT IN CRIME GUIDELINES

Prime Sponsor: Representative O'Brien

(SB 6554 Senator Rasmussen)

- Three new theft-related crimes are established: Theft with the Intent to Resell, Organized Retail Theft, and Retail Theft with Extenuating Circumstances.
- For purposes of determining the value of the property involved for Theft with the Intent to Resell and Organized Retail Theft, a series of thefts may be aggregated to determine the degree of the crime if they were committed by the same person from one or more mercantile establishments over a 180-day period.
- For purposes of Theft, Theft with the Intent to Resell, and Organized Retail Theft, thefts committed by the same person in different counties that have been aggregated may be prosecuted in any county in which one of the thefts occurred.
- Theft with the Intent to Resell and Organized Retail Theft are acts of criminal profiteering.

2SHB 2805: EXPANDING PROVISIONS RELATING TO MISSING PERSONS

Prime Sponsor: Representative O'Brien

- The Washington Association of County Officials is directed to convene a committee to coordinate the use of the latest technology and science available to improve the reporting, collection of evidence, and dissemination of information regarding missing persons.
- The Forensic Investigations Counsel must develop training modules for the effective implementation and use of missing persons protocols.

- The Washington Association of Sheriffs and Police Chiefs is directed to create and maintain a statewide public website for the posting of information concerning persons reported missing in Washington.
- When a missing person has not been found within 30 days of the report, or at any time the investigating agency suspects criminal activity to be the basis of the victim being missing, the investigating agency must file a report and initiate collection of specific biological information about the known missing person to be recorded and maintained in a dedicated missing person's database.

ESHB 2848: PROTECTING CONFIDENTIALITY OF DOMESTIC VIOLENCE INFORMATION

Prime Sponsor: Representative Lantz

- Communications between a domestic violence victim and domestic violence advocate are privileged unless failure to disclose information is likely to result in a clear, imminent risk of serious physical injury or death.
- The privilege does not relieve a domestic violence advocate from the mandatory reporting requirements for child abuse.
- A domestic violence program, and those assisting in delivering services, or any agent, employee, or volunteer of a domestic violence program, must not disclose information about a recipient of domestic violence services without the recipient's signed authorization, unless directed to do so by court order. The domestic violence program shall make reasonable attempts to notify the recipient of the disclosure.
- The Department of Social and Health Services must review methods to improve and protect the confidentiality of information about recipients of public assistance who have disclosed to the department that they are victims of domestic violence or stalking.

SHB 2876: CLARIFYING PROCEDURES FOR SOUND AND VIDEO RECORDINGS BY LAW ENFORCEMENT OFFICERS

Prime Sponsor: Representative Ericksen

(SB 6547 Senator Weinstein)

- A sound recording device may not be intentionally turned off by the law enforcement officer during the recording of an event.
- Once the event has been captured, the audio recording may be stopped and placed back in pre-event mode.

ESHB 2951: CREATING A FIREARMS TRAINING CERTIFICATE PROGRAM FOR RETIRED LAW ENFORCEMENT OFFICERS

Prime Sponsor: Representative Campbell

- A process is created for issuing firearms certificates to Washington residents who are qualified retired law enforcement officers in order to satisfy the certification requirements contained in the federal Law Enforcement Officers Safety Act of 2004.
- The Washington Association of Sheriffs and Police Chiefs is directed to develop a firearms certificate form to be used by local law enforcement agencies when issuing firearms certificates.
- The firearms certificate is valid for a period of one year.

HB 3048: CHANGING THE EFFECTIVE DATE OF THE UNIFORM INTERSTATE FAMILY SUPPORT ACT

Prime Sponsor: Representative Moeller

(SB 6590 Senator Kline)

- The 2002 Washington Uniform Interstate Family Support Act amendments take effect January 1, 2007.

EHB 3074: CONCERNING DEFAULT JUDGMENTS AGAINST SERVICE MEMBERS

Prime Sponsor: Representative Serben

- A court or administrative tribunal may presume that an absent defendant is not a dependant of a service member if the defendant fails to timely respond to a notice that is either served or mailed to the defendant prior to an application for a default judgment.
- The stay of proceedings provision provides that the failure of a defendant to communicate or cooperate with counsel after having been contacted is not grounds to find that counsel has been unable to contact the defendant.

SHB 3120: CONCERNING NOTICE REQUIREMENTS FOR TORT CLAIMS AGAINST STATE AND LOCAL GOVERNMENTS AND THEIR OFFICERS, EMPLOYEES, OR VOLUNTEERS

Prime Sponsor: Representative Lantz

- The claim filing statutes that apply to tort claims against the state or local governments are amended to specifically provide that they apply to claims against officers, employees, or volunteers of the state or local government when acting in that capacity.
- A local governmental entity that fails to comply with its duty to designate and record an agent to receive claim filings is precluded from raising a defense under the chapter dealing with tort liability for local governments.

HB 3252: PROHIBITING OFFENDERS WHO ENTER ALFORD PLEAS FROM RECEIVING A SPECIAL SEX OFFENDER SENTENCING ALTERNATIVE

Prime Sponsor: Representative O'Brien

- To be eligible for the Special Sex Offender Sentencing Alternative, a guilty plea must include admitting to all of the elements of the crime.

EHB 3261: STRENGTHENING THE REVIEW PROCESS BY THE INDETERMINATE SENTENCE REVIEW BOARD

Prime Sponsor: Representative O'Brien

- When conducting a hearing regarding the possible release of a nonpersistent offender, the Indeterminate Sentence Review Board (ISRB) must provide opportunities for the victim of any crime for which the offender has been convicted, to present oral, video, written, or in-person testimony.
- A vice-chair and one more member are added to the ISRB, both to be appointed by the Governor and subject to confirmation by the Senate.

HB 3317: CHANGING PROVISIONS RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR ANY DRUG

Prime Sponsor: Representative Ahern

- A DUI conviction is a class C felony if the offender has four or more prior offenses within ten years or has ever been convicted of vehicular homicide while under the influence of alcohol or drugs or vehicular assault while under the influence of alcohol or drugs. Felony DUI is a Level V offense and is categorized as a "Crime Against Persons." Under the Juvenile Justice Act, felony DUI is made a Category B+ offense.
- An offender is not eligible for the first time offender waiver program, the drug offender sentencing alternative or work ethic camp. The court must order the offender to undergo treatment during

incarceration and he or she is liable for the costs of treatment unless the court finds the offender indigent and no third-party insurance is available.

- The effective date of the act is July 1, 2007.

LABOR, COMMERCE, RESEARCH & DEVELOPMENT

786-7426

ESB 5048: PROHIBITING TOBACCO PRODUCT SAMPLING

Prime Sponsor: Senator Oke

- Distributing tobacco product samples to members of the public is prohibited.
- Any violation of this prohibition is a misdemeanor.

**Signed by the Governor*

SSB 5236: PROVIDING ADDITIONAL FUNDING TO THE PREVAILING WAGE PROGRAM OF THE DEPARTMENT OF LABOR AND INDUSTRIES BY DISCONTINUING THE TRANSFER OF MONEYS FROM THE PUBLIC WORKS ADMINISTRATION ACCOUNT TO THE GENERAL FUND-STATE ACCOUNT

Prime Sponsor: Senator Kohl-Welles

(HB 1308 Representative Conway)

- Eliminates the requirement that 30 percent of the filing fees paid by entities subject to the prevailing wage statutes must be transferred each quarter from the Public Works Administration account to the General Fund.

SB 6059: AUTHORIZING STATE AGENCIES TO CREATE SICK LEAVE POOLS FOR EMPLOYEES

Prime Sponsor: Senator Berkey

- State agencies and departments may participate in a sick leave pool for state employees. The Department of Personnel is to establish rules creating the sick leave pool.
- Eligibility to participate in the sick leave pool is contingent on an employee initially using all accrued sick, annual, and compensatory leave.
- Personnel authorities of higher education institutions must adopt their own policies to govern sick leave pools.

SSB 6185: MODIFYING THE FAMILY AND MEDICAL LEAVE ACT

Prime Sponsor: Senator Keiser

(SHB 2392 Representative Dickerson)

- The bill amends the state Family Leave Law to conform, in part, with the federal Family and Medical Leave Act.
- The bill includes details about "serious health conditions" and "intermittent leave" from federal regulations.

SSB 6225: REGULATING THE BUSINESS OF INSTALLING, REPAIRING, AND MAINTAINING DOMESTIC WATER PUMPING SYSTEMS

Prime Sponsor: Senator Rasmussen

(HB 2971 Representative Grant)

- Creates an alternative certification process coordinating the application, examination, licensing, and education of both plumbing and electrical aspects of businesses that install and maintain pumps in domestic well water systems.

SSB 6257: EXEMPTING GUEST SERVICES OR CROWD MANAGEMENT EMPLOYEES FROM THE REQUIREMENTS OF CHAPTER 18.170 RCW

Prime Sponsor: Senator Delvin

- Guest services or crowd management employees who do not perform the duties of a private security guard are exempt from security guard licensing.

SB 6264: ALLOWING AN INJURED WORKER TO CHANGE TOTAL PERMANENT DISABILITY PENSION OPTIONS UNDER CERTAIN CIRCUMSTANCES

Prime Sponsor: Senator Kohl-Welles

(HB 2536 Representative Conway)

- If an injured worker's designated beneficiary dies or the injured worker becomes divorced from his or her designated beneficiary, the injured worker may apply to receive a full monthly benefit instead of the reduced monthly benefit. The injured worker must apply within one year of the death or dissolution of marriage and must submit documentation of the death or dissolution of marriage.
- This is a one-time adjustment permanent for the life of the worker.

SSB 6359: ENSURING EMPLOYERS DO NOT EVADE THEIR CONTRIBUTION RATE

Prime Sponsor: Senator Kohl-Welles

(SHB 2388 Representative Conway)

- The bill modifies the requirements for determining successor employer unemployment contribution rates when a significant purpose of the transfer was to obtain a reduced rate by basing the rate on the higher of the involved employers' rates or, if the successor employer was not an employer at the time of the transfer, prohibiting transfer of experience from the predecessor employer and assigning the new employer rate.
- The bill increases the penalties applicable to employers and other persons who intend to knowingly evade the successorship provisions.
- Effective date is retroactive to January 1, 2006.

SSB 6382: AUTHORIZING THE WASHINGTON HORSE RACING COMMISSION TO EXPEND A STATUTORILY LIMITED AMOUNT OF ITS OPERATING FUNDS FOR THE DEVELOPMENT OF THE EQUINE INDUSTRY, IMPROVEMENT OF RACING FACILITIES, AND EQUINE HEALTH RESEARCH

Prime Sponsor: Senator Hewitt

(SHB 2369 Representative Quall)

- The bill allows, but does not require, the Horse Racing Commission to expend up to \$300,000 for the stated purposes from existing appropriations, if not needed for other commission operations.
- The non-profit racing facilities eligible for the assistance authorized by this bill are located in Dayton, Kennewick, Waitsburg, and Walla Walla.

ESSB 6396: MODIFYING THE ACCUMULATION AND USE OF SICK LEAVE ACCRUED BY PART-TIME FACULTY

Prime Sponsor: Senator Kohl-Welles

- Part-time academic employees at community and technical colleges must accumulate sick leave.

SB 6411: ALLOWING SIX-YEAR LONG COLLECTIVE BARGAINING AGREEMENTS

Prime Sponsor: Senator Doumit

- The length of collective bargaining agreements between local government and an exclusive bargaining representative is changed from three years to six years.

SB 6416: PROHIBITING PYRAMID PROMOTIONAL SCHEMES

Prime Sponsor: Senator Keiser

- The bill makes it a violation of the Consumer Protection Act to establish, promote, or participate in a pyramid scheme.
- It more clearly distinguishes between legitimate direct selling businesses and illegitimate pyramid schemes based on the sale of actual goods or services versus recruitment of others.

E2SSB 6480: MODIFYING PUBLIC WORKS APPRENTICESHIP UTILIZATION REQUIREMENTS

Prime Sponsor: Senator Kohl-Welles

- Establishes a three-year, phased-in schedule of apprenticeship utilization on qualifying DOT projects.
- Directs the Washington State Apprenticeship and Training Council to conduct training and outreach for personnel returning from military service.
** The intent section of HB 3003 is incorporated into E2SSB 6480, as described below.*
- References to assisting returning veterans through programs such as "helmet to hardhats."

ESB 6537: MODIFYING REQUIREMENTS FOR THE DIRECT SALE OF WINE TO WASHINGTON STATE CONSUMERS

Prime Sponsor: Senator Kohl-Welles

(SHB 2561 Representative Conway)

- The bill repeals reciprocity law that allows out-of-state wineries to ship wine directly to Washington residents so long as domestic wineries may ship wine directly to residents of other states.
- The bill allows both domestic wineries and out-of-state wineries to ship wine to Washington residents who are 21 or older for personal use and not for resale.

SB 6539: CHANGING THE FORMULA CAP ON SPIRITS, BEER, AND WINE RESTAURANT LICENSES

Prime Sponsor: Senator Kohl-Welles

(HB 2560 Representative Conway)

- The formula for setting the cap on the total number of spirits, beer, and wine restaurant licenses that can be issued statewide is changed from one license for every 1500 persons to one license for every 1450 persons.

SSB 6540: CONCERNING THE PROCESSING OF LIQUOR LICENSES

Prime Sponsor: Senator Kohl-Welles

(SHB 2563 Representative Wood)

- Notice requirements for the issuance of a liquor license are amended. The term "public institution" may be defined by the Liquor Control Board.
- The Board is authorized to issue a temporary license for use on premises not previously licensed to sell alcohol, and to renew temporary licenses at its discretion for periods of 60 days.
- No liquor license must be issued to a retail premises within 500 feet of a public elementary or secondary school, with the distance measured from the main entrance of a public school to the nearest public entrance of the premises requesting licensure (rather than the outer property line).

SSB 6555: PROVIDING RESEARCH AND SERVICES FOR SPECIAL PURPOSE DISTRICTS

Prime Sponsor: Senator Prentice

- Special purpose districts are added to the list of local governments that may be served by the Municipal Research Council.
- An additional portion of the liquor tax is transferred to the new special purpose district research account. Funds in the account may only be spent on research for special purpose districts. The amount to be spent is to be specified in the biennial appropriations act.

2SSB 6558: IMPROVING THE STATE OF WASHINGTON'S ECONOMIC, CULTURAL, AND EDUCATIONAL STANDING IN THE MOTION PICTURE INDUSTRY

Prime Sponsor: Senator Brown

(SHB 2818 Representative McIntire)

- Authorizes a Motion Picture Competitiveness Program, administered by a board of directors appointed by the Governor, to provide funding assistance to motion picture projects produced in Washington that meet criteria established by the Department of Community, Trade, and Economic Development (CTED).
- Authorizes a Business & Occupation tax credit for contributions made to the Motion Picture Competitiveness Program, up to \$3.5 million per year.
- Requires CTED to annually review the program, and JLARC to assess the program's effectiveness and report to the Legislature by December 1, 2010.

SSB 6613: PROHIBITING INTERNET GAMBLING

Prime Sponsor: Senator Prentice

- The bill reaffirms that gambling on the internet is illegal, including games offered by the State Lottery.
- The bill also requires approval of the Legislature, by a 60 percent vote of both chambers, before the Lottery Commission may offer games using devices that electronically replicate any game of chance, including scratch tickets.

SB 6731: PROHIBITING SELLERS OF TRAVEL FROM PROMOTING TRAVEL FOR SEX TOURISM

Prime Sponsor: Senator Fraser

- A new crime of "promoting travel for prostitution" is created. A person commits the offense of promoting travel for prostitution if the person knowingly sells or offers to sell travel services that include or facilitate travel for the purpose of engaging in what would be patronizing a prostitute or promoting prostitution, if occurring in this state.
- The sellers of travel licensing law is amended to add prohibitions related to sex tourism.

SSB 6791: CONCERNING LIQUOR LICENSES ISSUED TO ENTITIES PROVIDING CONCESSION SERVICES ON FERRIES

Prime Sponsor: Senator Poulsen

(HB 3255 Representative McDermott)

- Allows an entity licensed to serve beer and/or wine on a Washington State ferry to serve beer and/or wine on any vessel assigned to a designated ferry route.

2SSB 6823: MODIFYING PROVISIONS RELATING TO THE DISTRIBUTION OF BEER AND WINE

Prime Sponsor: Senator Kohl-Welles

(HB 3213 Representative Conway)

- Allows wineries, breweries, and microbreweries in Washington and other states to distribute an unlimited amount of wine and beer of their own production to Washington retailers.
- Allows Washington retailers to contract with common carriers to obtain products directly from wineries, breweries, and microbreweries in Washington and other states.
- Requires the Liquor Control Board to convene a task force to review the current regulatory system controlling the sale and distribution of beer and wine, and make recommendations about any proposed changes to the system by December 15, 2006.
- Sets an expiration date of June 30, 2008, for the provisions on direct shipment of wine and beer.

SSB 6838: PROMOTING THE CRAFT BEER INDUSTRY THROUGH BEER FESTIVALS

Prime Sponsor: Senator Jacobsen

** SSB 6838 was incorporated in its entirety into ESB 6661 (Agriculture & Rural Economic Development).*

ESSB 6885: MODIFYING UNEMPLOYMENT INSURANCE PROVISIONS

Prime Sponsor: Senator Kohl-Welles

- Makes permanent the weekly benefit using "two quarter averaging" and a 3.85 percent multiplier.
- Makes permanent the liberal construction of the unemployment compensation law.
- Modifies the voluntary quit provisions applicable to mandatory military transfers.
- Makes permanent the noncharging of benefits that exceed the amount that would have been paid if benefits were based on 1 percent of annual wages (or 4 quarter averaging).
- Makes the social cost factor zero through rate year 2007 and makes the maximum tax rate 5.7 percent beginning in rate year 2008 for certain seasonal industries.
- Depending on the trust fund balance, reduces the flat social cost factor rate and changes the solvency surcharge trigger from six months of benefits in the trust fund to seven months of benefits.
- Reenacts and makes retroactive certain provisions of 2ESB 6097 (Laws of 2003, 2nd Sp. S., Chapter 4).
- Requires the Employment Security Department to study and report to the Legislature by December 1, 2006, on: (1) repeat episodes of unemployment; (2) rate class 40 employers; (3) employer turnover; and (4) fraud prevention methods.

**Signed by the Governor*

HB 1331: REQUIRING ELECTRICAL CONTRACTORS TO BE LICENSED BEFORE ADVERTISING

Prime Sponsor: Representative Conway

**HB 1331 was incorporated in its entirety into SHB 1841.*

ESHB 1672: REQUIRING HOSPITALS TO ESTABLISH A SAFE PATIENT HANDLING COMMITTEE

Prime Sponsor: Representative Conway

(SSB 6595 Senator Franklin)

- Requires all hospitals, including state hospitals, to establish a Safe Patient Handling Committee or assign the duties of a Safe Patient Handling Committee to an existing committee.
- Requires all hospitals, including state hospitals, to establish a Safe Patient Handling Program.

SHB 1841: REVISING PROVISIONS FOR ELECTRICAL TRAINEES AND LICENSES

Prime Sponsor: Representative Wood

- Requires electrical trainees to show proof of classroom style continuing education when renewing a 2-year electrical trainee certificate, beginning July 1, 2007.
* HB1331 is incorporated in its entirety into SHB 1841, as described below.
- Prohibits electrical contractors from advertising for, submitting a bid for, or offering to do electrical work unless the contractor possesses a valid electrical license

ESHB 2056: REGULATING RECREATIONAL VEHICLE SHOWS

Prime Sponsor: Representative Conway

- Reduces the number of temporary subagency licenses that can be issued to recreational vehicle dealers in a 12-month period for events with a certain number of dealer participants.
- Establishes advertising requirements, and geographical limitations on the Department of Licensing's issuance of temporary subagency licenses for the sales of new or used recreational vehicles.
- Applies the Consumer Protection Act for violations of the requirements for recreational vehicle sales.

E2SHB 2353: PROVIDING COLLECTIVE BARGAINING FOR FAMILY CHILD CARE PROVIDERS

Prime Sponsor: Representative Pettigrew

(2SSB 6165 Senator Hargrove)

- Provides for collective bargaining between the Governor and a statewide unit of family child care providers under the Public Employees' Collective Bargaining Act.
- Provides for negotiated rule-making with a statewide unit of family child care licensees under the Administrative Procedure Act.

ESHB 2475: REQUIRING COLLECTIVE BARGAINING REGARDING HOURS OF WORK FOR INDIVIDUAL PROVIDERS

Prime Sponsor: Representative Conway

- Requires, at the bargaining representative's request, collective bargaining over how Department of Social and Health Services' core responsibility for long-term in-home care affects hours of work for individual providers.

HB 2537: ESTABLISHING A PILOT PROGRAM TO ALLOW EMPLOYERS TO ASSIST EMPLOYEES IN COMPLETING APPLICATIONS FOR INDUSTRIAL INSURANCE BENEFITS

Prime Sponsor: Representative Conway

(SSB 6262 Senator Kohl-Welles)

- Creates an industrial insurance pilot project administered by the Department of Labor and Industries allowing participating employers to assist workers in filing workers' compensation claims.

SHB 2538: AUTHORIZING THE DEPARTMENT TO REQUEST AND SUPERIOR COURT TO GRANT WARRANTS PURSUANT TO CHAPTER 49.17 RCW

Prime Sponsor: Representative Conway

(SSB 6263 Senator Kohl-Welles)

- The bill authorizes superior courts to issue search warrants under the Washington Industrial Safety and Health Act (WISHA).

- The bill also clarifies the circumstances and manner under which WISHA inspectors from the Department of Labor and Industries may enter the property of an employer to initiate a WISHA inspection.

HB 2562: REGULATING FLAVORED MALT BEVERAGE

Prime Sponsor: Representative Wood

(SB 6538 Senator Kohl-Welles)

- Allows "flavored malt beverages" to be marketed, distributed, sold, and taxed as beer, not as spirits.
- Defines "flavored malt beverage" in a manner similar to a new federal standard.

2SHB 2583: REGARDING COMMUNITY AND TECHNICAL COLLEGE PART-TIME ACADEMIC EMPLOYEE HEALTH BENEFITS

Prime Sponsor: Representative Kenney

(SSB 6420 Senator Pridemore)

- Maintains uninterrupted health care benefits for part-time academic employees at community and technical colleges provided the employee establishes and maintains a pattern of working at least three of the four quarters of the academic year with an average workload of half-time or more.

SHB 2596: MODIFYING PROVISIONS FOR THE COSMETOLOGY APPRENTICESHIP PROGRAM

Prime Sponsor: Representative Kenney

(SB 6543 Senator Haugen)

- The cosmetology apprenticeship pilot program is extended until July 1, 2008.
- The program's advisory committee must submit an updated report, including an evaluation of the effectiveness of the program, to the Legislature by December 31, 2007.

HB 2897: MODIFYING THE LIQUOR LICENSEE'S CATERER'S ENDORSEMENT TO INCLUDE PASSENGER VESSELS

Prime Sponsor: Representative Condotta

- Allows caterers licensed to sell alcoholic beverages to operate on any boat, ship, vessel, barge, or other floating craft of any kind carrying passengers for compensation.

SHB 3003: MODIFYING PUBLIC WORKS APPRENTICESHIP UTILIZATION REQUIREMENTS

Prime Sponsor: Representative Conway

** The intent section of HB 3003 is incorporated into E2SSB 6480.*

SHB 3128: REGULATING THE SALE OF WINE BY A SOCIETY OR ORGANIZATION

Prime Sponsor: Representative Kenney

(SSB 6838 Senator Jacobsen)

- Allows a not-for-profit formed for the purpose of constructing and operating a facility to promote Washington wines to hold retail licenses on the facility property or lease all or any portion of such facility property to a retail licensee on the facility property.
- Allows a bona fide charitable nonprofit society or association that has an officer, director, owner, or employee of a licensed domestic winery or a wine certificate of approval holder on its board of directors to hold a special occasion license to serve alcohol at a particular event.

HB 3134: DETERMINING THE AMOUNT OF COMPENSATION FOR TEMPORARY OR PERMANENT TOTAL DISABILITY

Prime Sponsor: Representative Conway

- Requires the Department of Labor and Industries to calculate the reduction in industrial insurance benefits for federal Social Security retirement benefits using a formula in federal law and guidelines in state law.

SHB 3150: CONCERNING EFFORTS TO PROMOTE THE WINE INDUSTRY

Prime Sponsor: Representative Condotta

- Allows domestic wineries and retail licensees to jointly produce brochures and material promoting tourism which contain information about domestic wineries, retailers, and their products.
- Allows domestic wineries and retail licensees to identify wineries on privately labeled wines.

HB 3154: CONCERNING THE RETAIL SALE OF BEER

Prime Sponsor: Representative Condotta

- Allows breweries that hold spirits, beer, and wine restaurant licenses to sell beer of their own production for off-premises consumption from their restaurants.

SHB 3185: CONCERNING VIOLATIONS OF WAGE PAYMENT REQUIREMENTS

Prime Sponsor: Representative McCoy

- For violations of wage payment requirements, the Department of Labor and Industries is authorized to order the payment of wages owed, including interest, and, for willful violations of wage payment requirements, civil penalties.
- Provides for immunity from and waivers of civil penalties for employers in specified circumstances.
- Provides for an election of remedies by the employee.
- Establishes procedures for administrative review of citations and notices of assessment, and for collection of unpaid wages, interest, and civil penalties.

EHB 3278: EXTENDING THE DEADLINE FOR THE REPORT BY THE JOINT LEGISLATIVE TASK FORCE ON UNEMPLOYMENT INSURANCE BENEFIT EQUITY

Prime Sponsor: Representative Conway

- Reenacts, retroactively, the "good cause quit" section of Second Engrossed Senate Bill No. 6097 (a section that was potentially under challenge in Batey v. Employment Security Department).

**Signed by the Governor*

NATURAL RESOURCES, OCEAN & RECREATION

786-7419

ESB 5179: STUDYING FOREST HEALTH ISSUES

Prime Sponsor: Senator Morton

- The forest health work group is recreated in order to conduct at least five public hearings on its proposed forest health bill and to report to the 2007 Legislature.

ESB 5232: REQUIRING A TURKEY TAG TO HUNT FOR TURKEY

Prime Sponsor: Senator Oke

(HB 1215 Representative Sullivan)

- A turkey tag, in addition to a small game hunting license, is required to hunt for turkey. The fee for an initial turkey tag is fourteen dollars for residents, forty dollars for non-residents, and free to the purchaser of a youth small game hunting license.
- The fee for each additional resident turkey tag purchased is fourteen dollars.

**Signed by the Governor*

ESSB 5385: CREATING THE WASHINGTON INVASIVE SPECIES COUNCIL

Prime Sponsor: Senator Jacobsen

- The Washington Invasive Species Council (Council) is created to provide policy direction, planning, and coordination to combat and prevent invasive species.
- The Council must develop and periodically update a statewide strategic plan for addressing invasive species issues. The Council must report its activities to the Legislature and the Governor annually.
- The Council is scheduled to exist until December 31, 2011.

SB 6159: CONCERNING RECREATIONAL FISHING FOR ALBACORE TUNA

Prime Sponsor: Senator Jacobsen

(HB 2332 Representative Buck)

- Recreational fishers must have a recreational fishing license when they fish for albacore.

SSB 6161: CONCERNING GROUP FISHING PERMITS

Prime Sponsor: Senator Oke

- Eligibility for a group fishing permit from the Department of Fish and Wildlife (DFW) is expanded to include groups working in partnership with DFW on outdoor education programs. A group fishing permit allows a group of individuals to fish, and harvest shellfish, without individual licenses or the payment of individual license fees.

**Signed by the Governor*

E2SSB 6175: CONCERNING THE REGULATION OF SURFACE MINING

Prime Sponsor: Senator Jacobsen

- The application and annual renewal fees for surface mining reclamation permits is increased and a graduated yearly fee system is created.
- The types of performance security the Department of Natural Resources may accept is expanded to ensure the costs of mine reclamation are covered by a permit holder.
- A surface mining advisory committee is created to make recommendations to the 2007 Legislature.

SSB 6223: MODIFYING PROVISIONS REGARDING ABANDONED OR DERELICT VESSELS

Prime Sponsor: Senator Rockefeller

- Matching costs that participating agencies must pay when removing, and disposing of, derelict or abandoned vessels are decreased from 25 percent to 10 percent.
- The procedures that participating agencies must follow when removing vessels that are in immediate danger of sinking, breaking up, or blocking navigational channels are streamlined.
- Causing a vessel to become abandoned or derelict upon aquatic lands is made a misdemeanor.

SB 6281: FUNDING MOUNTAINS TO SOUND GREENWAY OUTDOOR RECREATION PROJECTS

Prime Sponsor: Senator Jacobsen

(HB 2625 Representative Jarrett)

**Select outdoor recreation projects from this bill are incorporated into the operating budget as a proviso.*

SB 6354: CONCERNING RECREATIONAL LANDOWNERS' LIABILITY

Prime Sponsor: Senator Sheldon

**SB 6354 is incorporated in its entirety, with slightly modified language, into HB 2617.*

SB 6364: PROHIBITING CERTAIN ACTIVITIES ON MOTOR DRIVEN BOATS AND VESSELS

Prime Sponsor: Senator Roach

- The operation of a motor boat while an individual is teak surfing, platform dragging, or bodysurfing behind the boat is prohibited. A violation of this prohibition is a natural resources infraction.
- New and used motor driven vessels sold in the state must display a carbon monoxide warning sticker that has been developed or approved by the Department of Licensing (DOL).
- DOL must include an informational brochure about the dangers of carbon monoxide poisoning along with vessel registration materials mailed for the next two years.

SSB 6401: MODIFYING DEFINITIONS OF CHARTER LICENSES

Prime Sponsor: Senator Doumit

(HB 2586 Representative Blake)

- The definition of a charter boat, for licensing purposes, is expanded to include certain vessels that provide fishing opportunities for a fee and do not return to port with fish or shellfish.
- Those state waters in which a charter boat license is required are specified.
- Current statutory language that provides a licensing exemption to Oregon licensed charter boats operating in Washington state waters is clarified.

SSB 6439: CONCERNING COASTAL CRAB FISHERIES LICENSES

Prime Sponsor: Senator Doumit

(HB 2962 Representative Blake)

- Commercial coastal crab fishery license holders are provided one opportunity, after the effective date of this provision, to transfer their licenses to a vessel up to ten feet longer than their current vessel.
- Commercial coastal crab fishery license holders may transfer their licenses to a smaller vessel without losing the ability to return to a longer vessel in the future.
- The Department of Fish and Wildlife and the coastal crab fishing industry will evaluate the effectiveness of these vessel length provisions in 2010.

SB 6603: ESTABLISHING THE WILDFIRE PREVENTION AND PROTECTION WORK GROUP

Prime Sponsor: Senator Doumit

** SB 6603 is referenced in the Department of Natural Resources section of the operating budget.*

HB 1641: DECRIMINALIZING VESSEL REGISTRATION VIOLATIONS

Prime Sponsor: Representative Kretz

- A violation of the requirements to register a vessel and to provide a certificate of vessel registration upon request by an enforcement official are each changed from a misdemeanor to a civil infraction.

HB 2330: MODIFYING PROVISIONS CONCERNING THE ADMINISTRATION OF A CRAB POT BUOY TAG PROGRAM

Prime Sponsor: Representative Blake

(SB 6157 Senator Jacobsen)

- Crab pot buoy tags must be used by all out of state commercial coastal crab fishers.

SHB 2372: ENCOURAGING VOLUNTEERS TO TEACH HUNTER EDUCATION COURSES

Prime Sponsor: Representative Cox

- The Fish and Wildlife Commission is directed to develop non-monetary incentives for individuals who commit to serve as hunter education instructors. The incentives offered to instructors may include additional hunting opportunities.

**Signed by the Governor*

HB 2381: AUTHORIZING A BEAVER RELOCATION PERMIT

Prime Sponsor: Representative Kretz

- The Department of Fish and Wildlife is directed to work with landowners to relocate beavers.
- The department can condition the relocation to ensure the success of the program.
- Liability is not increased for the landowner or for the department.

SHB 2384: CONCERNING THE STATE GEOLOGICAL SURVEY

Prime Sponsor: Representative Dickerson

(SB 6176 Senator Fraser)

- In addition to the current duties of the state Geological Survey, which is located within the Department of Natural Resources, the Geological Survey must maintain an assessment of geological hazards in Washington. The assessment must include volcanic, seismic, landslide, and tsunami hazards.
- Technical changes are made in order to update the language and organization of the statutes governing the Geological Survey.

HB 2386: MODIFYING PROVISIONS RELATED TO THE COMMERCIAL HARVEST OF GEODUCK CLAMS

Prime Sponsor: Representative B. Sullivan

(SB 6179 Senator Jacobsen)

- The aquatic lands on which non-tribal commercial geoduck harvest may occur are expanded to include areas within 200 yards from shore, so long as such areas are at least 18 feet deep. Harvest vessels must continue to remain at least 200 yards from shore.

SHB 2416: CONCERNING STATE PARK FEES

Prime Sponsor: Representative Kessler

- Effective April 9, 2006, the State Parks and Recreation Commission may not charge fees for general park access or parking.

SHB 2958: PENALIZING PERSONS WHO VIOLATE RULES CONCERNING THE USE OF NONTOXIC SHOT

Prime Sponsor: Representative B. Sullivan

- Persons convicted of hunting waterfowl with lead shot, which is a violation of both state and federal law, will be subject to a two year hunting license revocation and a \$1,000 penalty in addition to the existing misdemeanor penalty.

SHB 3085: MAKING TECHNICAL CORRECTIONS TO CERTAIN PUBLIC LANDS STATUTES

Prime Sponsor: Representative Blake

(SB 6178 Senator Jacobsen)

- Double amendments passed in 2003 are corrected without making any substantive changes.

HJM 4031: PRESERVING SECTION 5 OF THE MARINE MAMMAL PROTECTION ACT TO PROTECT PUGET SOUND

Prime Sponsor: Representative Appleton

- The President of the United States, Congress, and the Secretary of the United States Department of Commerce are petitioned to preserve the Magnuson Amendment to the federal Marine Mammal Protection Act. The Magnuson Amendment limits the ability of the federal government to approve permits that would allow for the expansion of crude oil facilities in Puget Sound.

TRANSPORTATION

786-7300

SSB 6241: MAKING 2006 SUPPLEMENTAL TRANSPORTATION APPROPRIATIONS

Prime Sponsor: Senator Haugen

(HB 2862 Representative Murray)

- Appropriations for various transportation agencies and programs are modified for the 2005-07 biennium.

SB 6247: PROVIDING UNIFORM ADMINISTRATION OF LOCALLY IMPOSED MOTOR VEHICLE EXCISE TAXES

Prime Sponsor: Senator Haugen

- Establishes a standard administrative structure for the calculation and administration of any future, locally imposed Motor Vehicle Excise Tax.
- Initial value is defined as 85 percent of Manufacturer's Suggested Retail Price for all taxable use classes other than heavy and medium trucks. Initial value for heavy and medium trucks is defined by last purchase price.
- Two new market based, vehicle depreciation schedules are created. One is for use in determining taxable value for heavy and medium trucks. The other is to be used in determining taxable value for all other taxable use classes.

SB 6248: REQUIRING THE DEPARTMENT OF TRANSPORTATION TO REIMBURSE DRAINAGE AND DIKING DISTRICTS FOR MAINTENANCE AND REPAIRS TO DRAINAGE FACILITIES IF THE DEPARTMENT DOES NOT RESPOND TO WRITTEN NOTICE BY THE DISTRICTS

Prime Sponsor: Senator Haugen

- Commissioners of a drainage or diking district may send a written notice to the Department of Transportation (DOT) requesting repair or maintenance of a facility under DOT's jurisdiction.
- If the specified repair or maintenance is not conducted within fourteen days of DOT receiving the notice, the district commissioners may independently make the repair or complete the maintenance.
- DOT must reimburse the district for all reasonable costs incurred by the district associated with the repair or maintenance.

SSB 6287: AUTHORIZING SPECIAL PARKING PRIVILEGES FOR THE LEGALLY BLIND

Prime Sponsor: Senator Fairley

- Blindness with limited mobility is added to the list of disabilities for which the Department of Licensing must grant special parking privileges.

SB 6339: ALLOCATING FEDERAL SURFACE TRANSPORTATION PROGRAM ENHANCEMENT FUNDS

Prime Sponsor: Senator Haugen

** SB 6339 was not enacted, but a study of the issue has been required of the Joint Transportation Committee in the 2006 supplemental transportation budget (SSB 6241).*

SB 6415: ALLOWING INTERPRETERS TO ASSIST HEARING IMPAIRED PERSONS DURING DRIVER'S LICENSE EXAMINATIONS

Prime Sponsor: Senator Pridemore

- Allows a deaf or hearing impaired driver's license applicant to be accompanied during the driving skills test, at the Department of Licensing's (DOL) expense, by an interpreter chosen by the applicant from a list provided by the DOL.

SB 6486: PERMITTING COMMERCIAL DRIVER'S LICENSE RECIPROCITY AGREEMENTS

Prime Sponsor: Senator Schoesler

** SB 6486 is incorporated in its entirety into SSB 6552.*

SSB 6527: EXTENDING THE NEGOTIATION PERIOD FOR THE MILWAUKEE ROAD TRAIL

Prime Sponsor: Senator Jacobsen

(HB 3088 Representative Murray)

- The deadline for Washington State Department of Transportation (DOT) to enter into a franchise agreement for rail service over the Ellensburg to Lind portion of the old Milwaukee Road corridor is extended by three years.
- If an agreement is not entered into by July 1, 2009, the transportation corridor between Ellensburg and Lind will revert to the prior ownership and management.
- The portion of the rail corridor between Lind and the Idaho border is transferred from DOT to the State Parks and Recreation Commission effective as of the effective date of the act.

SB 6528: PERMITTING ROADSIDE TIRE CHAIN BUSINESSES

Prime Sponsor: Senator Mulliken

(HB 2875 Representative Murray)

- The Department of Transportation (DOT) may issue location-specific permits, for a fee of no more than \$50, to tire chain installers.
- Tire chain installers may charge a fee for attaching or removing tire chains.
- DOT shall not be liable for any damages relating to the actions or omissions of the chain installers.

SB 6545: REMOVING THE MINIMUM HEIGHT REQUIREMENT FOR THE ATTACHMENT OF VEHICLE LICENSE PLATES

Prime Sponsor: Senator Sheldon

(HB 2982 Representative Appleton)

- The requirement that license plates be mounted not less than one foot off of the ground is eliminated.
- The Washington State Patrol may issue exceptions to the license plate attachment requirements if the body construction of the vehicle makes compliance impossible.

SB 6549: MODIFYING COMMERCIAL VEHICLE PROVISIONS

Prime Sponsor: Senator Benson

(HB 2981 Representative Fromhold)

- The definitions of "gross vehicle weight rating" and "commercial motor vehicle" are changed to comply with federal regulations pertaining to commercial motor vehicles.
- The use of an engine compression brake device is prohibited unless the vehicle is equipped with a noise muffler, other than a turbocharger.
- The requirement that Washington State Patrol establish rules for enforcing restrictions on the use of compression brakes is eliminated.

SSB 6552: MODIFYING COMMERCIAL DRIVER'S LICENSE PROVISIONS

Prime Sponsor: Senator Benson

(HB 3000 Representative Woods)

- Washington commercial driver statutes are conformed to federal requirements. Changes include revised definitions, and expanded and clarified disqualification provisions for commercial drivers.
** SB 6486 is incorporated in its entirety into SSB 6552, as described below.*
- The Department of Licensing must, to the extent possible, enter into reciprocity agreements with adjoining states to provide certain commercial driver license waivers to drivers holding commercial driver's licenses from those adjoining states.

ESSB 6566: REVISING COMMUTE TRIP REDUCTION PROVISIONS

Prime Sponsor: Senator Eide

(ESHB 3089 Representative Murray)

- The Commute Trip Reduction (CTR) task force is replaced with the CTR Board, and the sunset date for the CTR Board is eliminated.
- Certain traffic congested areas are required to adopt a CTR plan and ordinance for major employers in the affected urban growth area.
- The CTR Board reports to the Legislature and the Governor, and is required to determine the allocation of program funds made available.

SB 6674: REQUIRING THAT FUNDS COLLECTED FROM CONSTRUCTION OF THE SECOND TACOMA NARROWS BRIDGE BE DEPOSITED IN THE TACOMA NARROWS TOLL BRIDGE ACCOUNT

Prime Sponsor: Senator Oke

- Proceeds from the sale of surplus property or liquidated damages awarded in connection with the construction of the new Tacoma Narrows Bridge are to be deposited in the Tacoma Narrows Bridge Account.

**Signed by the Governor*

ESSB 6679: INTRODUCING FEDERAL LAW PREEMPTION IN REGULATING TRAIN SPEEDS

Prime Sponsor: Senator Haugen

- The authority of the Washington Utilities and Transportation Commission to regulate train speeds is clarified and made subject to federal preemption.
- All existing slow orders that were fixed by the Commission without reference to a local safety hazard are void. A procedure is established for a railroad operator to increase speeds to federal limits, subject to a review by the Commission as to whether a local safety hazard warrants a lower limit.

SB 6680: IMPLEMENTING A BIOMETRIC MATCHING SYSTEM FOR DRIVER'S LICENSES AND IDENTICARDS

Prime Sponsor: Senator Brandland

- The implementation date for the DOL biometric matching system is delayed until two years after Washington implements the provisions of the federal Real ID Act.
- The requirement that the owner of a driver's license or personal identification card be allowed to present a personal identification number before a third party may verify the biometric data is clarified to apply to verification by governmental entities as well.

SB 6762: LIMITING THE POSTING OF HAZARDS TO MOTORCYCLES TO PAVED ROADWAYS

Prime Sponsor: Senator Mulliken

(HB 2765 Representative Buri)

- Requires road construction work zone signs to warn motorcyclists of potential hazards only in areas where the hazard exists on a paved roadway.

ESSB 6787: PROVIDING FUNDING FOR LOCAL GOVERNMENT PASSENGER FERRY SERVICE

Prime Sponsor: Senator Rockefeller

- Directs Washington State Ferries (WSF) to continue the Vashon to Seattle passenger-only ferry (POF) route until it is assumed by another entity.
- In order to qualify for POF grant funding for the Vashon to Seattle POF route, King County is required to submit a business plan to the Legislature and the Governor. If the business plan is approved by the Governor, WSF is directed to sell its two POF fast ferries (Chinook and Snohomish), the proceeds of which go to fund the POF grant program. Existing labor agreements must be honored, operations may not be contracted out, and start of operations must begin July 1, 2007 in order for the county to assume the Vashon to Seattle POF route.
- Before seeking grant funding for the Kingston to Seattle POF route, the Public Transportation Benefit Area must receive Governor approval on a business plan submitted to the Legislature and the Governor.
- County ferry district statutes are broadened so they may be formed in any county and include all ferry service types.

ESSB 6800: REFINING THE ROLES OF THE TRANSPORTATION COMMISSION AND DEPARTMENT OF TRANSPORTATION

Prime Sponsor: Senator Haugen

(HB 3179 Representative Murray)

- Restructures various state transportation agency duties including: (1) transfers certain administrative functions from the Transportation Commission to the Department of Transportation (e.g., bond issuance approval & designating highways of statewide significance); (2) provides a role for the Office of Financial Management in the long-term planning role of the Transportation Commission; and (3) repeals the Transportation Performance Audit Board.

SB 6826: EXEMPTING FEES AND CHARGES FOR PUBLIC TRANSPORTATION SERVICES FROM PUBLIC UTILITY TAXES.

Prime Sponsor: Senator Benton

- A public utility tax deduction is allowed for fare-box revenue collected by the transit agencies of counties, cities, public transportation benefit area authorities, and urban public transportation systems.
- Transit agencies must use an amount equal to the tax saving for increased service to low income and senior citizens.

ESSB 6839: MODIFYING TRANSPORTATION ACCOUNTS AND REVENUE DISTRIBUTIONS

Prime Sponsor: Senator Haugen

- Codifies planned, future transfers in support of the 2005 transportation financial plan as statutory distributions.
- Establishes the Freight Mobility Multimodal and Regional Mobility Grant Accounts. Both accounts are subject to appropriation and retain their own interest.

- Limits Capron Act fuel tax refunds to San Juan and Island Counties at the twenty-three cents per gallon rate. Fuel tax receipts from the affected counties above twenty-three cents per gallon are deposited into the Puget Sound Ferry Operations Account.
- Repeals language concerning legislative intent to re-prioritize the state transportation financial plan if a regional transportation funding plan is not adopted by 2007.

ESSB 6870: FUNDING THE BOARD OF PILOTAGE COMMISSIONERS' TRAINING PROGRAM

Prime Sponsor: Senator Haugen

- The authority of the Board of Pilotage Commissioners to pay stipends to trainees enrolled in the pilotage training program is clarified.
- The appropriation to the Board of Pilotage Commissioners is increased by \$600,000, of which \$500,000 is restricted to payment of pilotage trainee stipends.

HB 1305: AUTHORIZING BACKGROUND CHECKS BEFORE AN AUTHORIZED EMERGENCY VEHICLE PERMIT IS ISSUED

Prime Sponsor: Representative Haigh

(SB 5438 Senator Roach)

- Requires the Washington State Patrol to conduct background checks (including fingerprint checks) of applicants for authorized emergency vehicle permits.

SHB 1504: CHANGING ABANDONED VEHICLE AUCTION NOTICE REQUIREMENTS

Prime Sponsor: Representative Simpson

- A notice of public auction for the sale of abandoned vehicles must include a method to contact the tow truck operator who impounded the vehicles, and specify the length of the applicable viewing period.
- The public notice requirements for the sale of abandoned vehicles at auction are changed to allow publication in certain free circulars.
- The provisions concerning public viewing periods is changed to allow shorter viewing periods when relatively few vehicles are being auctioned.

HB 2465: MODIFYING VEHICLE EQUIPMENT STANDARDS RELATED TO ORIGINAL EQUIPMENT INSTALLED

Prime Sponsor: Representative Lovick

- Requires passenger vehicles to have a third brake light consistent with federal manufacturing standards.
- The requirement that proper authorities must prove muffler modifications result in noise amplification in excess of ninety-five decibels is also removed.

HB 2617: ALLOWING LOCAL JURISDICTIONS TO ALLOW OFF-ROAD VEHICLES TO OPERATE ON DESIGNATED CITY OR COUNTY ROADS

Prime Sponsor: Representative Kretz

- Cities with a population of less than 3,000 persons may allow the use of off-road vehicles (ORV) on streets and highways within its boundaries.
- Counties may allow the use of ORVs on roads that are direct connections between cities with a population of less than 3,000 persons and an ORV facility.
- The recreation use immunity statute applies to public landowners who allow the public to use ORV facilities.

HB 2829: MODIFYING PROVISIONS CONCERNING THE REGULATION OF DRIVER TRAINING SCHOOLS

Prime Sponsor: Representative Wallace

(SB 6550 Senator Kastama)

- Makes driver training schools subject to the Uniform Regulation of Business and Professions Act.
- Expands the definition of fraudulent business practices.
- Expands the requirements related to receiving and transferring driver training school licenses.
- Increases the requirements for receiving and holding a license as a driver training instructor.
- Makes the Department of Licensing responsible for compiling the driver training school curriculum.

ESHB 2871: MODIFYING REGIONAL TRANSPORTATION GOVERNANCE PROVISIONS

Prime Sponsor: Representative Murray

- Establishes the Regional Transportation Commission which must submit to the 2007 Legislature options for a new regional transportation governance proposal for the central Puget Sound area.
- Requires Sound Transit and the Regional Transportation Investment District to submit their transit and highway improvement plans to regional voters at the 2007 general election; both plans must pass for either to take effect.
- Requires various conditions to be met prior to construction on the SR 520 bridge replacement and Alaskan Way viaduct projects.
- Expands existing Transportation Benefit District authority to King, Pierce, and Snohomish Counties, effective December 1, 2007.

HB 2874: MODIFYING TRANSPORTATION PROJECT DESIGN-BUILD PROVISIONS

Prime Sponsor: Representative Murray

(SB 6525 Senator Benton)

- Removes the expiration date of April 2008 on transportation design-build provisions, allowing the Department of Transportation (DOT) to continue using design-build contracting.
- DOT may use design-build contracting on up to 5 pilot projects ranging from \$2 to \$10 million and evaluate the success of using design-build contracting on projects of this size.

SHB 2987: INCREASING PENALTIES FOR VEHICLE GROSS WEIGHT VIOLATIONS

Prime Sponsor: Representative Kagi

- Requires a 30-day suspension of the certificate of license registration of a vehicle on the third and succeeding overweight or out-of-service violation during a 12 month period.
- Directs the Washington State Patrol to develop recommendations for tracking overweight and out-of-service violations, in conjunction with the Administrator of the Courts, Department of Licensing, Utilities and Transportation Commission, and the trucking industry.

HB 3001: MODIFYING THE DEFINITION OF LIMOUSINE

Prime Sponsor: Representative Hudgins

(SB 6551 Senator Esser)

- Definitions of various limousine categories are deleted.
- The Department of Licensing, in consultation with the Washington State Patrol, is directed to define categories of limousines by rule.

SHB 3137: DETERMINING BENEFITS FOR SURVIVING SPOUSES OF DISABLED WASHINGTON STATE PATROL OFFICERS

Prime Sponsor: Representative Lovick

- For purposes of calculating the survivor benefit for a member who became disabled, the average final salary is based on the average monthly salary received by active members of the Washington State Patrol Retirement System (WSPRS) prior to the death of the disabled member.
- The cost of the increased contribution rates, for members disabled prior to July 1, 2006, is paid for solely by the employer.

SHB 3178: CONCERNING COLLECTIVE BARGAINING BY STATE FERRY EMPLOYEES

Prime Sponsor: Representative Murray

(SSB 6794 Senator Haugen)

- Modifies collective bargaining between ferry workers and the state beginning with bargaining for the 2007-09 fiscal biennium.
- Requires: (1) bargaining before the adoption of the biennial budget; (2) review of the funding request by the Office of Financial Management; and (3) submission of a certified funding request to the Legislature in the Governor's budget.

HB 3266: DESIGNATING STATE ROUTE NUMBER 169 AS A HIGHWAY OF STATEWIDE SIGNIFICANCE

Prime Sponsor: Representative Rodne

- Designates State Route 169 as a highway of statewide significance (HSS). Projects on a HSS are eligible to receive funding from a Regional Transportation Investment District (RTID) and are also exempt from local traffic-flow concurrency requirements.

WATER, ENERGY & ENVIRONMENT

786-7406

SSB 6141: INCLUDING THE VALUE OF WIND TURBINE FACILITIES IN THE PROPERTY TAX LEVY LIMIT CALCULATION

Prime Sponsor: Senator Honeyford

- Property taxes resulting from new county-assessed electric generation wind turbine facilities are added to the amount that may be levied under the tax levy limit.

ESSB 6151: PROTECTING AQUIFER LEVELS

Prime Sponsor: Senator Schoesler

(HB 3101 Representative Buri)

- The non-use of water in the Odessa Groundwater Management Subarea is explicitly protected for a period of fifteen years from water relinquishment laws due to conditions of drought or low flow as set forth under existing law.
- If certain conditions are met, the unused water is considered standby or reserve water supply and may be used again.
- Water users choosing not to use water must notify the Department of Ecology (DOE) in writing within 180 days of stopping water use and must also provide notice upon recommencement of use.
- DOE must report to the Legislature on the status of the Odessa aquifer, participation in the program, and the outcome of a study by the U.S. Bureau of Reclamation on feasible alternatives to Odessa groundwater use.

ESSB 6244: CHANGING PROVISIONS RELATING TO OIL SPILL PREVENTION, PREPAREDNESS, AND RESPONSE

Prime Sponsor: Senator Rockefeller

(2SHB 2593 Representative Appleton)

- The Department of Ecology (DOE) must adopt procedures for evaluating the adequacy of oil spill contingency plans held by tank, cargo, and passenger vessels, and conduct random, unannounced oil spill practice drills on those vessels.
- DOE's authority over ship refueling and bunkering, or lightering of petroleum products, is expanded to include motor vehicles conducting those activities.
- DOE is granted authority to require prior notice of certain oil transfers, to inspect oil transfers, and to require additional oil containment safeguards during oil transfers.

ESSB 6428: PROVIDING FOR ELECTRONIC PRODUCT RECYCLING

Prime Sponsor: Senator Pridemore

(SHB 2662 Representative B. Sullivan)

- A system is established for collecting, transporting, and recycling discarded personal computers and televisions. Consumers may turn in items at collection centers throughout the state, without charge.
- Manufacturers will organize and collectively pay for the system. The state, local governments, charities, retailers, and collectors will participate in public outreach. The Department of Ecology (DOE) will oversee and enforce the system.
- Manufacturers may not sell personal computers or televisions in Washington unless they register with DOE and participate in the program. Participating electronic waste collectors, transporters, and processors must also register.
- Export of unwanted, nonfunctioning electronic products, components, or scrap to certain nations is prohibited if the waste violates federal hazardous waste standards.

SSB 6473: ELIMINATING THE REQUIREMENT THAT TELECOMMUNICATIONS COMPANIES FILE PRICE LISTS

Prime Sponsor: Senator Poulsen

- Telephone companies may not file and maintain price lists at the Washington Utilities and Transportation Commission after June 30, 2007; however, this deadline may be extended one year with the commission's approval.
- A process for informing customers about the rates, terms, and conditions of any continuing services is established.

ESSB 6501: CREATING THE WASHINGTON BIOENERGY ASSISTANCE PROGRAM

Prime Sponsor: Senator Rockefeller

(HB 2775 Representative P. Sullivan)

** Substantial portions of ESSB 6501 are incorporated into E3SHB 2939.*

ESSB 6508: DEVELOPING MINIMUM RENEWABLE FUEL CONTENT REQUIREMENTS AND FUEL QUALITY STANDARDS IN AN ALTERNATIVE FUELS MARKET

Prime Sponsor: Senator Rasmussen

(ESHB 2738 Representative Holmquist)

- Establishes minimum renewable fuel sales requirements and fuel quality standards for biodiesel and ethanol.
- Creates the Biofuels Advisory Committee to advise the Department of Agriculture on technical implementation issues.
- Requires state agencies to use a minimum of 20 percent biodiesel as compared to all diesel purchases for the agencies' diesel-powered vessels, vehicles, and construction equipment.
- The Governor may temporarily suspend all or a portion of the fuel requirements by executive order.

SSB 6512: ENHANCING AIR QUALITY AT TRUCK STOPS

Prime Sponsor: Senator Fraser

- Business and occupation and sales and use tax incentives are provided for equipment designed to convey power to idling heavy duty vehicles through on-board or stand-alone electrification systems.
- Incentives are available to both businesses providing electrification services and to vehicle owners installing on-board equipment. The incentives expire on July 1, 2015.

SSB 6514: REGARDING BIODIESEL MANDATES FOR STATE AGENCIES AND CONTRACTORS

Prime Sponsor: Senator Fraser

** SSB 6514 is incorporated into ESSB 6508.*

SB 6515: PROVIDING INFORMATION ON BIOFUELS AND RENEWABLE ENERGY

Prime Sponsor: Senator Fraser

** SB 6515 was not enacted, but a similar program has been funded on a temporary basis in the 2006 Supplemental Budget Act (ESSB 6386).*

E2SB 6581: REGARDING A STUDY OF THE INSTREAM FLOWS OF THE HANFORD REACH

Prime Sponsor: Senator Poulsen

- Two hundred fifty thousand dollars is provided to the Department of Ecology to study instream flows in the Hanford Reach of the Columbia River and the impact of flows on the ecological condition of the Hanford Reach.
- The Department must report its findings by July 1, 2007.

ESSB 6776: PROHIBITING THE UNAUTHORIZED SALE OF TELEPHONE RECORDS

Prime Sponsor: Senator Finkbeiner

(SHB 3208 Representative P. Sullivan)

- It is a Class C felony to intentionally sell, knowingly purchase, or fraudulently obtain a person's telephone records without the person's permission.
- It is a gross misdemeanor to knowingly receive a person's telephone records without the person's permission.
- The Criminal Profiteering Act is amended to include the unauthorized sale or procurement of telephone records, allowing special remedies such as civil forfeiture and treble damages.

ESSB 6802: REGARDING AIR POLLUTION CONTROL AUTHORITY BOARDS

Prime Sponsor: Senator Brown

- Board membership of air pollution control authorities for single counties with a population of 400,000 or more people is revised. The three city appointees must include representatives from the two most populous cities. One county representative is also appointed. These members then elect an additional citizen member who has significant professional experience in air quality issues.
- Membership of the city selection committee consists of the mayor of each city and town within the county, except for the mayors of the most populous cities who have already designated appointees to the board.

SSB 6840: MODIFYING ENERGY EFFICIENCY PROVISIONS

Prime Sponsor: Senator Morton

(HB 3242 Representative Crouse)

- Efficiency standards for the following four products, which have been preempted by federal law, are removed from state law: illuminated exit signs, low-voltage dry-type distribution transformers, torchieres, and traffic signal modules.
- The state's efficiency standards for certain incandescent reflector lamps are changed to conform with new California standards.

SB 6861: REQUIRING A STUDY OF COMPETING INTERESTS OF DOMESTIC WATER USERS

Prime Sponsor: Senator Delvin

(HB 3141 Representative Haler)

- The Department of Ecology must report to the Legislature on issues surrounding competing users of surface water in areas where domestic water use has been curtailed by a court order and suggest legislation or other solutions for resolving conflicts over limited water resources.

ESHB 1010: CONCERNING ELECTRIC UTILITY PLANNING

Prime Sponsor: Representative Morris

- By September 1, 2008, all investor-owned and consumer-owned utilities in the state with more than 25,000 customers must develop Integrated Resource Plans (IRPs), which are analyses describing the mix of generation and conservation that will meet current and projected power needs.
- All other utilities in the state, including those that essentially receive all their power from the Bonneville Power Administration, must file less detailed "resource plans" (RPs) by the same date.
- Investor-owned utilities must file their plans with the Washington Utilities and Transportation Commission and consumer-owned utilities must file their plans with the Department of Community, Trade, and Economic Development.

ESHB 1020: REGARDING ELECTRICAL TRANSMISSION

Prime Sponsor: Representative Morris

- The jurisdiction of the Energy Facility Site Evaluation Council (EFSEC) is extended to: (1) new electrical transmission lines in excess of 115 kilovolts that connect a power plant to the region's power grid; and (2) electrical transmission facilities in excess of 115 kilovolts in corridors identified by the U.S. Department of Energy.
- When siting transmission facilities, EFSEC must not consider the fuel source of the electricity to be carried on the facilities.
- The EFSEC process is updated to include the consideration of local land use plans and reimbursements for the time a local government's designee serves on the council.

2SHB 1384: AUTHORIZING THE CONSTRUCTION AND OPERATION OF RENEWABLE ENERGY PROJECTS BY JOINT OPERATING AGENCIES

Prime Sponsor: Representative Haler

(SB 5291 Senator Poulsen)

** The bill was referred to Governmental Operations & Elections.*

3SHB 1458: CONCERNING THE MANAGEMENT OF ON-SITE SEWAGE DISPOSAL SYSTEMS IN MARINE AREAS

Prime Sponsor: Representative Hunt

(2SSB 5431 Senator Spanel)

- By July 1, 2007, local health authorities in 12 counties bordering Puget Sound must designate marine recovery areas with water quality problems and develop plans to manage septic systems in those areas. The state Department of Health will review and approve the plans and assist local health authorities in implementing them.
- By July 1, 2012, Puget Sound local health authorities must identify and correct failing septic systems.
- The Department of Ecology will fund locally-managed loan and grant programs assisting Puget Sound homeowners in repairing and replacing septic systems. The programs will give priority to low-income and financially distressed homeowners.

**Signed by the Governor*

EHB 2322: LIMITING THE PHOSPHORUS CONTENT IN DISHWASHING DETERGENT

Prime Sponsor: Representative Ormsby

- Beginning July 1, 2010, sale or distribution for sale of dishwashing detergent containing 0.5 percent or more phosphorous by weight is prohibited throughout the state. This prohibition takes effect July 1, 2008, in Clark, Spokane, and Whatcom Counties.

ESHB 2352: MODIFYING NET METERING PROVISIONS

Prime Sponsor: Representative Jeff Morris

- Net metering allows electricity customers to offset their consumption of purchased electricity with electricity generated by their own small scale renewable systems. The generating capacity of an allowable net metering system is increased to 100 kW.
- The definitions for “net metering,” “net metering systems,” and “renewable energy” are modified.
- The allowable cumulative generating capacity of net metering systems is increased to 0.25 percent of the utility's peak demand. The capacity limit is raised again, to 0.50 percent, effective 2014. Fifty percent of net metering capacity is reserved for renewable energy systems.
- The date on which unused kilowatt-hour credits are granted to the electric utility is moved from December 31 to April 30 of each year.

SHB 2370: FUNDING LOW-INCOME HOME ENERGY ASSISTANCE

Prime Sponsor: Representative Green

(SB 6285 Senator Eide)

- \$7.6 million of the Public Service Revolving Fund is transferred to the Low Income Home Energy Assistance Program (LIHEAP) for the 2005-07 biennium.

**Signed by the Governor*

SHB 2402: PROVIDING FOR EXPEDITED PROCESSING OF ENERGY FACILITIES AND ALTERNATIVE ENERGY RESOURCES

Prime Sponsor: Representative Morris

- The Energy Facility Site Evaluation Council's process for expediting applications is expanded to include alternative energy resource facilities.
- Changes are made to the expedited process, such as requiring consideration of local land use plans.

SHB 2426: MODIFYING UTILITIES AND TRANSPORTATION COMMISSION PROVISIONS

Prime Sponsor: Representative Morris

(SB 6174 Senator Poulsen)

- At the request of the remaining commissioners of the Washington Utilities and Transportation Commission, the Governor may appoint a commissioner leaving office as a pro tem commissioner to complete an adjudicative proceeding that he or she has substantially heard.
- Under specified conditions, commissioners may delegate responsibilities to designated assistants, and initial orders of the commission's administrative law judges will generally become final if no review is sought.
- Commissioners may appoint administrative law judges that are exempt from civil service laws but still subject to discipline and termination for cause.

HB 2644: INCREASING TEMPORARILY THE STATEWIDE CAP FOR THE CUSTOMER ASSISTANCE PUBLIC UTILITY TAX CREDIT

Prime Sponsor: Representative P. Sullivan

(SB 6379 Senator Poulsen)

- For fiscal year 2007, the statewide total public utility tax credit available for low-income heating assistance is raised from \$2.5 million to \$5.5 million.

SHB 2678: REAUTHORIZING THE POLLUTION LIABILITY INSURANCE AGENCY

Prime Sponsor: Representative Kagi

(2SSB 6207 Senator Rockefeller)

- The Pollution Liability Insurance Agency (PLIA) and its programs are extended until 2013. The expiration date for the petroleum products tax is also extended until 2013.
- The Director of PLIA is no longer required to evaluate the program or make recommendations to the Legislature concerning continuance of the program.

2SHB 2799: PROVIDING TAX EXEMPTIONS FOR SOLAR WATER HEATING EQUIPMENT

Prime Sponsor: Representative Chase

- Sales and use tax exemptions are provided for solar water heating systems, water heating collectors, heat exchangers, and differential controllers. The exemptions also apply to repairs, replacement parts, and related labor and services.

E2SHB 2860: REGARDING WATER RESOURCE MANAGEMENT IN THE COLUMBIA RIVER BASIN

Prime Sponsor: Representative Grant

(2SSB 6581 Senator Poulsen)

- The Columbia River Basin Water Supply Account (Supply Account) is created to assess and fund storage and conservation projects providing water benefitting both instream and out of stream uses.
- Water supply from new storage from the Supply Account is allocated two-thirds for out of stream appropriations and one-third to enhance instream flows.
- Conserved water from Supply Account expenditures is placed in trust in the same proportion as state funding used for the project. An exception is provided for conservation measures within the Odessa subarea that reduce use of ground water for existing irrigation.
- The Department of Ecology (DOE) must evaluate storage facilities and alternatives to storage and issue a report for public comment.
- Parameters and a consultation process are established for use of voluntary regional agreements. The agreements may allow for out of stream water uses if there is no negative impact in July and August for the Columbia mainstem or in April through August for the lower Snake river.
- A Columbia river water supply inventory and a long-term water supply and demand forecast must be developed. DOE must also establish a Columbia river mainstem water resources information system for effective planning and management.
- The biennial capital budget is modified to lift a prohibition on spending \$10 million previously allocated for Columbia River projects. DOE is directed to use the funds to implement the Columbia River Basin Water Supply Development Program.
- If the authority to issue general obligation bonds of at least \$200 million is not provided by June 30, 2006, the act is null and void.

**Signed by the Governor*

ESHB 2884: CONCERNING THE USE OF RECLAIMED WATER

Prime Sponsor: Representative Linville

- The Department of Ecology must adopt rules for reclaimed water use that will address all aspects of reclaimed water use, including industrial uses, surface percolation, and stream flow augmentation.
- The rules must be adopted in coordination with the Department of Health, and in consultation with an advisory committee made up of interested stakeholders.

- The Department of Ecology must make two interim progress reports to the Legislature prior to the final rule adoption in 2010.

E3SHB 2939: ESTABLISHING THE ENERGY FREEDOM PROGRAM

Prime Sponsor: Representative Grant

** Substantive portions of ESSB 6501 are incorporated into E3SHB 2939.*

- The Energy Freedom Program is established within the Department of Agriculture to provide financial and technical assistance to public entities for: (1) the construction of fixed or mobile facilities to convert farm products or wastes into electricity or gaseous or liquid fuels or other co-products; and (2) the construction of facilities used to store or distribute such feedstocks or products.
- The amount of assistance is limited to no more than 50 percent of the total cost of a project up to \$5 million.
- Contracts are required with the partners of successful applicants, which must become part of the application record.
- The director of the Department of Agriculture must submit annual reports to the governor and legislature.

2SHB 3287: STUDYING NITROGEN CONTRIBUTIONS FROM ON-SITE SEWAGE SYSTEMS IN HOOD CANAL

Prime Sponsor: Representative Chase

** 2SHB 3287 was not enacted, but the initial phase of the study has been funded in the 2006 Supplemental Budget Act (ESSB 6386).*

WAYS & MEANS

786-7715

SSB 5236: PROVIDING ADDITIONAL FUNDING TO THE PREVAILING WAGE PROGRAM OF THE DEPARTMENT OF LABOR AND INDUSTRIES BY DISCONTINUING THE TRANSFER OF MONEYS FROM THE PUBLIC WORKS ADMINISTRATION ACCOUNT TO THE GENERAL FUND-STATE ACCOUNT

Prime Sponsor: Senator Kohl-Welles

(HB 1308 Representative Conway)

- Ends the transfer of thirty percent of revenues in the public works administration account to the state general fund, effective July 1, 2007.

SSB 6230: EXTENDING THE STATE SALES AND USE TAX CREDIT FOR CERTAIN PUBLIC FACILITIES DISTRICTS

Prime Sponsor: Senator Parlette

(SHB 2447 Representative Condotta)

- The 0.033 percent sales and use tax that is credited against the state tax for a regional center is extended to public facilities districts created before July 1, 2006, in a county or counties in which there are no other public facilities districts on the effective date of the bill and in which the total population in the public facilities district is greater than ninety thousand that commences construction of a new regional center before February 1, 2007.

SB 6338: REGARDING THE PROPERTY TAX EXEMPTION FOR SENIORS AND FOR PERSONS RETIRED DUE TO DISABILITY

Prime Sponsor: Senator Haugen

- The land eligible for the senior citizen property tax exemption program is increased from one acre to five acres if zoning requires this larger parcel size.

SB 6280: REMOVING THE IRREVOCABLE DEDICATION REQUIREMENT FOR EXEMPTION FROM PROPERTY TAXES FOR NONPROFIT ENTITIES

Prime Sponsor: Senator Regala

- The irrevocable dedication requirement for property tax exemption for nonprofit organizations is eliminated.

SB 6368: DISCONTINUING THE NURSING FACILITY BED TAX

Prime Sponsor: Senator Haugen

- Repeals the nursing home bed tax effective July 1, 2007.
- The tax is currently \$5.25 per patient per day, which is equivalent to \$1,916 per nursing home resident per year.
- The tax was first imposed in 2003.

SSB 6369: PROVIDING EXCISE TAX EXEMPTIONS FOR WATER SERVICES PROVIDED BY SMALL WATER SYSTEMS

Prime Sponsor: Senator Haugen

- Water systems, irrigation districts, and public utility districts with fewer than 1500 connections and which charge a rate exceeding 125 percent of the statewide average water rate are exempt from the public utility and B&O (Business and Occupation) tax.

- Water systems operated by qualified satellite management agencies with fewer than 200 connections and which charge a rate exceeding 125 percent of the statewide average water rate are exempt from the public utility and B&O tax.

ESSB 6384: ADOPTING THE 2006 SUPPLEMENTAL CAPITAL BUDGET

Prime Sponsor: Senator Fraser

- The 2005-07 biennial capital appropriations for various agencies and programs are modified. For additional information, see "Supplemental Capital Budget Summary" published by the Senate Ways & Means Committee. The information is also available on the Internet at www.leg.wa.gov/senate/scs/wm/.

ESSB 6386: MAKING 2006 SUPPLEMENTAL OPERATING APPROPRIATIONS

Prime Sponsor: Senator Prentice

- The 2005-07 biennial appropriations for various agencies and programs are modified. For additional information, see "Supplemental Operating Budget Summary" and "Statewide Summary and Agency Detail" published by the Senate Ways & Means Committee. The information is also available on the Internet at www.leg.wa.gov/senate/scs/wm/.

SB 6453: ESTABLISHING A ONE THOUSAND DOLLAR MINIMUM MONTHLY BENEFIT FOR CERTAIN PLAN 1 MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND CERTAIN PLAN 1 MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM

Prime Sponsor: Senator Mulliken

(HB 2687 Representative Bailey)

- The \$1,000 minimum monthly benefit that is available to members of the Public Employees' Retirement System Plan 1 and the Teachers' Retirement System Plan 1, who have at least 25 years of service credit and have been retired at least 20 years, is extended to members who have at least 20 years of service credit and have been retired for at least 25 years.
- An escalator of 3 percent per year is added to the \$1,000 minimum benefit.

SSB 6533: PROVIDING A BUSINESS AND OCCUPATION TAX CREDIT FOR SYRUP TAXES PAID BY A BUSINESS

Prime Sponsor: Senator Prentice

(SHB 2758 Representative Ericks)

- A buyer of carbonated beverage syrup to be used by the buyer in making carbonated beverages that are sold by the buyer may claim a credit against business and occupation tax for carbonated beverage syrup taxes paid after July 1, 2006, in respect to the syrup. The credit is equal to 25 percent of the amount paid from July 1, 2006, through June 30, 2007, 50 percent from July 1, 2007, through June 30, 2008, 75 percent from July 1, 2008, through June 30, 2009, and 100 percent after June 30, 2009.

SB 6541: REGARDING APPEAL BOND REQUIREMENTS AGAINST SIGNATORIES OF THE TOBACCO MASTER SETTLEMENT AGREEMENT

Prime Sponsor: Senator Prentice

- In any civil litigation involving a tobacco manufacturer participating in the national master tobacco settlement agreement, the surety bond to be required to stay execution of judgement shall not exceed one hundred million dollars, regardless of the value of the judgement, unless the court finds that the party is dissipating assets to avoid payment of the judgement.

SSB 6671: CLARIFYING THE APPLICATION OF TAXES TO THE FINANCIAL ACTIVITIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS

Prime Sponsor: Senator Doumit

(SHB 3059 Representative Grant)

- A professional employer organization is defined as a firm providing employee related services to clients where the client's employer rights, duties, and obligations have been allocated between the client and the professional employer organization.
- Professional employer organizations pay B&O tax at the 1.5 percent service rate. A deduction is provided from gross income for amounts representing the actual cost of wages and salaries, benefits, workers compensation, payroll taxes, withholding, and other assessments paid on behalf of the client.

SSB 6686: AUTHORIZING A LOCAL SALES AND USE TAX THAT IS CREDITED AGAINST THE STATE SALES AND USE TAX

Prime Sponsor: Senator Prentice

- Beginning July 1, 2007, a city with a population less than 400,000 and which is located in a county with a population greater than 600,000 that annexes an area consistent with its comprehensive plan may impose a sales or use tax. The tax must be taken as a credit against the sales tax, so it will not be an additional tax to a consumer.
- In order to qualify for the tax, the city commences annexation of an area having a population of over 10,000 prior to January 1, 2010, and must determine by resolution or ordinance that the projected cost to provide services to the annexation area exceeds the projected revenue from the annexation area.
- The rate of the tax is 0.1 percent for each annexation area with a population over 10,000 and 0.2 percent for an annexation area over 20,000. The maximum rate of credit the city can impose is 0.2 percent. The tax imposed must only be imposed at the beginning of a fiscal year and must continue for no more than ten years from the date it is imposed.
- All revenue from the tax must be used to provide, maintain, and operate municipal services for the annexation area.

SB 6723: DETERMINING THE RETIREMENT ALLOWANCE OF A MEMBER WHO IS KILLED IN THE COURSE OF EMPLOYMENT

Prime Sponsor: Senator Eide

(SHB 2934 Representative Simpson)

- Surviving spouses of members of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2 (LEOFF 2) who were killed in the line of duty may purchase medical insurance coverage through the Public Employee Benefits Board (PEBB).
- Insurance premiums for surviving spouses' medical insurance that is purchased in this way are paid from the LEOFF 2 fund, not by the surviving spouses.

SSB 6781: MODIFYING THE EXCISE TAXATION OF ENVIRONMENTAL REMEDIATION SERVICES

Prime Sponsor: Senator Prentice

- The retail sales tax does not apply to the sale of labor or services for environmental remedial action.
- The business and occupation tax rate for businesses performing environmental remedial actions is set at the retailing rate of 0.471 percent.
- "Environmental remedial action" includes services related to identification, investigation, or cleanup of hazardous substances.
- The provisions of the bill expire July 1, 2010.

SSB 6874: PROVIDING TAX INCENTIVES FOR THE TIMBER AND TIMBER PRODUCTS INDUSTRIES

Prime Sponsor: Senator Doumit

(HB 3286 Representative Blake)

- The business and occupation (B&O) tax rate is reduced for extracting or extracting for hire timber, or manufacturing or processing for hire logs, wood chips, sawdust, wood waste, pulp, recycled paper products, paper and paper products, dimensional lumber, and engineered wood products, plywood, wood doors, and wood windows. The reduced B&O rate also applies to wholesales of these products by the extractors and manufacturers.
- The reduced B&O tax rate is 0.4235 percent from July 1, 2006, to July 1, 2007, and 0.2904 percent applies from July 1, 2007, to July 1, 2024. The preferential tax rate expires July 1, 2024.
- A 0.052 percent surcharge is imposed July 1, 2007, on these taxpayers for implementation of the state's forests and fish report which is suspended when the surcharge collections reach \$8 million in the biennium or the federal budget appropriates at least \$2 million for tribal participation in forest and fish related activities.
- Taxpayers using the reduced tax rate are required to file an annual accountability survey.

ESSB 6896: FUNDING STATE BUDGETARY RESERVES INCLUDING AN ADJUSTMENT TO THE STATE EXPENDITURE LIMIT

Prime Sponsor: Senator Prentice

- Budgetary reserves are established for the Health Services Account, the Student Achievement Fund, and the state's retirement systems.
- The Pension Funding Stabilization Account is established for the purpose of the unfunded actuarial liabilities of state retirement systems. Three hundred fifty million dollars is appropriated for this purpose. Two hundred million dollars is appropriated from the state General Fund to the Health Services Account. Two hundred seventy-five million dollars is appropriated from the state General Fund to the Student Achievement Fund.
- The state expenditure limit for Fiscal Year 2006 is declared to be the expenditure limit as adopted at the November 2005 meeting of the Expenditure Limit Committee and adjusted upward to include these appropriations.
- The authority of the Legislature to increase state revenues without a two-thirds vote is terminated on June 30, 2006.

EHB 1069: REQUIRING PERFORMANCE AUDITS FOR TAX PREFERENCES

Prime Sponsor: Representative McIntire

- The Citizen Commission for Performance Measurement of Tax Preferences is established.
- The commission must develop a schedule for the Joint Legislative Audit and Review Committee to conduct a review of all tax preferences at least once every 10 years.

SHB 1510: MODIFYING THE PROPERTY TAXATION OF NONPROFIT ENTITIES

Prime Sponsor: Representative Morris

- Exceptions to the prohibition on the use of property-tax-exempt property of nonprofit organizations are expanded.

- The days a nonprofit public assembly hall or meeting place or a war veterans organization may loan or rent its property-tax-exempt property for gain or to promote business activities is increased from 7 to 15 days per year.
- Counties in which a public assembly hall or meeting place property-tax-exempt property may be used for dance or music lessons and art classes is increased from 10,000 to 20,000 in population.
- Nonprofit social service organizations in counties with less than 20,000 population may loan or rent their property-tax-exempt property for gain or to promote business activities for 15 days per year if there is no private for-profit facility that could be used within 10 miles and may loan or rent their property to a nonprofit community group for 15 days per year if the community derives a benefit.

SHB 2333: PROVIDING PARITY FOR HOME CARE AGENCY WORKERS

Prime Sponsor: Representative Green

(SB 6145 Senator Keiser)

- Agency homecare payment rates are to be automatically increased to account for all the same increases in wages, benefits, or other compensation that, as a result of collective bargaining or binding arbitration, are funded for individual homecare providers.

**Signed by the Governor*

HB 2364: CREATING A USE TAX EXEMPTION WHEN CONVERTING OR MERGING A FEDERAL, FOREIGN, OR OUT-OF-STATE CREDIT UNION INTO A STATE CHARTER

Prime Sponsor: Representative Santos

(SB 6132 Senator Prentice)

- A use tax exemption is provided for personal property and services that are acquired by a state credit union from a federal, out-of-state, or foreign credit union as a result of a conversion or merger.

**Signed by the Governor*

HB 2544: AUTHORIZING PROJECT LOANS RECOMMENDED BY THE PUBLIC WORKS BOARD

Prime Sponsor: Representative P. Sullivan

(SB 6210 Senator Fraser)

- The bill authorizes 51 public works project loans totaling \$181 million, including:
- Eleven domestic water projects totaling \$33 million,
- Thirty-one sanitary sewer projects totaling \$129 million,
- Three storm water projects totaling \$10 million, and
- Six road projects totaling \$10 million.
- The final bill combined the public works projects from HB 2337 and HB 2544 (companion bills SB 6150 and 6210) into one list of approved projects.

SHB 2569: LOWERING THE INTEREST RATE FOR THE PROPERTY TAX DEFERRAL PROGRAM

Prime Sponsor: Representative Morrell

- The interest rate charged on property taxes deferred under the senior citizen property tax deferral program is reduced from 8 percent to 5 percent.
- The Department of Revenue must study and report on the adequacy and appropriateness of the interest rate in 2012.

HB 2580: PROVIDING EXCISE TAX RELIEF FOR PERSONS THAT PROCESS CANNED SALMON

Prime Sponsor: Representative Upthegrove

** HB 2580 is incorporated in its entirety into EHB 3159.*

SHB 2608: DEFINING PERFORMANCE OF DUTY FOR THE VOLUNTEER FIRE FIGHTERS' AND RESERVE OFFICERS' RELIEF AND PENSION ACT

Prime Sponsor: Representative Curtis

- The definition of "performance of duty" or "performance of service," as used to determine eligibility for relief benefits for members injured in the line of duty in the Volunteer Fire Fighters' and Reserve Officers' Relief and Pension System, is amended to include other officially assigned secondary duties, such as maintenance, inspection, fundraising, and education activities.
- This allows members injured while engaged in these secondary duties to receive benefits from the system.

**Signed by the Governor*

SHB 2670: AUTHORIZING HOSPITAL BENEFIT ZONE FINANCING

Prime Sponsor: Representative Kilmer

(SB 6395 Senator Oke)

- Local governments may finance public improvements within a defined area using revenue from a local sales and use tax up to 6.5 percent credited against the state sales and use tax.
- The defined area must include a hospital that has received a Certificate of Need.
- The tax must be suspended each fiscal year when the amount collected equals the amount of local matching funds, the increase in state sales taxes in the area, or \$2 million.
- The tax must be used for bonds.
- The credit is capped statewide at \$2 million per year.

HB 2671: PROVIDING EXCISE TAX RELIEF BY MODIFYING DUE DATES AND ELIMINATING AN ASSESSMENT PENALTY

Prime Sponsor: Representative Ericks

(SB 6385 Senator Prentice)

- Taxpayers filing monthly excise tax returns are required to report and pay taxes by the 25th of the month rather than the 20th.
- The 5 percent assessment penalty is only assessed on businesses if they "substantially underpay" taxes due which is defined as less than 80 percent of the tax due and is greater than \$1,000.
- The deadline that an electronics funds transfer payment for taxes due is delayed from 5:00 p.m. on the due date to 11:59 p.m.

ESHB 2680: PURCHASING SERVICE CREDIT IN PLAN 2 AND PLAN 3 OF THE TEACHERS' RETIREMENT SYSTEM FOR PUBLIC EDUCATION EXPERIENCE PERFORMED AS A TEACHER IN A PUBLIC SCHOOL IN ANOTHER STATE OR WITH THE FEDERAL GOVERNMENT

Prime Sponsor: Representative Conway

(SB 6458 Senator Pridemore)

- Members of Plan 2 or Plan 3 of the Teachers' Retirement System (TRS 2 or 3) are allowed to purchase up to 7 years of service credit in TRS for time spent teaching in another state.
- Members choosing to purchase credit for out-of-state service must pay the full actuarial cost of the resulting benefit improvement.

- Employers have the option to pay some or all of the cost for a member who chooses to purchase service credit under the terms of this act.

HB 2681: ESTABLISHING MINIMUM CONTRIBUTION RATES FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THE PUBLIC SAFETY EMPLOYEES' RETIREMENT SYSTEM, THE SCHOOL EMPLOYEES' RETIREMENT SYSTEM, AND THE TEACHERS' RETIREMENT SYSTEM

Prime Sponsor: Representative Conway

(SB 6452 Senator Fraser)

- Minimum employer contribution rates for the amortization of the Plan 1 unfunded liabilities are established, beginning in Fiscal Year 2010.
- These minimum rates, which are collected in addition to the regular employer contributions, are 2.68 percent in the Public Employees', School Employees', and Public Safety Employees' Retirement Systems (PERS, SERS, and PSERS) and 4.71 percent in the Teachers' Retirement System (TRS).
- Actuarial standards for minimum regular contribution rates for both employers and employees in PERS, TRS, and SERS Plans 2 and 3 are also established.

SHB 2684: ALLOWING VESTING AFTER FIVE YEARS OF SERVICE IN THE DEFINED BENEFIT PORTION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THE SCHOOL EMPLOYEES' RETIREMENT SYSTEM, AND THE TEACHERS' RETIREMENT SYSTEM PLAN 3

Prime Sponsor: Representative Fromhold

(SB 6450 Senator Pridemore)

- The amount of service credit that a member of Plan 3 of the Public Employees', Teachers', or School Employees' Retirement System (PERS 3, TRS 3, or SERS 3) must earn to be eligible for a retirement allowance is reduced to 10 years, or 5 years including one year earned after age 44.
- This requirement, known as a vesting requirement, was previously 10 years or 5 years including one year earned after age 54.

ESHB 2685: MAKING CHANGES TO GENERAL PROVISIONS IN THE PUBLIC SAFETY EMPLOYEES' RETIREMENT SYSTEM

Prime Sponsor: Representative Fromhold

(SB 6449 Senator Fraser)

- The requirement in the Public Safety Employees' Retirement System (PSERS) that an employee's job title be listed in the statutory list of eligible positions in order to join the system is removed.
- A new set of eligibility criteria based on job duties is created to replace the job title requirement.
- Effectively, to join PSERS, an employee must either be authorized to investigate crimes, make arrests, and carry a firearm or be a correctional or probation officer.

SHB 2688: ADDRESSING THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM PLAN 1

Prime Sponsor: Representative Fromhold

(SB 6447 Senator Pridemore)

- The 60 percent cap that applied to the benefit that members could accumulate in the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 1 (LEOFF 1) is removed.
- Currently, active members can earn a benefit in excess of 60 percent of their average final salary.
- The Governor is directed to establish a joint executive task force to study the funding of post-retirement medical benefits for LEOFF 1 members.

- The task force shall recommend private or public funding vehicles through which voluntary employer contributions and possibly transfers of excess pension funds may be used to fund LEOFF 1 retirees' medical benefits.

HB 2690: PERMITTING MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THE TEACHERS' RETIREMENT SYSTEM, THE SCHOOL EMPLOYEES' RETIREMENT SYSTEM, THE PUBLIC SAFETY EMPLOYEES' RETIREMENT SYSTEM, PLAN 1 OF THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM, AND THE WASHINGTON STATE PATROL RETIREMENT SYSTEM TO MAKE A ONE-TIME PURCHASE OF ADDITIONAL SERVICE CREDIT

Prime Sponsor: Representative Crouse

(SB 6457 Senator Pridemore)

- Members of Plan 1 of the Public Employees', Teachers', and Law Enforcement Officers' and Fire Fighters' Retirement Systems (PERS 1, TRS 1, and LEOFF 1) and members of all plans within the School Employees', Public Safety Employees', and Washington State Patrol Retirement Systems (SERS, PSERS, and WSPRS) are allowed to purchase up to 5 years of service credit.
- A member who chooses to purchase service credit must pay the full actuarial cost of his or her resulting benefit increase.
- Members of Plans 2 and 3 of PERS and TRS were already able to purchase service credit.

SHB 2691: CREATING OPTIONAL PUBLIC RETIREMENT BENEFITS FOR JUSTICES AND JUDGES

Prime Sponsor: Representative Crouse

(SSB 6455 Senator Fraser)

- An enhanced retirement benefit is created for judges belonging to the Public Employees' and Teachers' Retirement Systems (PERS and TRS).
- Judges in Plan 1 or 2 of PERS or TRS earn a retirement allowance equal to 3.5 percent of their final salary for each year of service rather than the standard 2 percent per year, while judges in PERS or TRS Plan 3 earn 1.6 percent per year rather than the usual 1 percent per year.
- The current supplemental retirement benefit available to judges belonging to PERS and TRS, called the Judicial Retirement Account (JRA), is eliminated, except for judges currently enrolled in the JRA program who do not wish to participate in the enhanced retirement allowance program.
- Participating judges must make the additional contributions required to fund the benefit enhancement.

EHB 2716: MODIFYING PROVISIONS RELATING TO NURSING FACILITY MEDICAID PAYMENT SYSTEMS

Prime Sponsor: Representative Fromhold

(SB 6430 Senator Keiser)

- Increases nursing home payment rates an average of 6.0 percent next year by making the following statutory changes: (1) rebases the direct care and operations rate components to reflect calendar year 2003 reported costs; (2) eliminates the minimum occupancy requirement for the direct care rate; (3) raises the direct care allowable cost limit to 112 percent of the industry median (from 110 percent now); and (4) assures that certain facilities will not receive lower direct care and operations payment rates next year than they do this.

SHB 2804: MODIFYING THE PROPERTY TAX EXEMPTION FOR NONPROFIT SCHOOLS AND COLLEGES

Prime Sponsor: Representative Conway

(SB 6564 Senator Zarelli)

- Nonprofit schools and colleges can be used in the following manner without losing their property tax exemption: (1) the property may be used by students, alumni, faculty, staff, or other persons consistent with the educational, social, or athletic programs of the school or college; (2) the school or college may contract for school-related programs or services, such as food services for students; and (3) the school or college may allow uses for gain or to promote business for 7 days a year for each portion of the property. Sports or educational camp or program uses conducted by faculty members do not count against the 7 days.

SHB 2836: CREATING THE READING ACHIEVEMENT ACCOUNT

Prime Sponsor: Representative Sommers

- A Reading Achievement Account (RAA) is created in the custody of the State Treasurer as a non-appropriated but allotted fund.
- Funds deposited into the RAA include state appropriations and non-state monies received by the Department of Early Learning for reading achievement, including reading foundations and implementation of research-based reading models.

HB 2879: MODIFYING THE ELECTRONIC ADMINISTRATION OF THE REAL ESTATE EXCISE TAX

Prime Sponsor: Representative McIntire

(SB 6577 Senator Prentice)

- The bill ensures only one five dollar fee applies to a single transaction for real estate excise tax electronic technology.
- The bill makes sure that counties do not receive double reimbursement for technology expenses from the real estate excise tax technology account and from the grant program administered by the Department of Revenue.
- County treasurers are required to pay state real estate excise tax revenue to the State Treasurer by noon on the last working day of each month instead of 5:00 p.m.

SHB 2880: CLARIFYING THE TAXATION OF INSURERS

Prime Sponsor: Representative McIntire

(SSB 6578 Senator Pridemore)

- The Legislature finds that the insurance premiums tax is intended to be in lieu of any other tax imposed on the privilege of conducting an insurance business, but not in lieu of property taxes or retail sales taxes.
- The Legislature further finds that exemption of insurers from retail sales tax on services is unintentional, would be inequitable, and would be inconsistent with other excise tax statutes.
- State and local excise taxes on the sale of services and extended warranties are expressly added to the statutory list of taxes that apply to insurers. This provision applies both prospectively and retroactively.

HB 2932: ESTABLISHING A CATASTROPHIC DISABILITY ALLOWANCE UNDER THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM, PLAN 2

Prime Sponsor: Representative Darneille

(SB 6722 Senator Franklin)

- A new level of disability benefit is established in the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2 (LEOFF 2) for members that are so thoroughly disabled in the line of duty as to be unable to participate in any substantial gainful activity.
- The new benefit, which is not subject to the federal income tax, is equal to 70 percent of the member's pay prior to the time of disability.
- The 70 percent disability allowance is coordinated with other payments, such as Workers' Compensation, to prevent a disabled member from earning more than he or she would have as an active employee.

SHB 2933: ADDRESSING DEATH BENEFIT PAYMENTS FOR LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM, PLAN 2

Prime Sponsor: Representative P. Sullivan

(SSB 6724 Senator Parlette)

- Extends eligibility for the \$150,000 lump sum benefit that is payable to surviving spouses of members of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2 (LEOFF 2) who are killed as a result of injuries sustained in the line of duty to the surviving spouses of LEOFF 2 members who die as a result of illnesses contracted in the course of duty.

SHB 2976: IMPLEMENTING A COLLECTIVE BARGAINING AGREEMENT WITH WESTERN WASHINGTON UNIVERSITY

Prime Sponsor: Representative Sommers

- The collective bargaining agreement reached after the end of the 2005 legislative session by Public School Employees (PSE) and Western Washington University (WWU) regarding the Professional Technical Employees bargaining unit is ratified.
- Salary provisions of the agreement include a cost-of-living adjustment (COLA) of 3.2 percent to be applied retroactively to July 1, 2005, and a 1.6 percent COLA to be effective July 1, 2006.

**Signed by the Governor*

SHB 3137: DETERMINING BENEFITS FOR SURVIVING SPOUSES OF DISABLED WASHINGTON STATE PATROL OFFICERS

Prime Sponsor: Representative Lovick

- Enhances the formula used to calculate the survivor benefit that is paid the spouse of a member of the Washington State Patrol Retirement System (WSPRS) who was disabled in the line of duty.
- The new formula uses the prevailing wage of active state patrol members at the time of the disabled member's death, rather than the member's salary at the time of disability.
- Members of WSPRS are not required to share the cost associated with the benefit improvement for spouses of members who were disabled prior to July 1, 2006.

EHB 3159: MODIFYING THE EXCISE TAXATION OF FOOD PRODUCTS

Prime Sponsor: Representative Linville

- The business and occupation (B&O) tax exemption, sales and use tax deferral on manufacturing facilities, and warehouse tax remittance adopted for fruit and vegetable products in 2005 is extended to seafood and dairy product manufacturing.
- The tax exemptions for fruit and vegetable, seafood and dairy product manufacturing, and warehousing is terminated July 1, 2012.
* *HB 2580 is incorporated in its entirety into EHB 3159, as described below.*
- The B&O tax rate on persons that inspect, test, and label canned salmon owned by another person is reduced from 1.5 percent to 0.484 percent and sales and use tax exemptions are provided for materials used in the labeling or packaging of canned salmon.

SHB 3164: INCREASING THE HEAD OF A FAMILY PERSONAL PROPERTY TAX EXEMPTION AMOUNT

Prime Sponsor: Representative Kilmer

- The personal property tax exemption for a head of family is increased from \$3,000 to \$15,000 for taxes payable in 2007 and thereafter.

SHB 3190: PROVIDING TAX INCENTIVES TO SUPPORT THE SEMICONDUCTOR CLUSTER IN WASHINGTON STATE

Prime Sponsor: Representative Wallace

(SB 6812 Senator Zarelli)

- A preferential business and occupation tax rate of 0.275 percent for manufacturing semiconductor materials is provided for a twelve-year period.
- A sales and use tax exemption for gases and chemicals used in manufacturing semiconductor materials is provided for a twelve-year period.
- The act is contingent on at least a \$350 million investment in an advanced semiconductor materials fabrication facility.

SHB 3282: RELATING TO THE HOOD CANAL AQUATIC REHABILITATION ACCOUNT

Prime Sponsor: Representative Eickmeyer

- The bill creates a dedicated account (Hood Canal Aquatic Rehabilitation Account) for programs and projects that protect and restore the Hood Canal.(SB 6462 Senator Shin)
- State and local sales and use taxes are deferred for investments in construction or renovation of structures, or machinery and equipment, used for biotechnology product or medical device manufacturing.
- Persons claiming a tax incentive under the bill must file an annual report with the Department of Revenue. Failure to submit a survey in any year will result in a forfeit of the tax incentive for that year.

ESHB 3316: AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS

Prime Sponsor: Representative Dunshee

(SSB 6898 Senator Fraser)

- Authority to issue general obligation bonds is provided for (1) \$59.3 million to expand prison capacity; (2) \$200 million for the Columbia River Basin Water Supply Development Program created in Engrossed Second Substitute House Bill 2860; (3) \$6.9 million of bonds for the rehabilitation of state parks on the Hood Canal; and (4) \$7.4 million for rehabilitation of state parks on the Puget Sound.

**HJR 4223: AMENDING THE STATE CONSTITUTION TO INCREASE THE PERSONAL
PROPERTY TAX EXEMPTION FOR THE HEAD OF A FAMILY**

Prime Sponsor: Representative Kilmer

- The maximum personal property tax exemption allowed under the State Constitution for a head of family is increased from \$3,000 to \$15,000.