

WASHINGTON STATE SENATE

Committee Services



1996

Interim Projects and Meetings



Washington State Senate

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Senate Committee Services

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This booklet contains a listing of the studies and projects and meetings planned by the standing committees of the Washington State Senate for the 1996 interim. Much of the work has already begun. Some will start later in the year. Projects may be added as new issues emerge, causing staff resources to be reallocated. The list should be viewed as a dynamic one that represents the best guess of priorities as of this date but is flexible enough to accomodate new items.

A few committees were able to indicate full meeting schedules. Most could not. The Senate has tentatively scheduled general committee assemblies for **August 1-2**, **September 19-20**, and **December 5-6**. Most Senate committees will meet in Olympia on those dates.

The name of the lead staff is identified with each project and all staff and phone numbers from every committee are included following the projects. Please feel free to contact any of the committee staff, including myself, for additional information.

Edward D. Seeberger

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SENATE COMMITTEE ON AGRICULTURE AND AGRICULTURAL TRADE AND DEVELOPMENT

Senator Marilyn Rasmussen, Chair

DAIRY WASTE MANAGEMENT PROGRAM

A committee hearing will be held to obtain a progress report from state agencies, dairy farmers and interested citizens on the dairy waste management program established and funded in 1993. Existing funding has been nearly fully utilized. The existing statutory complaint and referral process to the state Conservation Commission for preparation of management plans contains specific timeframes for action and may continue to be an ongoing mandated obligation.

The study would evaluate the need for extending the program and identify alternative sources of funding once existing funding has been fully expended. Committee meeting - June. *(Bob Lee)*

REVIEW OF PRESENTLY UNUSED AGRICULTURAL STATUTES

Agricultural statutes have been enacted over several decades and some of these have not been utilized for a number of years. Some advocate that fewer laws are needed and the existence of unused laws cause confusion to the agricultural community and the public. This interim study will review agricultural related statutes and determine whether they are currently being used. Those that are not being used would be identified so the committee can evaluate the advantages and disadvantages of retaining these statutes. Initial report to committee - June. *(Bob Lee)*

REVIEW OF THE STRATEGIC PLAN OF THE DEPARTMENT OF AGRICULTURE

The Department of Agriculture is in the process of conducting a performance review of programs that it is charged with administering to determine whether the programs are being effectively and efficiently administered. The committee will review the department's report. *(Bob Lee)*

PESTICIDE TRAINING REQUIREMENTS

Review status, in conjunction with work being done with the Department of Agriculture, of required hours of training for license recertification of commercial and private applicators. The department will report to the committee in August or September. *(Bob Lee)*

REGISTRATION OF PESTICIDES

Monitor the work and accomplishments of the Pesticide Registration Commission relating to availability of pesticides for minor crops. *(Bob Lee)*

Review activities of the Department of Agriculture relating to workload levels, adequacy of funding and staff for approval of requests for special local needs and emergency use certifications. Review issue at August 1 committee meeting. *(Bob Lee)*

WEED CONTROL

Committee tour of emerging and priority noxious weed control problems in the state. Tour mid-July. *(Vic Moon)*

Review studies by the state Weed Board prepared in accordance with section 73, SSB 5315, regarding control of weeds on state lands, and alternative funding options. *(Vic Moon)*

FEDERAL FARM PROGRAM CHANGES

Congress is expected to finalize changes to the federal farm program this spring. Changes to the program affect a substantial portion of crops and agricultural products produced in the state. The activity will consist of two components: (1) being briefed on changes in the federal farm program to Washington agricultural industry; and (2) to determine whether changes to state laws are needed to conform with the new federal law. *(Bob Lee)*

LIVESTOCK IDENTIFICATION

Monitor the livestock brand inspection program relating to maintaining adequate resources to efficiently administer the program. *(Bob Lee)*

Work with the recreational horse community to devise a system allowing the increased use of microchips for identification of horses. Review issues of standards for and availability of universal microchip scanners and access to data bases for microchip numbers. *(Bob Lee)*

STREAMLINING PESTICIDE REGULATIONS

Monitor work resulting from legislation enacted in 1996 relating to the development of common rules by the Department of Agriculture and the Department of Labor and Industries relating to pesticide regulations and on the development of an interagency agreement on procedures to investigate pesticide complaints. The legislation requires that a progress report is required to be submitted to both the agriculture and labor committees in the House and Senate by December 1, 1996. *(Bob Lee)*

AGRICULTURAL FIELD BURNING

Monitor activities relating to researching alternatives to burning turf grasses for seed production. *(Bob Lee)*

CONTROL OF ASIAN GYPSY MOTH

Monitor activities of the Department of Agriculture relating to controlling Asian Gypsy Moth funded by the 1996 supplemental budget. *(Vic Moon)*

CRITICAL ANIMAL HEALTH AND FOOD SAFETY ISSUES

Review state programs relating to reporting and tracking of highly dangerous animal diseases to reduce the health threat to animals and humans. *(Bob Lee)*

INTEGRATED PESTICIDE MANAGEMENT DEFINITIONS

Develop information about various definitions of integrated pesticide management and whether there is a need to develop a universal definition. *(Vic Moon)*

AGRICULTURAL WORKER SAFETY ISSUES

Monitor work on the simplification of agricultural worker safety rules by the Department of Labor and Industries. *(Bob Lee)*

AGRICULTURAL BUSINESS AND OCCUPATION TAX ISSUES

Audits performed by the Department of Revenue have raised issues regarding the appropriate business and occupation tax treatment for specific types of agricultural activities. Information will be assembled for additional analysis. *(Vic Moon)*

GRAZING STATE LAND

Monitor grazing activities and implementation of grazing standards on state owned lands. *(Vic Moon)*

MEETINGS AND ACTIVITIES

Early June - Committee meeting

1. Review of Dairy Waste Management Program
2. Review of Presently Unused Agricultural Statutes

Mid-July - Committee tour - Emerging and priority noxious weed control problems

Other meetings - To be announced.

COMMITTEE STAFF	
Bob Lee, Analyst	786-7404
Vic Moon, Analyst	786-7469
Dixie Imus, Leg. Assistant	786-7462

SENATE COMMITTEE ON ECOLOGY AND PARKS
Senator Karen Fraser, Chair

WATER RESOURCES

1. Assist in staffing the study of water transfers by the Joint Select Committee on Water Resources created by HCR 4424. *(Gary Wilburn)*
2. Hydraulic continuity--review of legal and scientific issues, and proposals for guidance in water resource administration. *(Gary Wilburn)*
3. Procedures and doctrines regarding water rights relinquishments (and the relationship of the Claims Registration Act). *(Gary Wilburn)*
4. Review alternative proposals for administrative regulatory authority following the Sinking Creek decision and alternative dispute regulation mechanisms, including alterations in appeals. *(Gary Wilburn)*
5. General stream adjudications--procedures, costs, relationship to other court proceedings regarding water rights, role of referees, and relationship to watershed planning. *(Gary Wilburn)*
6. Progress, successes and setbacks in regionally-based watershed planning. *(Kari Guy, Gary Wilburn)*
7. Monitor proceedings of the Western Water Policy Advisory Commission. Survey recent water resource legislation in other western states, and schedule meeting with Oregon legislators and water agency staff to share information and experiences on water resource issues. *(Gary Wilburn)*
8. Review potential of infrastructure design and siting for de facto flood water management. *(Kari Guy)*

WATER QUALITY

1. Monitor implementation of ESHB 2875, creating the Puget Sound Action Team and Puget Sound Council to replace the Water Quality Authority. *(Kari Guy)*
 - Puget Sound ambient monitoring program--review access to and usefulness of information, oversight and direction, funding, as well as agency roles.
2. Staff the joint legislative committee on the study of Washington lakes' health under SB 6666, including relationships to watershed and land use planning and regulation. *(Kari Guy)*

3. On-site sewage disposal systems--review of existing and proposed operation and maintenance programs, and review of local health jurisdiction regulatory programs. *(Kari Guy)*
4. Wastewater discharge permits. *(Kari Guy)*
 - Monitor Permit Performance Partnership's review of Ecology program and fees.
 - Review of stormwater permit program, retrofit requirements, WSDOT stormwater initiatives, and coordination among regulatory programs.
5. Monitor and analyze alternatives recommended by LBC and others for state administration of oil spill prevention functions of the Office of Marine Safety. *(Kari Guy)*
6. Review status of water-related planning and implementation under:
 - 1985 Groundwater Management Areas Act
 - 1977 Water Supply Coordination Act
 - 1989 Watershed Action Plan rules
 - 1985 Aquifer Protection Areas Act
 - 1985/1992 Shellfish Protection Districts Act
 - 1985 Lake Management Districts Act
 - Water elements of GMA plans
 - Other watershed-level planning authorities*(Katherine. Hardt, Gary Wilburn)*
7. Monitor congressional legislation to reauthorize the Clean Water Act and other water quality-related legislation. *(Kari Guy)*
8. Review proposals and options for state and local coordination of coastal water quality programs. *(Kari Guy)*

HAZARDOUS WASTE CLEANUP

1. Assist Senate members on Policy Advisory Committee studying changes to the Model Toxics Control Act and prepare legislative recommendations for 1997 session. *(Gary Wilburn)*
2. Monitor congressional proposals for federal Superfund changes and potential impacts upon the state program and cleanup of NPL sites. *(Gary Wilburn)*

3. Brownfields cleanup--review of efforts in Washington urban areas and other states, financial and policy incentives for brownfields cleanup, and relationship to economic development and land use planning. (*Gary Wilburn*)
4. Monitor state agency sediments cleanup initiative and disposal site study. (*Kari Guy*)
5. Assist Senate Committee on Financial Institutions and Housing on study of environmental liability insurance issues. (*Gary Wilburn*)

LAND USE, SHORELANDS AND WETLANDS

1. Monitor implementation of ESHB 1724 (1995), including Shoreline Act and SEPA changes, "best available science" standard, new land use appeals procedures, vesting and Growth Board's "determination of invalidity" authority. (*Kari Guy*)
2. Monitor Land Use Study Commission and potential recommendations for 1997 session. (*Kari Guy*)
3. Wetlands and habitat mitigation (*Kari Guy, Gary Wilburn*)
 - Review of "bank" projects, "off-site" and "out-of-kind" mitigation, and agreements, procedures and laws governing mitigation approval.
 - Relationship of project-specific mitigation to watershed plans.
 - Methods and desirability of providing "credit" for voluntary landowner stewardship projects toward future development projects.
4. Privatization of elements of environmental permit development--review prior studies, monitor Land Use Study Commission work on use of consultants, and review experience in other states. (*Kari Guy*)
5. Shoreline Management Act (*Kari Guy*)
 - Review of substantial development permit procedures and thresholds for permit requirement.
 - Noncommercial docks--review of existing regulation under the Shoreline Act and Hydraulics Act, coordination among local governments and state agencies in the permitting process, and monitor implementation of SHB 2772.
6. Open space--review public and private roles in open space protection, and integration of existing tools, such as tax incentives, state funding of local programs, GMA, and public acquisition. (*Gary Wilburn*)

SOLID WASTE AND RECYCLING

1. Monitor and analyze recommendations for privatizing the Clean Washington Center as part of 1997 sunset. *(Gary Wilburn)*
2. Review industry trends and impacts upon local government programs. *(Gary Wilburn)*
3. Monitor congressional proposals regarding interstate transport and "flow control" authorization. *(Gary Wilburn)*
4. Monitor Recycling Task Force formed to review direction of recycling programs and policies in the state. *(Gary Wilburn)*
5. Review funding sources, revenue trends, and use of funds for litter pickup, recycling promotion and other purposes. *(Gary Wilburn)*

ENVIRONMENTAL PROGRAMS GENERALLY

1. Review the legislative "goals" and "intent" statements of the state's major environmental laws and analyze their relationship and impact upon agency program implementation. *(Joy Adams, Gary Wilburn)*
2. Convene forum to develop recommendations for improving access by state and local agencies to scientific information, and use of such information in policy formation. *(Kari Guy)*
3. Environmental technologies--review federal and state regulatory program impacts upon research and development phases. *(Gary Wilburn)*
4. Monitor state environmental agency implementation of HB 1010 (Regulatory Reform). *(Gary Wilburn)*
5. Monitor congressional proposals regarding environmental rulemaking procedures and standards, risk-based standard setting, and cost-benefit analysis. *(Gary Wilburn)*
6. Environmental trend analysis and priority setting. *(Gary Wilburn, Kari Guy)*
 - Monitor development of environmental quality benchmarks by the Economic and Revenue Forecast Council (to be the Economic Climate Council) per HB 2758.
 - Review Ecology's state of the environment reports, periodic reports conducted by other states, and the role that such environmental data may play in setting policy and budgetary priorities for state programs.

- Review report of President's Council on Sustainable Development and related activities in other states.
7. Environmental compliance audit legislation--review legislation enacted and proposed in other states, and review potential proposals for 1997 session. *(Gary Wilburn)*

PARKS AND HERITAGE PROGRAMS

1. Monitor cross-state trail program (HB 2832). *(Kari Guy)*
2. Monitor State Parks reservation system, funding levels in stewardship account, and proposed park facility acquisition, rehabilitation and development needs. *(Kari Guy)*
3. Continue review of need for state stewardship assistance for historic and cultural properties, as proposed in SB 6703. *(Gary Wilburn)*
 - Review additional roles that state and local governments may play in encouraging greater private contributions toward historic property protection, such as historic vessel funding per HB 2509 (the Virginia V and Lady Washington legislation).
4. Monitor congressional proposals regarding funding and operation of national park, recreation, and heritage facilities in Washington State. *(Kari Guy)*

MEETINGS

Committee Assemblies

August 1-2	Olympia
September 19-20	Olympia
December 5-6	Olympia

COMMITTEE STAFF	
Gary Wilburn, Counsel	786-7453
Kari Guy, Analyst	786-7437
Katherine Hardt, Intern	786-7407
Joy Adams, Leg. Assistant	786-7407

SENATE COMMITTEE ON EDUCATION
Senator Rosemary McAuliffe, Chair

1. **EDUCATION REFORM/GOVERNANCE** (*Leslie Goldstein/Susan Mielke joint with House*)

JOINT SELECT COMMITTEE ON EDUCATION RESTRUCTURING. This select committee was created in 1993 to monitor the implementation of education reform and report to the Legislature annually. In addition to oversight responsibilities, the committee, by December of 1996, is required to develop recommendations on a revised state-level governance system. By December of 1997, the committee is required to report on the use of waivers of state laws or rules for school districts to implement restructuring.

MONITOR IMPLEMENTATION OF EDUCATION REFORM. The select committee will monitor the implementation of education reform focusing on the development of the assessment system and the piloting of the assessment system, the assessment for reading, the adoption of the second set of essential academic learning requirements, issues associated with the certificate of mastery, school district data reporting requirements for the purposes of accountability, public concerns regarding education reform, the staff training and development that may be necessary to implement the system, and the status of other reform programs including readiness to learn, administrator internship programs, technology, and student learning improvement block grants.

GOVERNANCE. In Chapter 230, Laws of 1995 (Second Substitute House Bill 1027), the select committee is required to study the state-level governance of education and recommend changes. The select committee must review the current constitutional and statutory roles and responsibilities of the Superintendent of Public Instruction, the State Board of Education, the Work Force Training and Education Coordinating Board, the Commission on Student Learning, and educational service districts. The recommendations for a new system must: (1) focus on the improvement of student learning; (2) result in a reduction of state-level administrative expenditures; (3) provide school district staff and parents technical assistance and leadership; (4) result in minimal regulatory oversight; and (5) have clear lines of authority and accountability. The study is due in December of 1996.

WAIVERS. Under RCW 28A.630.945, the select committee is required to report on the use of waivers of state laws or rules to help school districts implement restructuring. The committee will continue to look at the use of waivers available under current law and requests for additional waivers.

ANNUAL REPORT. As part of the monitoring the implementation of education reform, the select committee will specifically look and report on: (1) the progress of the Commission of Student Learning; (2) the activities of the Center for the Improvement of Student Learning; (3) the number of school districts seeking waivers; (4) the success of alternative programs pursued by districts seeking waivers; and (5) activities of the Commission on Student Learning, the Superintendent of Public Instruction, the State Board of Education, the Higher Education

Coordinating Board, and the State Board for Community and Technical Colleges in carrying out their duties to implement education reform.

2. TECHNOLOGY (*Susan Mielke/Leslie Goldstein*)

Under 2SSB 6705, the Department of Information Services will coordinate planning and implementation of a distance education and telecommunications network serving higher education and K-12. A grant program for technology equipment and related programs in K-12 schools is created. The committee will closely monitor the planning, development, and implementation of the network and the use of the technology grants.

3. READING (*Leslie Goldstein/Susan Mielke*)

Improving literacy has been a major focus of the Education Committees for the past two years. Last session, the Legislature adopted legislation to improve student literacy by requiring a reading assessment of all third grade students beginning in the 1998-99 school year (ESHB 1941, Chapter 303, Laws of 1995). This session, the Legislature enacted Engrossed Second Substitute House Bill 2909 and appropriated \$1.5 million to provide for reading instruction and assessment training programs for educators and to provide grants to school districts to provide incentives for the use of effective reading programs. The Legislature, in House Concurrent Resolution 4423, requested the Governor to proclaim 1997 as the year of the reader.

The committee will study the development and implementation of the training programs, the grants for incentive to use effective programs, the third grade reading assessment, and the standards for reading developed by the Commission on Student Learning. The committee will also study other methods of improving student literacy.

4. SPECIAL EDUCATION (*Susan Mielke/Leslie Goldstein*)

BIRTH TO THREE. As a result of a study of early intervention and prevention services for children with disabilities ages birth to three, the Institute for Public Policy recommended work be done in the following areas: establishing administrative rules; program measures; and integrated funding. Task forces have been established to develop recommendations in each of these areas.

The committee will review the early intervention and prevention needs of children from birth to three and the work of the task forces in developing recommendations to better serve these children.

SAFETY NET. The committee will continue to monitor the effects of the changes to the special education funding formula and how the "safety net" funds are used.

DEAF. Legislation was introduced but not passed about improving deaf education. The Committee will work to develop possible legislation next session.

5. DIFFERENT WAYS OF CREATING SCHOOLS (*Leslie Goldstein/Susan Mielke*)

Issues associated with creating different schools were discussed last session and are being discussed across the country. The Committee will look at the policy issues involved in different ways of creating schools and delegating authority to different entities to run those schools.

- The committee will study charter schools in other states and charter school legislation in other states.
- The Committee will look at the creation of schools with different programs by districts around the state. Issues will include how the schools are formed, the role of the community, the range of programs, and barriers to establishing the programs. The Committee will review the use of the grant funds provided to establish alternative programs for students who are truant.
- The committee will look at the different types of private schools in the state and the student populations served by those schools.

6. SCHOOL SAFETY (*Susan Mielke/Leslie Goldstein*)

The Legislature passed Engrossed House Bill 2613 to strengthen student discipline. The safety of students and staff continues to be a concern. The committee will study workplace safety and student safety.

Funds were provided for grants for conflict resolution training in schools. The committee will review conflict resolution programs in the schools.

7. TRUANCY AND COMPULSORY ATTENDANCE LAWS (*Leslie Goldstein/Susan Mielke*)

The committee will continue to monitor the implementation of the laws requiring students to attend school and the consequences for students who do not attend school. The committee will examine the effect of the truancy laws during the 1995-96 school year and the effect of modifications to those laws in ESHB 2640 during the 1996-97 school year.

8. FEDERAL LEGISLATION (*Leslie Goldstein/Susan Mielke*)

Federal requirements can have major effects on state education programs. The Committee will monitor changes in federal legislation and funding.

9. MONITOR THE ACTIVITIES OF THE FOLLOWING COMMISSIONS, BOARDS, TASK FORCES, AND COMMITTEES

- K-20 Telecommunications Oversight and Policy Committee
- Commission on Student Learning
- State Board of Education
- Family Policy Council
- Special Education Advisory Council
- Work Force Training and Education Coordinating Board
- Professional Education Advisory Committee
- Higher Education Coordinating Board
- State Board for Community and Technical Colleges
- Education Summit
- Legislative Budget Committee study of supplemental salaries
- Legislative Budget Committee study of vocational education funding
- Legislative Budget Committee study of rear engine transit style school buses
- Legislative Budget Committee study of the use of school nurses

MEETINGS

Education Committee
To be announced.

Joint Select Committee on Education Restructuring

May 10	Olympia	9:30am - 12:30pm
		SHR 1 JAC Bldg.
September	SeaTac or Olympia	
November	SeaTac or Olympia	
December	SeaTac or Olympia	

Committee Assemblies

August 1-2	Olympia
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COMMITTEE STAFF	
Leslie Goldstein, Counsel	786-7424
Susan Mielke, Counsel	786-7422
Gail Brower, Leg. Assistant	786-7420

**SENATE COMMITTEE ON ENERGY, TELECOMMUNICATIONS
AND UTILITIES**

Senator Dean Sutherland, Chair

1. ENERGY ISSUES

REVIEW OF THE NORTHWEST ENERGY SYSTEM. Monitor and participate in the comprehensive review of the Northwest power system. *(Phil Moeller)*

STATE OPTIONS ON COMPETITION. Review and analyze state options pertaining to increasing competition and customer choice in the electric industry. *(Phil Moeller)*

UTILITIES IN GROWTH MANAGEMENT AREAS. Analyze issues pertaining to the location of essential utilities in sensitive locations within growth management areas. *(Diane Smith)*

BILL IMPLEMENTATION

Monitor implementation of E4SHB 2009, elimination of the State Energy Office. *(Phil Moeller)*

Monitor implementation of SHB 2388, utility liens. *(Diane Smith)*

2. TELECOMMUNICATIONS ISSUES

FEDERAL TELECOMMUNICATIONS ACT. Review the comprehensive legislation adopted in early 1996, with an emphasis on relevant sections that pertain to state options. *(Phil Moeller)*

GOVERNOR'S TASK FORCE. Continue to monitor the work of the Governor's Telecommunications Policy Task Force. *(Phil Moeller)*

PRIVATE TELECOMMUNICATIONS SYSTEMS. Study the problems associated with private telecommunications systems and the implications on the network. *(Phil Moeller)*

9-1-1 IMPLEMENTATION. Continue to monitor the implementation of enhanced 9-1-1 throughout the state. *(Diane Smith)*

BILL IMPLEMENTATION

Participate in the working group overseeing enactment of SSB 6423, the Electronic Authentication Act. *(Phil Moeller)*

Monitor agency implementation of SSB 6556, electronic access to government information. *(Diane Smith)*

3. WATER UTILITIES

Continue to follow the impacts on small water utilities pertaining to system requirements mandated by federal law. (*Diane Smith*)

4. NUCLEAR

Monitor implementation of SSB 6427, transfer of nuclear site property. (*Phil Moeller*)

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COMMITTEE STAFF	
Phil Moeller, Analyst	786-7445
Jennifer Hanlon, Analyst	786-7784
Diane Smith, Counsel	786-7410
Joy Adams, Leg. Assistant	786-7407

**SENATE COMMITTEE ON FINANCIAL INSTITUTIONS
AND HOUSING**

Senator Margarita Prentice, Chair

FARM WORKER HOUSING *(Dave Cheal)*

BACKGROUND: Basic farmworker housing legislation was enacted in 1995. The act was designed to stimulate private production of migrant farmworker housing by streamlining the regulatory framework and developing standards that acknowledge the short duration of some occupancies.

Specific tasks were assigned to different agencies, including the development of a temporary worker housing building code by the state Building Code Council. Licensing on-farm housing, and primary coordination tasks were given to the Department of Health. Reports are due prior to the beginning of the 1997 legislative session.

INTERIM TASK: Assigned agency activity will be monitored. Farm worker housing sites will be visited, and both workers and growers interviewed. It is apparent that additional legislation implementing the new building code will be needed. It is likely that administrative procedures will also need to be revisited.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Departments of Health, CTED, and Labor and Industries
Local health, building and land use officials
Growers associations
Farmworkers Union

WASHINGTON CREDIT UNION SHARE GUARANTY ASSOCIATION TRANSITION
(Dave Cheal)

BACKGROUND: State chartered credit unions that insure their depositors' money ("shares") through their private guaranty association must immediately begin the process of shifting to federal share insurance.

INTERIM TASK: Monitor the transition activities to determine whether additional legislation is necessary, and to inform members of the progress of the transition.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

The Department of Financial Institutions
WCUSGA staff
Credit Union League

HEALTH CARE INSURANCE: THE INDIVIDUAL MARKET *(Dave Cheal)*

BACKGROUND: Health care service contractors, health maintenance organizations, and disability insurers are claiming significant losses in their coverage of individuals and individual families. Controversy exists as to the extent of the losses, the causes of the problem, and appropriate cures. Several cost shifting solutions were explored during the past session. The Health Care Policy Board is actively studying this issue. Legislative activity should be closely coordinated with the board's efforts.

INTERIM TASK: The extent and causes of the problem must be determined, along with the appropriate legislative intervention.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Health Care Policy Board
Insurers and their associations
Provider associations
Insurance Commissioner

UNINSURED AND UNDERINSURED MOTORISTS *(Dave Cheal)*

BACKGROUND: Even though it is illegal to operate a car without liability insurance, the practice is widespread. Innocent people are often victimized if the offender has no reachable assets to cover the damages they sustain from an accident involving an uninsured or underinsured driver.

A closely related issue is auto insurance affordability. There is some research available that indicates the major cause of uninsured driving is cost.

INTERIM TASK: To explore available enforcement techniques and incentives, and develop appropriate legislation. The extent to which affordability is a barrier will also be explored.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Law enforcement officials, including prosecutors and judges
Insurance industry
Victims
Offenders
Insurance Commissioner
NCSL

REINSURANCE TRUST FUNDS *(Dave Cheal)*

BACKGROUND: Reinsurance carriers who are not admitted to conduct business in this state and are headquartered outside the United States are allowed to provide reinsurance to the primary insurance carriers in the state if they (the reinsurers) furnish a letter of credit to the Insurance Commissioner equal the amount of reinsurance they write in Washington. SHB 2490, passed this year, provides an alternative method of securing payment of reinsurance claims by offshore reinsurers. Effective January 1, 1997, foreign reinsurers may deposit an amount equal to their entire U.S. obligation, plus \$20 million, with certain financial institutions which is available to pay claims. Prior to the effective date of this procedure, the Insurance Commissioner is directed to conduct a study to determine the safety and soundness and the mechanics of this procedure. This device is currently approved in 47 states.

INTERIM TASK: Progress and findings of the Insurance Commissioner's study will be closely monitored to determine whether further legislation is needed.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Insurance Commissioner

ENVIRONMENTAL LIABILITY CLAIMS PRACTICES *(Catherine Mele)*

BACKGROUND: Under state and federal toxic cleanup laws, individuals and business entities can be held responsible for some or all of the cleanup costs of various sites. Many responsible parties had commercial general liability policies in force at the time of the activity that caused the pollution. Often these events occurred many years before hazardous waste laws were passed.

Claims made under these general liability policies have often met vigorous denials by the insurers. Responsible parties (insurance claimants) have argued that current law with respect to claims practices and procedures and resultant litigation is unfair and inadequate to protect the rights of claimants and the public interest in cleanup.

INTERIM TASK: To determine if legislative intervention in environmental liability claims practices is needed to reduce barriers to efficient hazardous waste cleanup. Can litigation be reduced with a resultant expediting of cleanup?

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Claimants associations
Municipalities (port districts, cities and counties)
Insurance industry associations and individual carriers
Federal and state regulators

LOSS RATIOS *(Catherine Mele)*

BACKGROUND: Health carriers are statutorily defined as disability insurers, health maintenance organizations, and health care service contractors. All are regulated by the office of the Insurance Commissioner. Health carriers provide or pay for health services in return for premiums. Loss ratios compare the relationship between losses (benefits paid for or provided) and premiums. Under current law, premiums charged must be reasonably related to the benefits provided. The Insurance Commissioner has adopted rules regarding loss ratio requirements for individual disability insurance contracts and group disability insurance contracts. A similar rule for health care service contracts recently was repealed. During session, a bill was introduced which codified the Insurance Commissioner's existing rules regarding loss ratio requirements for individual disability insurance contracts and group disability insurance contracts. The bill also would have codified the former Insurance Commissioner's rule regarding health care service contracts.

INTERIM TASK: Review the extent of the problem and whether there is a need for such legislation. Research mechanisms which are used by other states to test whether premiums charged are reasonably related to benefits provided.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Insurers and their associations
Insurance Commissioner
NCSL
Other states

TITLE INSURANCE *(Dave Cheal)*

BACKGROUND: Title insurance provides protection against financial loss resulting from a defect in an insured title. Under title insurance policies, the title insurance company agrees to indemnify the insured for any financial loss suffered as a result of the transfer of a defective title, subject to exceptions listed in the title insurance policy.

There are several statutory and regulatory requirements that apply to title insurers, but do not apply to companies that prepare, issue, or certify abstracts of title, provided the companies do not insure the titles. This session, a bill was introduced which attempted to clarify the differences between the legal rights and obligations which exist under an abstract of title, a title insurance policy, or a preliminary title commitment.

INTERIM TASK: Identify the differences between the legal rights and obligations which result from the issuance of a title insurance policy, abstract of title, and a preliminary title commitment. Research case law from other states, and if appropriate assist in drafting legislation.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Title companies and their associations
Insurance Commissioner
NCSL
Other states

CONSOLIDATE/CLARIFY SAFETY AND SOUNDNESS PROVISIONS FOR FINANCIAL INSTITUTIONS *(Catherine Mele)*

BACKGROUND: The Department of Financial Institutions and other interested parties are discussing proposed legislation which would consolidate various code sections regarding financial institutions.

INTERIM TASK: Monitor this review, and assist in drafting legislation if appropriate.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Department of Financial Institutions
Financial institutions and their associations

SECURITIES *(Catherine Mele)*

BACKGROUND: The committee will review consumer grievances involving securities industry practices and the authority of state regulators in these areas. There will also be a review of current federal securities reforms and what impact, if any, these proposed reforms have on our state's securities laws.

INTERIM TASK: Identify those areas where enhancements in the state's securities laws are appropriate, including the issues raised by SB 6719. Monitor and review federal securities reform.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

Department of Financial Institutions, Securities Division
Securities industry and their associations
Federal regulators and Congress

MOBILE HOME PARK SURVEY *(Traci Ratzliff)*

BACKGROUND: Mobile home parks are an important source of affordable housing for low income and elderly individuals. Mobile home parks located in urban and suburban areas have been sold and closed in recent years due to the increased demand for the land and more lucrative

development of this land. The tenants of such parks have been displaced as a result of such closures.

Numerous proposals have been suggested in recent years to provide assistance to mobile home park tenants in the event such parks are put up for sale. The right of first refusal law, passed in 1994, provides a mechanism by which interested tenants are given the opportunity to purchase a park being sold by a park owner. This proposal also benefits the park owner who is given another potential buyer for the park. Unfortunately, funding for such purchases by tenant organizations, many of which include low income individuals, is very limited. Proposals to provide an ongoing funding source for park purchases have not been supported by the Legislature in recent years. Questions have been raised regarding the actual need for such funding, including: the number of mobile home parks that exist in this state; the number of tenants residing in such parks; and the potential number of parks that could be sold and/or closed in the near future.

ISSUES TO BE ADDRESSED: This study will attempt to identify the number of mobile home parks that exist in this state, the number of tenants residing in such parks, and parks that may be sold and/or closed in the near future.

ORGANIZATIONS/INDIVIDUALS TO BE CONTACTED:

- Manufactured Housing Communities of Washington
- Office of Mobile Home Affairs, DCTED
- Mobile Homeowners of America
- Local government housing/planning divisions
- Low Income Housing Congress of Washington

MEETINGS

May 2 Olympia 10:00 am
SHR 2

Committee Assemblies

August 1-2 Olympia
September 19-20 Olympia
December 5-6 Olympia

COMMITTEE STAFF	
David Cheal, Counsel	786-7576
Catherine Mele	786-7470
Traci Ratzliff, Analyst	786-7452
Teri Blair, Leg. Assistant	786-7426

SENATE COMMITTEE ON GOVERNMENT OPERATIONS
Senator Mary Margaret Haugen, Chair

1. STATE GOVERNMENT ISSUES

DEPARTMENT OF INFORMATION SERVICES. Two bills were introduced changing the responsibilities and relationships between the Department of Information Services, the Information Services Board, and OFM: SB 6409, requested by LBC; and SB 6550, requested by DIS and OFM. A workgroup will be formed, using these two proposals as the basis for discussion and analysis. *(Eugene Green)*

FILING DOCUMENTS BY ELECTRONIC TRANSMISSION. Review and refine proposal to authorize use of electronic transmission technology for filing documents with the office of the Secretary of State (SB 6407). *(Diane Smith)*

FIRE SUPPRESSION. Study the various issues raised in SCR 8404. Review and analyze any economic and legal impediments to the installation of fire suppression systems in older buildings. *(Eugene Green)*

STATE OWNED REAL PROPERTY. There is no central source from which a citizen can identify which agency of state government is responsible for a particular parcel of state-owned land. This can be extremely frustrating to an individual who has questions and would like to contact the appropriate state agency. A workgroup will be established to explore the possibility of developing a simple procedures by which anyone, including other state agencies, would be able to quickly identify the appropriate agency and person to contact. *(Eugene Green)*

OVERSIGHT ADVISORY COMMITTEE. Attend and provide staff support to this committee which must report to the Legislature by December 1996 on the efficacy of the limited use of design/construct contracts by the state and larger units of local government. *(Eugene Green)*

STATE LAW AND JUSTICE ADVISORY COUNCIL SUBCOMMITTEE ON COMMUNITY CORRECTIONS. Attend and monitor the subcommittee's activities. *(Eugene Green)*

2. ELECTION ISSUES

VOTER PAMPHLETS. Review and refine proposals governing the publication of local voter pamphlets and the state general election voter and candidates pamphlets. Also review and refine proposals authorizing publication of a state primary voter pamphlet. Use SB 5071, SB 6504 and SB 5911 as the basis for the study. *(Roderick McAulay)*

CITY AND TOWN ELECTIONS. Review, refine and consolidate proposals for amendments to election procedures for cities and towns. Eliminate redundant and archaic provisions and correct inconsistencies and omissions. Use SB 6505 and HB 1707 as the basis for the study. *(Roderick McAulay)*

3. LOCAL GOVERNMENT ISSUES

NONCONTIGUOUS CITY ANNEXATIONS. Current policy regarding annexation of noncontiguous territory for municipal purposes will be reviewed and recommendations will be offered as to possible modification of current practices. SB 6693 will form the basis of review. *(Eugene Green)*

COUNTY MISCELLANY. The provisions of SB 6530 will be reviewed. Clarifications and additions will be suggested. *(Eugene Green)*

DISPUTE RESOLUTION FOR PROPERTY RIGHTS. Issues encompass both local and state regulations. Monitor mediation program to be conducted by OFM. Review mediation programs in other states. *(Diane Smith)*

GROWTH MANAGEMENT ISSUES.

- **GMA Hearings Boards:** Monitor and research issues regarding jurisdiction, standards of review, and sanctions (invalidation) imposed by Hearings Boards. Following Land Use Study Commission debate on these issues.
- **Mineral resource lands:** Research and review issues related to the designation of adequate mineral resource lands under GMA.
- **Constitutional challenges and sanctions:** Monitor and review constitutional challenges to the GMA. *(Roderick McAulay)*

PUBLIC WORKS BIDDING (NONROAD, NONKING COUNTY). (RCW 36.32.240) Issues involve counties with and without purchasing departments; whether county employees should be allowed to perform any public works in counties with purchasing departments (contrary to existing law); if so, how to define work permissible for county employees (i.e., up to a certain dollar value per job, per type of job; up to a total percentage of the county's nonroad construction budget or some other limit); are any adjustments to the small works roster appropriate; ancillary issues as indicated (collective bargaining, recordkeeping, definition of "nonroad" public works, etc.). *(Diane Smith)*

CONSOLIDATION OF WATER-SEWER DISTRICT STATUTES. SB 6091, which combined Titles 56 and 57 RCW into a single title, has an effective date of July 1, 1997. This delayed effective date is intended to provide time to review the legislation to determine whether there are any loose ends, inconsistencies or unintended consequences. Also, supplemental

proposals may be considered to facilitate the merger or consolidation of overlapping districts.
(Roderick McAulay)

MEETINGS

May 22 Jt. w/House Govt. Operations 9:00am
SeaTac

Committee Assemblies

August 1-2 Olympia
September 19-20 Olympia
December 5-6 Olympia

COMMITTEE STAFF	
Eugene Green, Analyst	786-7405
Rod McAulay, Counsel	786-7754
Diane Smith, Counsel	786-7410
Kathie DuChateau, Leg. Asst.	786-7406

SENATE COMMITTEE ON HEALTH AND LONG-TERM CARE
Senator Kevin Quigley, Chair

1. WELFARE

MONITORING WELFARE REFORM. Continuing major federal efforts to reform the welfare system, as well as innovations in other states, require close monitoring. Particular focus is on the issues of time limits, child support enforcement and reduction of benefits for additional children. Staff will follow legislative developments, including attendance at seminars on welfare reform, and observation of DSHS's implementation of current Washington state reforms. *(Joanne Conrad)*

ELECTRONIC BENEFITS TRANSFER. Staff continues to participate with DSHS and the financial and retailing sectors in evaluating and following proposals for the possible implementation of electronic benefits transfer (EBT) in Washington State. EBT involves the use of a plastic card, similar to a debit card, in the delivery of food stamps and other public assistance benefits. *(Joanne Conrad)*

WELFARE FRAUD AND NEW TECHNOLOGIES. As part of the committee's ongoing concern with reducing public assistance fraud and error rates, staff will study the use of new technologies in assuring the integrity of the public benefits system. Electronic fingerprinting and other biometric forms of identification being used in various jurisdictions to reduce welfare fraud will be examined. *(Joanne Conrad)*

WELFARE RECIPIENT PROFILES. An unknown percentage of the public assistance recipient population experiences various challenges to stability and independence. These challenges range from disability, including learning disability, to domestic violence victimization, drug and alcohol abuse, and other medical, educational or social problems. The extent of the problems faced by those on assistance, as well as many of their demographic characteristics, are factors in the public policy debate on welfare reform. Staff will explore the characteristics of long-term welfare recipients in an effort to establish a normative profile. Special attention will be paid to the role of learning disabilities, and the relationship between teen pregnancy and economic disadvantage. *(Joanne Conrad)*

2. FEDERAL MEDICAID CUTS

Several federal proposals have emerged for reducing federal funding to the states for the Medicaid program. Staff will monitor federal action on these proposals. In addition, staff will participate with other legislative fiscal and policy staffs in the Medical Assistance Fiscal Study Group to analyze the impact of pending federal changes on the state's Medicaid program and to develop alternatives for coping with it. Finally, staff will monitor Health Care Policy Board and DSHS efforts to suggest alternatives and to assess their fiscal and policy impacts. *(Don Sloma)*

3. ORAL HEALTH

Recent studies have shown that dental disease is a serious problem for a segment of Washington's population. Low-income preschoolers in Head Start and ECEAP are particularly vulnerable, with an estimated 38 percent currently needing treatment for decayed or missing teeth, oral pain, and infection. In 1995, the Legislature approved \$42 million to increase the state's reimbursement rate paid to dentists who care for Medicaid families. However, access to oral health remains a significant problem in the state, for both low-income children and adults. This year, Senate Concurrent Resolution 8429 authorized a joint select committee to study current barriers to oral health. Staff will participate in the development of recommendations which result from the work of this committee. *(Rhoda Jones)*

4. BIOETHICS

Recent state and federal court cases highlight the importance of end-of-life decisionmaking. Legal, medical and ethical questions arise regarding the circumstances under which a patient may or may not choose to terminate life with the help of a physician. Staff will study the legal, legislative, and clinical ramifications of the recent "compassion in dying" line of court cases. Included in the analysis will be the legal parameters of "right to die" decisions, and their statutory implications. *(Joanne Conrad)*

5. END-OF-LIFE CARE AND DECISIONMAKING

Recent court decisions have focused attention on the medical care system's responses to patients with terminal illnesses, particularly when death may be imminent. Staff will work with an interim committee workgroup to examine end-of-life care, and to suggest policies to improve it. The study will include consideration of the role of certificate of need for hospice and home health care. *(Don Sloma)*

6. DRUG ADDICTED INFANTS

Infants who are born addicted to drugs such as cocaine or methadone face a difficult infancy. The treatment of these babies includes breaking their addiction immediately and providing special care until the baby is stable. Currently, treatment facilities are limited to newborn nurseries in the hospitals where they are born, or a very few alternative care facilities specifically equipped to care for drug-exposed infants. Staff will look into how these children are handled in the state, what arrangements exist for long-term followup, and current programs to reduce the number of these babies born here. *(Rhoda Jones)*

7. MEDICALLY NEEEDY CHILDREN IN SCHOOLS

The number of children with complex medical conditions attending public schools is increasing. This trend is due partly to innovations in the long-term treatment and the general belief that medically needy children do better academically and socially around their peers. According to

reports, the number of health personnel able to help with the care of these students has not kept pace with the growing need for in-school care. The result has been an expansion in basic care duties provided by school employees without health care backgrounds. In the 1996 legislative session, the Legislative Budget Committee was authorized to conduct a survey of the uses of health care personnel in public schools and the funding sources for this care. Staff will monitor this study, research how other states have handled this problem, and work on recommendations for our schools. *(Rhoda Jones)*

8. WORKPLACE VIOLENCE

Workplace violence is now a leading cause of death in America. Health care settings are particularly at risk. At the request of Senator Prentice, staff will participate in a diverse task force of medical, health care facility, labor, management and agency representatives to research and develop a viable approach to workplace antiviolence training programs for health care settings. *(Joanne Conrad)*

9. CERTIFICATE OF NEED

The certificate of need (CON) program is currently under review by the Department of Health (DOH). The study will provide information from other states on the impact of changing CON regulation on different health care industries. In this state, there are widely divergent views on the benefits and obstacles the program creates. Staff will work with the DOH in reviewing all options for possible changes in CON. *(Don Sloma)*

10. NURSE DELEGATION

Staff will continue to monitor the process of implementing nurse delegation through the oversight activity of the Joint Legislative Task Force on Nurse Delegation. During the interim, the task force will review and approve the proposed study design submitted by the Department of Health and the University of Washington for determining the effect of nurse delegation on the health and safety of patients and clients in the delegated settings. Staff will participate in the oversight of all activities relating to nurse delegation. *(Rhoda Jones)*

11. VIDEO LIBRARY

Over the interim staff will be compiling a library of short video tapes on health and related issues for use by members, staff and others. These tapes may be useful as background for legislation which may come before the committee in the upcoming session. Topics will include everything from options in long-term care to issues relating to teen pregnancy. Staff will also be working on producing one or two tapes for use as orientation materials for new members. A list of available tapes will be available toward the end of the interim. *(Rhoda Jones)*

12. TRAUMA CARE

On March 1, 1996 a statewide trauma care system went into effect. The system requires that only state-designated hospitals handle trauma care, placing the burden of this expensive service on specific hospitals. Many of these facilities are located in areas where a high percentage of patients cannot pay. Last year, the Legislature appropriated \$5 million as the state's contribution to reimburse hospitals for the cost of trauma care for medically indigent patients. Staff will review options for a permanent funding source to help sustain the state's trauma care system. *(Rhoda Jones)*

13. THE INDIVIDUAL INSURANCE MARKET CRISIS

The 400,000 Washington residents who purchase health insurance in the state's individual market have experienced significant premium increases within the past year. Despite a Health Care Policy Board recommendation for specific action and several legislative proposals in the 1996 session, no solution has yet been developed. Committee staff will monitor Health Care Policy Board and other groups' efforts to stabilize rates in this market. *(Don Sloma)*

14. MEDICAL RESEARCH AND TRAINING

The rapid move to managed care and continuing efforts to contain medical care costs have placed added strain on medical research and training functions. Public and private health insurance funds which once helped to offset necessary teaching and research functions are being withdrawn at ever increasing rates. Staff will review recent studies, discuss their results with representatives of the state's major teaching and research facilities and report to interested legislators on options, including proposals to stabilize funding for those activities. *(Don Sloma)*

15. INSURERS LIABILITY FOR INSURED'S MEDICAL OUTCOMES

Under a recent court decision, insurers may be liable for negative outcomes if patients do not receive needed medical care because the care is not covered by their insurance. It is reported that some Washington insurers have begun including clauses in their insurance contracts limiting insurers' liability in such cases. SB 6493, as introduced in the 1996 session, contained a provision prohibiting this practice. Staff will work with interested parties to determine the extent to which this practice continues and to prepare legislation interested committee members may suggest to address it. *(Don Sloma)*

16. HEALTH INSURANCE CANCELLATION FOR INCARCERATED PERSONS

It is reported that some insurance policies contain exclusions from coverage if persons are incarcerated in jails or prisons. Staff will research this practice and work with interested committee members to prepare legislation they may wish to propose to address it. *(Don Sloma)*

17. TEEN PREGNANCY AND STD PREVALENCE AND PREVENTION

The suggestion of including "family caps" in welfare reform legislation together with restrictions on teen parents receiving welfare when not residing in their family home are some responses to teen pregnancy and public policies which some feel may support it. Increased concern about sexually transmitted diseases including HIV infection also focus committee interest in teen sexual activity and how to regulate it effectively. The committee will hold a public work session at Washington's 18th Annual Teen Parent Conference in April to learn more about the realities of teen pregnancy and STDs and to hear directly from teen parents about their motivations and concerns. *(Don Sloma)*

MEETINGS

Committee Assemblies

August 1-2	Olympia
September 19-20	Olympia
December 5-6	Olympia

COMMITTEE STAFF	
Don Sloma, Analyst	786-7319
Joanne Conrad, Analyst	786-7472
Rhoda Jones, Analyst	786-7198
Annette Swillie, Leg. Assistant	786-7436

SENATE COMMITTEE ON HIGHER EDUCATION

Senator Al Bauer, Chair

HIGHER EDUCATION AND EDUCATION REFORM

As Washington strives toward a seamless system of educational opportunities for its citizens, there are a number of long-term issues that need to be addressed including articulation among the education sectors, transfer among the institutions, admissions requirements, role of the certificate of mastery, etc. *(Jean Six, Susan Mielke)*

GOVERNOR'S TASK FORCE

The Governor's Task Force on Higher Education Funding will soon come forward with a recommendation for funding postsecondary opportunities for the considerable increase in students needing access to colleges and universities for not only the completion of degree programs but also for workforce training and retraining. *(Jean Six, Susan Mielke)*

FEDERAL ISSUES

Congress continues to consider many significant changes to the federal role with regard to education including a shift to more responsibility at the state level. How will Washington be affected by these shifting responsibilities? Federal court cases are causing many higher education institutions to review their affirmative action policies. How will higher education policy in Washington be affected by these changes? *(Jennifer Hanlon)*

TELECOMMUNICATIONS OVERSIGHT AND POLICY COMMITTEE

The 1996 Legislature created this committee to oversee the development and implementation of a K-20 telecommunications system. The first phase will include the development of a backbone linking all of the public baccalaureate institutions, the educational service districts, the branch campuses of the research universities, the main campuses of the community colleges and the technical colleges. Following the adoption of a plan, the second phase will link to the backbone a number of other entities as prioritized by the committee, including but not limited to, all school districts, off-campus sites and extension centers, branch campus sites of community colleges and technical colleges, participating private education institutions. *(Jean Six, Susan Mielke)*

MASTER PLAN FOLLOWUP ACTIVITY

SCR 8428 asks for refinements to the Higher Education Coordinating Board's master plan. Refinements include recommendations regarding technology issues, duplicative programs, restructuring of colleges and universities, appropriate state and institutional roles for providing remedial and developmental education, the development of a student information system, and the availability of physical capacity in the state's public and private colleges. *(Jean Six)*

TEACHER PREPARATION

The committee will continue to look for innovation with regard to educator preparation programs to prepare teachers for the classroom of the future. (*Jean Six*)

FINANCIAL AID

The availability of financial aid is often a major factor in determining the opportunity for a diverse population to obtain a higher education. Among the important financial aid issues are the role of financial aid in student persistence to degree, the creation of an advance college payment program, the continuing debate about grants, loans, and work-study etc. (*Jean Six, Jennifer Hanlon*)

TUITION POLICY

With the increase in tuition as a percentage of cost and a greater reliance on tuition revenue, Washington is similar to other states. There is a continuing shift in the burden of payment for public higher education to students and parents--extra tuition dollars are replacing tax support. The debate continues. How much should the student pay? How much should the state pay? What is the "proper" share of costs for the student? As tuition rises, what should be the state's role in assisting those with inadequate resources? The next session of the Legislature will be answering these and many other questions regarding tuition policy for Washington. (*Jean Six*)

DAY CARE AT INSTITUTIONS OF HIGHER EDUCATION

Access to affordable and conveniently located child care continues to be a concern of students, faculty, and staff at colleges and universities in Washington. The demand for child care at higher education institutions often exceeds availability. Among the important issues are the current level of government involvement, the feasibility of suggested solutions, and whether small innovative programs in Washington and other states could be expanded. (*Jennifer Hanlon*)

WORKFORCE TRAINING

The Work Force Training and Education Coordinating Board has projected a need for additional enrollments in the higher education system--enrollments that are in addition to the new enrollments recommended by the Higher Education Coordinating Board. Will the state's higher education system be able to accommodate all of the need for training and retraining? (*Jean Six*)

MEETINGS

Higher Education Coordinating Board

March 28-29	SeaTac	Marriott
April 25	Seattle	UW
May 28-29	Vancouver	
June 27	SeaTac	Marriott
July 30-31	SeaTac	Marriott
August 29	SeaTac	
September 20	Bellingham	
September 26-27	SeaTac	
October 23-24	Spokane	
November 19-20	SeaTac	
December 19	SeaTac	

State Board for Community and Technical Colleges

April 10-11	Mount Vernon	Skagit Valley College
May 22-23	Wenatchee	Wenatchee Valley College
June 19-20	Bellingham	Bellingham Technical College
August 11-13	Seattle	Battelle Conference Center
September 11-12	Walla Walla	Walla Walla Community College
October 30-31	Seattle	North Seattle Community College
December 4-5	Bremerton	Olympic College

Work Force Training and Education Coordinating Board

May 2	Aberdeen	Grays Harbor Community College
June 13	Yakima	Perry Technical Institute
August 22	Tukwila	IAM Boeing Quality Through Training
October 3	Richland	Battelle
November 14	Tacoma	Tacoma School District, Central Administration

Education Summit

September	SeaTac	Marriott
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Committee Assemblies

August 1-2
September 19-20
December 5-6

Governor's Task Force

March 31-April 1	SeaTac	Airport/Marriott
May 6	SeaTac	
June 3		
July 1		

Telecommunication Oversight and Policy Committee

April 11 Olympia SHR 4 JAC Bldg.
(additional meetings to be announced)

Higher Education Committee campus visits

(Coordinated with House Higher Education Committee. The committee will continue to focus on the unique contributions of each campus and will expand on the knowledge gained from the visits of the 1995 interim. Other visits are possible if a specific need arises.)

April 19 Olympic College 9:00am - 3:00pm
May 2 South Seattle Community College 9:30am - 1:30pm
 CWU SeaTac Center 2:00pm - 5:00pm

COMMITTEE STAFF	
Jean Six, Analyst	786-7423
Jennifer Hanlon, Analyst	786-7784
Susan Mielke, Counsel	786-7422
Gail Brower, Leg. Assistant	786-7420

**SENATE COMMITTEE ON HUMAN SERVICES
AND CORRECTIONS**

Senator Jim Hargrove, Chair

1. FAMILY AND CHILDREN'S SERVICES

LEGISLATIVE CHILDREN'S OVERSIGHT COMMITTEE (OMBUDSMAN). A Legislative Children's Oversight Committee was created in 2SHB 2856 (1996). The act also created the Family and Children's Ombudsman. The committee was created for the purpose of monitoring and ensuring the state's compliance with statutes and polices relating to services for families and children and to monitor the care of children in state-licensed facilities or residences.

The Governor is required to consult with the committee prior to appointing the Family and Children's Ombudsman and the Governor may receive recommendations from the committee. Upon the appointment of the ombudsman, the committee may request the ombudsman to conduct investigations into the administrative acts of the Department of Social and Health Services. *(Richard Rodger)*

LEGISLATIVE MANAGEMENT IMPROVEMENT ADVISORY COMMITTEE. A Legislative Management Improvement Advisory Committee was created in the supplemental Operating Budget (ESSB 6251) to provide technical assistance and public input regarding the management improvement project for the Division of Children and Family Services (DCFS) of the Department of Social and Health Services. The management improvement project is funded through the Governor's office. The project will examine the division's strategic plan, mission, goals, performance-based outcome measures, and examine how substance abuse impacts families and the delivery of services by DCFS.

The committee will provide assistance to a management improvement project oversight group which will be created by the Governor. *(Richard Rodger)*

SUBSTANCE ABUSE AND THE DELIVERY OF SERVICES. Substance abuse is reported as a factor in a majority of the child abuse cases investigated by the Department of Social and Health Services. Committee members have expressed an interest in examining the issues relating to the delivery of services to substance abusing clientele of the department. This study will include a review of statutory and administrative incentives available to parents to enter and successfully undergo treatment, determine whether existing incentives can be made more effective, and examine the coordination and integration of programs and services. *(Richard Rodger)*

GUARDIANS AND GUARDIANS AD LITEM. The Legislature passed ESSB 6257, an act relating to guardians and guardians ad litem (GAL), during the 1996 session. Staff will continue to examine unresolved issues relating to guardians and GALs as well as follow implementation

of the act. The act requires the office of the Administrator of the Courts to conduct several projects including: development of a statewide curriculum for GALs; examining the mandatory use of court-appointed special advocates (CASA) in certain cases; exploring funding issues relating to CASA programs; and evaluating desirability and feasibility of imposing a certification requirement for GALs.

Staff will also monitor the work of the Washington State Bar Association's task force on issues relating to guardianships. The task force is currently being expanded to include the office of the Attorney General and other interested parties. *(Richard Rodger)*

FAMILY PRESERVATION SERVICES. Committee staff will work with Department of Social and Health Services staff in the implementation of bills relating to the enhancement of preservation services for families. These bills include SSB 6514 (1996) and ESSB 5885 (1995). This project includes the statewide expansion of intensive family preservation services, the implementation of the less intensive level of services, the use of paraprofessional workers and followup services, adoption of agency rules, and the examination outcome measures and outcomes. *(Richard Rodger)*

AT-RISK YOUTH. The committee passed two bills during the 1995-96 sessions addressing issues relating to at-risk and runaway youth. Those bills are known as the "Becca Bill" and "Becca Too." Staff will continue to track the implementation of these bills specifically in the areas of staff-secure group homes, secure crisis residential centers, mental health and chemical dependency treatment of minors, parental notification provisions, truancy petitions, and the adoption of related departmental rules. *(Richard Rodger)*

CHILD CARE. Staff will research additional options for child care tax credits as explored in ESSB 6137 (1996). This bill would have created business and occupation tax credits and sales and use tax exemptions for employers who sponsored efforts to provide additional child care benefits for their employees. *(Richard Rodger)*

Staff will continue to examine the issue of providing notice of licensing violations by child care centers to consumers of those services as attempted in ESB 6230 (1996). This study will also examine ways to address the issue of acts committed by unlicensed child care providers that come to the attention of the department and that would be licensing violations if the providers were licensed. *(Andrea McNamara)*

COMMUNITY PUBLIC HEALTH AND SAFETY NETWORKS. The community public health and safety networks were created in the 1994 legislative act addressing violence prevention, E2SHB 2319. The community networks have conducted their year-long planning process and will be submitting their comprehensive plans to the Family Policy Council this interim. Committee staff will monitor the development of these plans and track the networks' continued studies regarding decategorization of prevention programs. *(Richard Rodger)*

MONITOR THE ACTIVITIES OF THE FOLLOWING COMMISSIONS, WORKGROUPS, AND COUNCILS:

Family Policy Council
Management Improvement Project and Governor's Oversight Committee
DCFS Task Force on IFPS/FPS Outcomes

2. ALCOHOL AND SUBSTANCE ABUSE

Staff will examine the impact of recent changes in federal law limiting Social Security benefits and Supplemental Security Income benefits for persons addicted to alcohol or drugs. Initial estimates from the federal government indicate up to 75 percent of those individuals will requalify for federal benefits based upon other disabilities. *(Richard Rodger)*

Staff will also examine the opiate substitution treatment program (methadone) compliance criteria developed by the Department of Social and Health Services and the related data collected for outcome analysis and examine any necessary legislative changes. *(Richard Rodger)*

3. DEVELOPMENTAL DISABILITIES

Committee staff will work with the developmental disability community and interest groups to examine alternatives to increase quality assurance in the programs and services of the Department of Social and Health Services. This will include, among other items, a review of the ombudsman program proposed in SB 6681 (1996) and an examination of certification issues. *(Andrea McNamara and Intern)*

MONITOR THE ACTIVITIES OF THE FOLLOWING WORKGROUPS:

Secretary of State's Workgroup on Planning for the Fircrest School Property.

4. ADULT CORRECTIONS

JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON CORRECTIONS COST-EFFICIENCIES. A joint legislative committee was created in 1995 to oversee implementation of the cost-efficiency provisions of 2E2SHB 2010 (1995). The committee is also responsible for preparing a report to the full Legislature with recommendations for further cost efficiencies within the Department of Corrections. Staff will assist in preparation of the report which is due by Dec. 1, 1996.

Areas being considered by the joint committee for possible inclusion in the report include the following: (1) the costs and scope of medical services for offenders; (2) privatization of specific correctional services and/or facilities; (3) coordination and expansion of vocational education and other educational offerings for offenders; and (4) profitability of correctional industries. Staff

will conduct research and facilitate committee presentations on these and other topics. (*Andrea McNamara*)

SEX OFFENDER RISK ASSESSMENT. As a result of a joint request by the Senate Human Services and Corrections Committee and the House Corrections Committee, the Department of Corrections has begun a study of ways to improve and increase the use of risk assessment instruments for sex offenders who are incarcerated in and released from state correctional facilities. The risk assessment instruments will, in turn, be utilized in conjunction with the implementation of SSB 6274 (1996) and SHB 2545 (1996). Staff will monitor the development of the risk assessment instruments and the implementation of the related legislation. (*Andrea McNamara*)

RESIDENTIAL RESTRICTIONS ON RELEASED SEX OFFENDERS. One result of the state's community notification program for registered sex offenders is a growing public awareness and concern about where released sex offenders are living. Proposals at both the state and local levels seek to restrict residential options for sex offenders in various ways. Staff will research the approaches taken in other states to this issue as well as the constitutional constraints on restricting residential choices of released sex offenders. (*Andrea McNamara*)

HEALTH SAFETY OF CORRECTIONAL STAFF. The Legislature passed SSB 6285 during the 1996 session, but the bill was vetoed by the Governor. The bill required the Department of Corrections and local jails to identify inmates who carry infectious diseases. The bill also required the Department of Corrections and local jail administrators to develop protocols for information distribution to staff about special precautions to take with specific offenders who have communicable diseases. Local health officials were required to transmit the results of offenders' mandatory HIV tests to corrections superintendents and jail administrators.

In his veto message, the Governor directed the Department of Corrections to increase its efforts to provide correctional officers with sufficient information and training to assist their understanding of the importance of using universal precautions at all times and to modify its existing policy to eliminate the use of "protocols." Staff will continue to work with interested parties to increase the protection of correctional officers, jail staff, and inmates from the spread of infectious diseases. (*Andrea McNamara*)

ARMING OF COMMUNITY CORRECTIONS OFFICERS. A proposal which passed the House, HB 2164 (1996), would have authorized community corrections officers (CCOs) to carry firearms on duty at their own discretion. Consensus does not exist, however, among community corrections officers, Department of Corrections (DOC) officials, and other interested parties as to the most appropriate way to handle many issues related to arming CCOs. Staff will further investigate the use of DOC's current policy which authorizes CCOs to carry firearms under limited circumstances, research the different approaches taken by other states, and meet with interested parties to determine if consensus is possible on any of the issues. (*Andrea McNamara*)

MONITOR IMPLEMENTATION OF 1996 CORRECTIONS LEGISLATION. Staff will monitor the progress of implementation of the following corrections-related legislation:

- **Electronic Monitoring of Inmate Conversations (SHB 2195).** Notice of the new electronic monitoring policy must be made by the Department of Corrections to staff and inmates by May 1, 1996, and to visitors by July 1, 1996. The new policy, effective August 1, 1996, must recognize the privileged nature of certain types of communications, including confessions to clergy.
- **Misdemeanant Probation Services (SHB 2533).** The Department of Corrections will be developing a classification system and supervision standards for misdemeanor probationers, as will each county that chooses to contract with the department to perform the supervision services. New revenues will be generated by increased fee assessments from probationers. The Office of the Administrator for the Courts will be adopting rules for probation departments and probation officer qualifications.
- **Sex Offender Notification (SHB 2545).** County jails must begin notifying local law enforcement agencies when they release sex offenders. In addition, the Department of Corrections will be developing a policy for evaluating and approving its sex offender release plans, including residences, living arrangements, and supervised visitation with minor children.
- **Supervision of Sex Offenders (SSB 6274).** The Department of Corrections will begin implementation of the longer supervision terms for sex offenders by making modifications to the Offender Based Tracking System (OBTS). Some SSOSA violations may begin being handled administratively by the department before next session. The majority of the other changes made by this legislation will not take affect until future years, although some planning will be undertaken this interim in preparation for implementation.
- **Offender Debt Collections (SSB 6315).** The Department of Corrections will continue efforts to update its computer system in order to implement the costs and fee assessments required by 2E2SHB 2010 (1995). In addition, it may begin contracting with private collection agencies for collection of debts outstanding at the time of an offender's release from incarceration. (*Andrea McNamara*)

MONITOR THE ACTIVITIES OF THE FOLLOWING COMMISSIONS, WORKGROUPS, AND COUNCILS:

Sentencing Guidelines Commission
Governor's Interagency Criminal Justice Workgroup
Statewide Law and Justice Advisory Council
Department of Corrections Health Services Workgroup

5. JUVENILE CORRECTIONS

VOCATIONAL EDUCATION PROGRAMS FOR FEMALE JUVENILE OFFENDERS.

The Juvenile Rehabilitation Administration (JRA) has identified a significant disparity in the availability of vocational education programs for male and female juvenile offenders housed in JRA facilities and group homes. A report to the Legislature in December, 1995 identified a number of action steps to improve vocational education programs for juvenile offenders generally, and female juvenile offenders specifically. Staff will review/monitor the implementation of recommendations identified in the report, with a specific focus on the steps being taken to increase the availability of vocational programs for girls. *(Andrea McNamara)*

JUVENILE OFFENDER BASIC TRAINING CAMP. The opening of the Juvenile Offender Basic Training Camp, created in 1994, has been repeatedly delayed since early 1995 for a number of different reasons. Staff will meet with representatives from JRA and the apparently successful bidder to identify any remaining obstacles to implementation of the camp. If the camp is opened during the interim, staff will monitor the initial operation of the program. *(Andrea McNamara)*

JUVENILE OFFENDER ISSUES. Staff will conduct a joint study with the Law and Justice Committee staff regarding the issues related to the capacity of the state's juvenile institutions and examine the policy issues related to the balance between rehabilitation and deterrence in juvenile sentencing. *(Richard Rodger and Andrea McNamara)*

MONITOR THE ACTIVITIES OF THE FOLLOWING WORKGROUP:

Sentencing Guidelines Commission Juvenile Justice Workgroup

6. SUBCOMMITTEE ON BACKGROUND CHECKS

Chair: Senator Jeanne Kohl

Several concerns have been raised in the last few sessions relating to the authority, requirements, costs, and process of conducting background checks on public and private employees and volunteers. As a result, a subcommittee has been created to examine relevant issues such as whether there is a need for greater uniformity in this area; who should have the ability to request background checks; under what circumstances should checks be authorized or required; and who should be responsible for the cost of the background checks.

Staff will conduct research into other states' laws and regulations relating to background checks. Additionally, staff will arrange and facilitate subcommittee meetings/hearings/work sessions and assist in the preparation of a report and possible draft legislation. *(Andrea McNamara and Intern)*

MEETINGS

Subcommittee on Background Checks

April 18 Olympia 10:30am - noon
Once a month thereafter
To be announced.

Children's Oversight Committee

To be announced.

Management Improvement Advisory Committee

To be announced.

Joint Corrections Oversight Committee

June 20 Snoqualmie Pass 6:00pm - 8:00 pm

Committee Assemblies

August 1-2 Olympia
September 19-20 Olympia
December 5-6 Olympia

COMMITTEE STAFF	
Richard Rodger, Counsel	786-7461
Andrea McNamara, Counsel	786-7483
Annette Swillie, Leg. Assistant	786-7436

**SENATE COMMITTEE ON LABOR, COMMERCE
AND TRADE**
Senator Dwight Pelz, Chair

1. LABOR ISSUES

TASK FORCE ON NONPAYMENT OF INDUSTRIAL INSURANCE PREMIUMS. SHB 2513 calls for the creation of a legislative task force to examine the extent of the problem of nonpayment of workers' compensation premiums and other taxes. Staff will work with the task force to carry out its work. *(Jack Brummel)*

VOCATIONAL REHABILITATION/WORKFORCE TRAINING. Approximately 10,000 injured workers in the state are actively involved in vocational rehabilitation at any point in time. Staff will: (1) review how injured workers who can't return to their old work are being plugged into the workforce training system; (2) monitor the Department of Labor and Industries' vocational rehabilitation re-engineering project; and (3) analyze options for legislative action. *(Jack Brummel)*

COLLECTIVE BARGAINING FOR CERTIFICATED SCHOOL DISTRICT EMPLOYEES. Two very different bills were introduced in the House and Senate regarding impasse resolution for certificated school district employees, neither of which passed the Legislature. There is, however, continued interest in changing the applicable collective bargaining statute to make the process one that is less disruptive and more constructive. Interim research and discussion will help identify and reach agreement on the changes, if any, that would be appropriate. *(Jonathan Seib)*

EMPLOYMENT STANDARDS AND INDIAN ENTERPRISES. The revenue from gambling establishments, among other things, provides Indian tribes the opportunity for substantial economic expansion. With the increased employment that will accompany this expansion, concerns are likely to arise regarding the application of state and federal employment standards to businesses located in Indian country. At issue is the welfare of employees, both Indian and nonIndian, and the ability of nontribal businesses to compete with businesses subject, perhaps, to a different set of regulatory standards. Research will be conducted to determine how current standards apply and to identify issues that may warrant a legislative response. Consumer protection and licensing could also be addressed. *(Jonathan Seib)*

CONTINGENT WORKFORCE. Published reports suggest that over the past several years there has been a substantial increase in the number of parttime and temporary employees employed by U.S. companies. This "contingent workforce" does not typically enjoy the same benefits and conditions of employment as fulltime permanent employees. Interim research will document the extent of and reasons for the existence of a contingent workforce in this state, its impact on employers and employees, and whether it raises issues of interest to the Legislature. *(Jonathan Seib)*

EMPLOYEE REFERENCES LITIGATION. Employers and employees have traditionally relied on references from past employment to establish a person's qualifications for a job opening. In recent years, however, employers have been the target of lawsuits brought by persons dissatisfied with the reference that they received. Resulting concerns over liability have led many employers to refuse to provide any information other than a person's dates of employment. At the same time, some companies have been found liable when they failed to provide warning of a former employee's dangerous tendencies, where the former employee was subsequently hired by another company and then committed harmful acts. Legislation intended to resolve this "catch-22" has reportedly been introduced in a number of states. Interim research will address whether such legislation is appropriate in Washington. (*Jonathan Seib*)

STATE MINIMUM WAGE LAW AND THE FEDERAL FAIR LABOR STANDARDS ACT. In addition to setting the wage itself, separate state and federal laws govern the nuances of minimum wage and overtime. Which employees are covered, what can and cannot be included as wages, how wages paid and overtime owed are to be calculated, and the penalties for violations are just some of the details established under these laws. Bills introduced in recent years indicate some concern that in these details, the laws lack the flexibility desired by both employers and employees. Because these laws are a foundation of employee well-being, however, there is a general hesitancy to examine their efficacy for fear that doing so would lead to the lessening of existing standards. Interim research will produce a briefing paper for members comparing the detailed requirements of the state and federal wage and overtime laws and identifying areas of concern. (*Jonathan Seib*)

EMPLOYMENT AT WILL. Washington, along with most other states, is governed by the doctrine of "employment-at-will." In its purest form, this doctrine provides that an employer may dismiss an employee for a good reason, a bad reason, or no reason at all, so long as the dismissal does not violate the provisions of a specific statute such as a collective bargaining or civil rights act. Particularly in an era of economic insecurity, this doctrine is considered by some to be callous and unfair. In the past decade or so, however, the employer's unmitigated right to dismiss at-will employees has been tempered by state court rulings carving out certain exceptions. This has led to concern by employers that the law in this area is no longer consistent and predictable. That concerns exist on both sides of this issue may present the Legislature with the opportunity to craft both a more benevolent and a more predictable employment termination law for this state. (*Jonathan Seib*)

WORKPLACE CLOTHING REIMBURSEMENT. HB 2847 would have addressed the obligation of employers to reimburse their employees for the cost of certain apparel required to be worn at work. Because the bill did not pass, responsibility for the issue remains with the Department of Labor and Industries, which had previously announced its intention to initiate new rulemaking. The rulemaking process is likely to be contentious. In addition to monitoring the department's activities, staff will further research the issue anticipating that it will be before the Legislature again next year. (*Jonathan Seib*)

PUBLIC EMPLOYEE UNION AGENCY FEES. The Public Employment Relations Act (RCW 41.56) authorizes collective bargaining agreements entered into by local government employees to include union security agreements, but explicitly provides that the agreements must safeguard employees' right of nonassociation based on bona fide religious tenets. In *Local 2916, IAFF v. Public Employment Relations Commission*, decided in December 1995, the state Supreme Court ruled that this statute does not give PERC authority to protect an employee's right of nonassociation if the asserted right is based on something other than a religious tenet. There is concern that application of the state statute reflected in *Local 2916* will make it more difficult for local government employees to protect their right of nonassociation, and put the state statute at odds with the U.S. Constitution. Staff will research this issue and consult with interested parties to determine whether a legislative response to the *Local 2916* decision might be appropriate. (*Jonathan Seib*)

MINIMUM WAGE. Three bills were introduced and heard by the Labor, Commerce and Trade Committee during the 1996 session which would have raised the state's minimum wage. Those testifying in support of these bills suggested it was important that Washington employers pay a "living wage" to their employees. Recognizing that the marginal increases in the minimum wage called for in the bills did not represent a "living wage," a committee member requested staff research the impact of imposing a truly living wage of, for example, \$15.00 per hour. Preliminary research was completed during session, on which staff will follow up and report any additional findings. (*Jonathan Seib*)

UNEMPLOYMENT INSURANCE/RE-ENGINEERING PROCESS. In response to the 1994-95 Legislative Task Force on Unemployment Insurance, the Employment Security Department carried out a major re-engineering of the unemployment insurance program in 1995. Review the Employment Security Department's implementation of its recent UI re-engineering process. (*Patrick Woods*)

YOUTH EMPLOYMENT PROGRAMS. Review the impact of federal reductions to youth employment Programs in the state including, but not limited to, JTPA II-B and II-C. Monitor the implementation of the state's summer youth employment program. (*Patrick Woods*)

CORPORATE DOWNSIZING. Review the impact of corporate downsizing on Washington's economy. Determine best practices in private/public sector in response to impacts on workers and communities. (*Patrick Woods*)

2. COMMERCE ISSUES

SELLERS OF TRAVEL TASK FORCE. Provide appropriate staffing for this legislatively mandated review of issues concerning the registration of sellers of travel. (*Traci Ratzliff*)

GAMBLING REVENUES AND TAXATION BY LOCAL GOVERNMENTS. Gather and review local government gambling revenue and taxation rate information for the last five to ten years. (*Traci Ratzliff*)

TIED-HOUSE ACT. The act was established in the early 1900's in order to prevent vertical integration of the liquor industry and its potential for adverse business and retail practices. Review the history of this act, how it has changed over the years, its usefulness in modern day commerce. (*Traci Ratzliff*)

FEDERAL INDIAN GAMING REGULATORY ACT LAWSUITS. Follow status of lawsuits in this state related to tribal gaming. In addition, review cases decided in Ninth Circuit Court and other circuits on issues related to tribal gaming. (*Traci Ratzliff*)

REGULATORY REFORM. Improving the regulatory environment in the state is likely to be an ongoing concern of the Legislature. Interim assistance with and oversight of agency implementation of HB 1010 will provide members with information on the consequences, both good and bad, of their major reform effort to date. Researching issues arguably left unaddressed by HB 1010, including the formal review of existing administrative rules, agency use and misuse of emergency rulemaking authority, and ways to improve coordination between the state and local jurisdictions, may provide the basis for the Legislature's next steps. Finally, staff communication with groups such as the National Association on Administrative Rules Review will keep efforts in this state current with activities around the country. (*Jonathan Seib*)

UNFUNDED FEDERAL MANDATES. On January 1 1996, the Unfunded Mandates Reform Act of 1995 became effective. Among other things, this act requires the congressional budget office (CBO) to estimate the cost of proposed federal legislation on state and local governments. A bill in which these estimated costs are not adequately funded can be ruled out of order. Thus, the success or failure of federal legislation can hinge on the cost information gathered by CBO. To that extent, the state legislature would seem to have an interest in where CBO obtains information from this state, particularly as to state costs. CBO is reportedly establishing a network of state and local contacts to assist their cost estimating effort. Research to determine the proper role of the state legislature in this effort may be appropriate. (*Jonathan Seib*)

PRICE DISCRIMINATION. SB 6669, as introduced in the 1996 session, would have prohibited charging a different price for a product or service based solely on the gender of the purchaser. An amended version of the bill passed the Senate but was not considered in the House. However, interest remains in further study to determine the extent to which this practice occurs in this state and whether a legislative response is needed or appropriate. Staff will assist in these efforts. (*Jonathan Seib*)

INTERNET/COMMERCE*. The use of the Internet for commercial and personnel purposes by businesses and individuals has grown dramatically in recent years, resulting in significant changes to the overall manner in which commerce is transacted. However, the potential for an even greater change in commercial activities due to the Internet is very real and may pose significant challenges and opportunities for state agencies. The study intends to review the potential impact of the internet system on commerce in Washington, with particular emphasis on consumer protection and compatibility of government policies and process with emerging technologies. (*Patrick Woods, Traci Ratzliff, and Jonathan Seib*)

3. ECONOMIC DEVELOPMENT ISSUES

MANUFACTURING TECHNOLOGY EXTENSION PROGRAMS. The Department of Community, Trade, and Economic Development is embarking on a planning process for a modernization extension service for manufacturers in the state. Staff will work with the department in exploring models for the extension service. (*Jack Brummel*)

WORKFORCE DEVELOPMENT*. Staff will monitor progress by the Work Force Training and Education Coordination Board in carrying out legislatively mandated evaluations and studies. Staff will also examine proposed federal initiatives in workforce development. (*Jack Brummel and Patrick Woods*)

INTERNATIONAL EXCHANGE PROGRAM IMPLEMENTATION. Review the implementation of HB 2291, establishing a series of cultural and educational exchange programs within the Secretary of State's office and the Higher Education Coordinating Board. (*Patrick Woods*)

EMPLOYMENT AND TRAINING. Monitor the work of the Work Force Training and Education Coordinating Board in coordinating and evaluating the state's training programs. (*Patrick Woods*)

TIMBER/SALMON IMPACT PROGRAM. Monitor the activities of the state's timber/salmon assistance program to assist individuals and communities impacted by the decline of these natural resource industries. Review the programs bench mark/success indicators. (*Patrick Woods*)

COMMUNITIES OF EXCELLENCE. Provide ongoing updates to the committee on the National Council of Legislatures study of model economic development efforts throughout the world. (*Patrick Woods*)

PUBLIC/PRIVATE PARTNERSHIP. Review examples of effective public/private partnerships with regards to economic development issues, in particular job placement for the structurally unemployed. (*Patrick Woods*)

INTERNATIONAL TRADE PROMOTION. Review existing state efforts to promote international trade and provide overview of effective strategies and programs in trade promotion. (*Patrick Woods and Jack Brummel*)

* indicates joint project.

MEETINGS

May 1 Olympia 1:30pm
SHR 4

Committee Assemblies

August 1-2 Olympia
September 19-20 Olympia
December 5-6 Olympia

COMMITTEE STAFF	
Patrick Woods, Analyst	786-7430
Jack Brummel, Counsel	786-7428
Traci Ratzliff, Analys	786-7452
Jonathan Seib, Counsel	786-7427
Teri Blair, Leg. Assistant	786-7426

SENATE COMMITTEE ON LAW AND JUSTICE
Senator Adam Smith, Chair

1. CRIMINAL LAW

SENTENCING GUIDELINES COMMISSION STANDARDS AND RANGES WORKGROUP. The Sentencing Guidelines Commission has developed a workgroup to look at expanded judicial discretion in sentencing, and to identify options for alternatives to incarceration. Staff will attend workgroup meetings, monitor the workgroup's decisions, and review any proposed legislation. *(Susan Carlson)*

ALTERNATIVE PROCEDURES FOR ENFORCING MISDEMEANOR ORDINANCES. It has been suggested that allowing local governments a certain amount of flexibility in addressing misdemeanors could lead to more effective law enforcement while saving scarce local financial resources. One proposal includes providing local governments with the authority to criminalize certain behavior that may be a local, but not a statewide problem. Another suggestion is the creation of a task force to review laws to see if some could be decriminalized, thus saving jury trial and public defender costs, while providing sufficient civil sanctions to avoid increased undesirable behavior. Another proposal involves funding a study of an aggressive pretrial diversion program aimed at first-time misdemeanor theft offenses to see if the results are more effective than the usual criminal sanctions. Staff would meet with interested parties or ad hoc task forces to study these proposals and prepare legislation as appropriate. *(Marty Lovinger)*

CRIMINAL JUSTICE TRAINING COMMISSION. The Washington Association of Sheriffs and Police Chiefs will be conducting a comprehensive study of the Criminal Justice Training Commission. The study will review and analyze the purposes, goals, functions, and funding mechanisms of the commission. It is expected that the study will recommend statutory changes to the 1997 Legislature. Staff will monitor the progress of the study. *(Dick Armstrong)*

SEX OFFENDERS. The Legislature and the public continue to be concerned about the sentencing of sex offenders in the criminal justice system. Staff will monitor the effect of the new law requiring a life sentence for two separate convictions of certain sex offenses, and will examine other sex offender proposals considered by the committee last session. Staff will also continue to review studies of sex offender recidivism and examine the sanctions imposed for sex offenses in other states. *(Susan Carlson)*

SENTENCING REFORM ACT (SRA) -- TECHNICAL AMENDMENTS. Since enactment in 1981, the SRA has been amended every year by the legislature, and several times by initiative. Some of the sections have become unduly lengthy and need to be split into separate sections. Other provisions are repetitive or in need of technical clarification. Staff will work with the Sentencing Guidelines Commission and the Code Reviser's office and others to draft technical and clarifying revisions to the SRA. *(Susan Carlson)*

ADULT ENTERTAINMENT. The Senate passed legislation aimed at curbing prostitution and drug transactions at adult cabarets by restricting tipping, placing an eight-foot barrier between entertainers and patrons and regulating lighting. Consensus with the House on this controversial proposal was not reached during the 1996 legislative session. Staff will continue to study the issues surrounding placing restrictions on adult cabarets. (*Cynthia Runger*)

HARMFUL TO MINORS. In recent years the Legislature has passed and the Governor has vetoed legislation which restricts minors from having access to explicit sexual materials. Several aspects of this legislation created a considerable amount of controversy, especially its potential impact on the arts community and the electronic communications industry. Staff will work with representatives of these groups as well as other affected groups to reach an acceptable compromise. (*Dick Armstrong*)

FIRST OFFENDER WAIVER FOR DRUG-RELATED CRIMES. The public support for more severe punishment for violent crimes has added to the rapidly increasing number of inmates in the state prison system. It has been suggested that allowing courts to waive prison for a first nonviolent drug-related offense under very strict conditions including some jail time, could alleviate prison overcrowding, while providing sufficient incentive to curtail recidivism. Staff will review legislation from other jurisdictions and monitor the study of this issue by the Sentencing Guidelines Commission. (*Marty Lovinger*)

GRAND JURIES. SB 6194 proposed to provide to the public easier access to grand juries. Staff will study grand juries in other jurisdictions for their use, size, scope of activity, statutory term, etc. Staff will also study cases in which grand juries were used in this state. (*Cynthia Runger*)

DEATH PENALTY. In 1996, a bill was introduced which would extend from 30 to 45 days the period in which the prosecutor must serve the defendant with notice that the death penalty will be sought. A list of reasons to exceed the 45-day limit was provided. The bill also would have eliminated the requirement that the state Supreme Court perform a proportionality review of each death sentence. These issues have been a source of appellate concerns in some death penalty cases and it has been suggested that any of the proposed changes will also result in an increased number of appeals. Staff will work with interested parties on these issues and monitor court decisions from this and other jurisdictions that are relevant to death penalty procedures. (*Marty Lovinger*)

FEDERAL CRIME LEGISLATION. In 1994, Congress passed legislation providing considerable amounts of money to state and local governments for their criminal justice systems. Money was included for additional prisons, law enforcement officers, and a variety of rehabilitative and crime prevention programs. Staff will be working with the Department of Corrections and the fiscal staff to help determine the impact of any revisions in funding from the federal government. (*Dick Armstrong*)

MISDEMEANORS. The Washington State Law and Justice Advisory Council is in the process of conducting a study of misdemeanor sentencing practices. The council is conducting the study at the request of the Sentencing Guidelines Commission, since the state has little information on the actual sentences imposed on misdemeanants. Staff will be monitoring the council's study. *(Dick Armstrong)*

SEXUALLY VIOLENT PREDATOR STATUTE. In August 1995, a federal district court held that Washington's sexually violent predator statute was unconstitutional. This decision conflicts with a previous Washington Supreme Court opinion. The Attorney General's office has appealed the federal district court's decision to the Ninth Circuit Court of Appeals. The federal court decision will be monitored by staff and the final decision will be analyzed for possible legislative responses. *(Susan Carlson)*

2. CIVIL LAW

PRIVACY ACT. Privacy protection is considered a very important component of our quality of life. Concerns have been raised that existing privacy safeguards are insufficient, particularly with modern technology and the widespread use of computers for storing personal information. Some jurisdictions have attempted to address privacy protection by adopting comprehensive privacy acts that provide more thorough protection than a piecemeal approach to keeping information confidential in different activities. It has been suggested that Washington should adopt a comprehensive privacy act addressing principles, rights, remedies, and exemptions in a statutory package. Staff will begin the process by reviewing privacy acts in other jurisdictions and comparing them with provisions in Washington statutes. Staff will contact people and groups interested in issues that such legislation might affect in order to obtain input. *(Marty Lovinger)*

IMPORTED BRIDES. Law enforcement, domestic violence organizations, and minority communities have identified a growing problem with individuals who operate businesses which "import brides" for single men. There is concern that such women enter the country with few protections from potentially abusive or unhealthy situations, given their meager assets, education, or knowledge of American culture. Staff will be working with members of the House of Representatives, law enforcement, immigration services, legal organizations, and minority communities to determine if legislation is needed to provide greater protection to women who are brought here from other countries for the purpose of marriage. *(Lidia Mori)*

PERSONALITY RIGHTS. The right of publicity is the right of an individual to protect his or her name, image, photograph or other distinctive characteristics from nonauthorized commercial use. Washington State is home to many celebrities, such as sport stars, writers, musicians, and actors who may desire to protect the commercial value of their "personalities." At the present time, neither the Legislature nor the courts in Washington have explicitly recognized the right of "publicity" or "personality." The Washington State Bar Association has established a workgroup to determine if our Legislature should consider enacting such legislation in this state. Staff will be monitoring the activities of the workgroup. *(Dick Armstrong)*

CIVIL RIGHTS ACT OF 1996. There is no Washington State statute that is comparable to the federal Civil Rights Act of 1871 which provides redress for deprivation, under color of state law, of rights secured by the Constitution. There is a belief that such relief should be explicitly stated in Washington State laws and a wide variety of groups support this idea. However, there are a number of concerns that have been expressed regarding the ramifications and liabilities that this proposal would place on state and local governments. Staff will research federal and state laws regarding this issue and compare the approach taken by other states on this subject. (*Lidia Mori*)

CIVIL FORFEITURE STATUTES. A common weapon in the ongoing battle against criminal activity is the use of civil forfeiture statutes to forfeit property that was used in committing the crime or that was purchased with the criminal proceeds. Some courts have found the use of civil forfeiture statutes under some circumstances to constitute double jeopardy if the defendant is tried in a separate criminal proceeding for the same activity. There are a number of other concerns with the civil forfeiture proceedings including accounting for the proceeds and protection of rights of innocent owners. Staff will monitor relevant court decisions and work with prosecutors and the defense bar as statutory modifications are proposed. (*Marty Lovinger*)

AFFIDAVIT OF PREJUDICE. At the present time, attorneys in a lawsuit filed in district court have the automatic right to remove the assigned judge, regardless of the actual competency or impartiality of the judge. Such an action is accomplished by filing an affidavit of prejudice. This year, the Law and Justice Committee heard legislation which would have removed the ability of attorneys to automatically remove a judge from a case; instead, a motion supported by specific information would have to be filed to request a judge to remove himself or herself from the case. Staff will be working with the district court judges and various legal organizations to determine if an acceptable compromise can be reached for next session. (*Dick Armstrong*)

COMMON OWNER INTERESTS. Current law is considered inadequate in setting forth the rights and responsibilities of residential property owners who have an ownership interest in property dedicated for the use and enjoyment of those in the residential association. Parks, playfields, swimming pools and green belts are examples of areas in a residential association that have common community ownership. Staff will be working with the Washington State Bar Association committee to develop legislation on this subject, as well as refine the condominium law governing oral misrepresentations. (*Dick Armstrong*)

HOMEOWNER ASSOCIATIONS. In 1995, legislation was passed which addressed the organization, management, and powers of homeowners' associations. A homeowners' association is an organization formed in a planned unit community or given homeowners' area to provide management and maintenance for common areas in the community, such as parks, lakes, roads, and community centers. A workgroup consisting of attorneys, realtors, developers, homeowners, and the Secretary of State's office have identified several areas of the legislation which need to be clarified or expanded. Staff will work with this group to prepare legislation for the 1997 session. (*Dick Armstrong*)

COMMERCIAL USE OF PUBLIC LISTS. Concerns have been raised that private businesses have been able to obtain for commercial purposes, from public agencies, the names of campaign contributors. This could lead some contributors to refuse to participate in election campaigns. A bill was introduced to address this matter, but concerns were raised that the language in the bill might adversely affect the ability to campaign for office. Staff will review proposals from various interest groups concerned with this issue to see if a bill can be drafted that will protect the conflicting interests. Staff will also monitor the work of the task force the Governor is establishing to develop a comprehensive policy regarding the commercial use of public records. *(Marty Lovinger)*

SAME-SEX MARRIAGE. The courts in Hawaii are in the process of determining if the state constitution of Hawaii requires that marriages between members of the same sex must be permitted. If the courts there find in favor of a right to marriage for same-sex couples, it has been suggested that the Full Faith and Credit Clause of the United States Constitution would require other states to recognize marriages between members of the same gender when validly contracted in Hawaii. In 1996, HB 2262 was passed by the Washington State House of Representatives. It redefined marriage as a civil contract between a man and a woman. Marriage between persons other than a male and female would be specifically prohibited and a marriage between two members of the same sex that is valid in another jurisdiction would not be recognized in Washington. Staff will be following these issues and monitoring legal developments in Hawaii, as well as any related initiatives in other states. *(Marty Lovinger)*

3. COURTS

JUDICIAL SELECTION. In 1995, Chief Justice Barbara Durham established a Judicial Selection Review Commission, referred to as the Walsh Commission. The purpose of the commission was to review all aspects of judicial selection. In March 1996, the Walsh Commission submitted its report to the Chief Justice, making recommendations on: length of practice; residency; mode of selection; nominating commissions; judicial performance information; judicial voter information; campaign finance; and public education. It is anticipated that the Law and Justice Committee will hold an interim hearing to review the recommendations of the commission. Staff will study the commission report and the literature on judicial selection, since it is likely that the courts will ask the Legislature to enact some or all of the recommendations of the commission. *(Dick Armstrong)*

SMALL CLAIMS COURT AND DISTRICT COURT. A comprehensive review of the small claims department of the district court is being performed by the District Court Judges Association. They will be examining a myriad of issues including jurisdiction, commencement of an action, and assignment of claims. In addition, there is interest in expanding the jurisdiction of district court from its current level of \$25,000. Staff will monitor the review and work with interested parties in addressing relevant issues. *(Lidia Mori)*

DRUG COURTS. Given the significant increase in convictions for illegal use of drugs, and the number of repeat offenders, some jurisdictions are utilizing drug courts as a more effective

way of handling chronic drug offenders. In general, drug courts tend to impose alternatives to confinement and usually stress urine analysis, drug treatment, and counseling. Staff will be reviewing the literature on successful drug court programs, analyzing the various drug court programs operating in this state, and working with interested parties to determine if any statutory changes are warranted. *(Dick Armstrong)*

UNANIMOUS JURY VERDICTS. Most states require juries in criminal trials to return guilty verdicts by unanimous vote of all jurors. However, some states have allowed, or are studying, the feasibility of allowing jury verdicts in criminal trials to be returned by less than a unanimous vote of all jurors. Some prosecutors and legislators have expressed an interest in studying this issue to determine the impact on the criminal justice system of such a change in the jury system. *(Dick Armstrong)*

4. FAMILY LAW AND CHILD SUPPORT

CHILD SUPPORT. Several issues continue to arise regarding the calculation of child support, including: items that should be included or excluded from income for purposes of calculating the support obligation; the impact of second families on the determination of child support to the first family; how to provide a residential credit for time the child spends with the nonresidential parent without discouraging liberal visitation with that parent; and how to define and allocate ordinary and extraordinary health care expenses between the parents. The issue of whether the court should be allowed to order child support for the purposes of postsecondary education also continues to be controversial. Staff will review these issues and monitor developments in other states. *(Susan Carlson)*

CHILD SUPPORT ENFORCEMENT. The Legislature again considered several proposals to suspend driver's and occupational licenses of persons who are in arrears on child support payments. This issue has received national attention and there have been proposals in Congress to require state child support enforcement programs to adopt such a program. Staff will monitor federal action on this issue, as well as collect and analyze data from states that have enacted suspension programs. *(Susan Carlson)*

ABUSE OF THE ELDERLY. The Attorney General's office is looking into elderly patient abuse in Medicaid funded institutions and is considering proposing modifications to current criminal and civil sanctions and reporting requirements. Staff will participate in reviewing this subject matter. *(Lidia Mori)*

5. FIREARMS -- VIOLENCE

COURT HOUSE SECURITY. The Chief Justice of the Supreme Court has created the Court House Security Committee to examine the current status of weapons possession in court houses. Staff will monitor the task force's developments and, if necessary, assist in the drafting of any resulting legislation. *(Cynthia Runger)*

FIREARMS DEALERS' LICENSES. The issue of firearms dealers' license requirements was addressed in both the Senate and House of Representatives. The firearms lobby is interested in resolving this issue. Staff will monitor the development in this area. *(Cynthia Runger)*

SPORT SHOOTING RANGES. ESHB 2175 was introduced last session to give immunity from certain civil and criminal liabilities to operators of sport shooting ranges. The firearms lobby is interested in developing a bill to protect shooting ranges. Staff will monitor the issue and communicate with interested parties on the matter. *(Cynthia Runger)*

CONCEALED PISTOL LICENSE RECIPROCITY. It has been asserted that a couple of states allow people with valid concealed pistol licenses from other states to carry concealed pistols in their states. Interest has been expressed to allow the same in Washington State. Staff will study other jurisdictions to determine which states have reciprocity and the effects of their laws. *(Cynthia Runger)*

CONCEALED PISTOL LICENSE APPLICATION AND RENEWAL. Currently, state residents may only apply for a concealed pistol license in the municipality or the county in which the person resides. The issuing authority has up to 30 days to issue a concealed pistol license (CPL) to an applicant with a valid Washington driver's license and up to 60 days for those who do not. It has been stated that the process is inconvenient for people who work in one area and live in another. The firearms lobby is interested in making the application process more user-friendly. Staff will monitor this issue and communicate with the interested parties. *(Cynthia Runger)*

HANDGUN POSSESSION. The firearms control lobby has expressed interest in raising the handgun possession age in this state from 18 to 21. Staff will keep abreast of the latest developments in this area and communicate with all interested parties. *(Cynthia Runger)*

FIREARM SAFETY. Gun control advocates will be working on measures to improve gun safety in this state. The areas of greatest concern are accessibility of firearms to children and adequate training for gun owners. Staff will be monitoring and reviewing safe storage, mandatory gun safety courses, and other gun safety related issues. *(Cynthia Runger)*

6. ALCOHOL -- TRAFFIC

DRUG IMPAIRED DRIVERS. SB 5141, an omnibus bill dealing with driving under the influence of liquor or drugs, passed during the 1995 legislative session. It expanded the implied consent statute to include not only testing to determine alcohol concentration, but also the presence of any drug. A drug-impaired driver advisory committee was created to determine the legal ramifications of the new authority, what guidelines need to be set up, and what, if any, changes need to be made to the new law. Staff has monitored the activities of this committee and will continue to do so. *(Lidia Mori)*

PROVISION OF LIQUOR TO PERSONS UNDER 21 YEARS OF AGE. Legislation was introduced during the 1996 session that would make the provision of liquor to persons under the age of 21 a gross misdemeanor; it is currently a misdemeanor. Concern was expressed that such an increase in the penalty could adversely affect retail stores. Staff will work with interested parties to see if a compromise can be reached which addresses the concerns of all involved. *(Lidia Mori)*

7. CORPORATIONS

CORPORATION FINANCIAL REPORTS. Concerns have been expressed that large nonprofit organizations have been conducting business as if they were profit corporations. Among the business community there is trepidation about unfair competition. It has been suggested that information about these organizations should be made available at the Secretary of State's office. Staff will consult with the Secretary of State's office and other interested parties, and if necessary, draft legislation to make financial reports of nonprofit organizations easily accessible to the public. *(Cynthia Runger)*

UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT (UUNAA). The National Conference of Commissioners of Uniform State Laws has recently adopted the UUNAA. Staff will work with interested parties to draft legislation that reflects the efforts of the commissioners. *(Cynthia Runger)*

UNIFORM PARTNERSHIP ACT. In 1995, legislation was introduced to repeal the state's existing Partnership Act and implement the Uniform Partnership Act. The Washington State Bar Association (WSBA) is currently reviewing this issue. Staff will work with the WSBA to review and draft legislation in this matter. *(Marty Lovinger)*

8. CAMPAIGN -- PDC

CAMPAIGN FINANCE REFORM. There is widespread public interest in bringing the increasingly high cost of political campaigns for public office under control. In 1996, a bill was introduced that would have established voluntary expenditure limits for state legislative and executive office campaigns. There is also interest in a number of other proposals that would also change current campaign finance procedures. Staff will continue to work with interested parties and review suggestions in order to draft proposed legislation to address this issue. *(Marty Lovinger)*

9. JUVENILES

THE SENTENCING GUIDELINES COMMISSION (SGC). The Legislature has directed the SGC to recommend new juvenile disposition standards and study other juvenile justice issues. Staff will monitor the activities of the SGC advisory committee as it reviews critical issues and potential proposals. *(Lidia Mori)*

Juvenile Justice

- Two major juvenile justice bills were introduced during the 1996 session. The two bills were similar in many respects yet differed in several important areas. Automatic declination of juveniles to adult court was an issue of major discussion as well as numerous other issues. Staff will analyze current information and statistics regarding how and when automatic declination is presently used and will examine sentencing options for serious and middle offenders. *(Lidia Mori)*
- The two major juvenile justice bills in the 1996 session contained a plethora of changes to juvenile justice. Some legislators believe it would be better to address these issues in individual bills. Staff will examine the omnibus juvenile justice bills to see how they could be separated into individual bills. *(Lidia Mori)*

JUVENILE DETENTION AND PROBATION SERVICES. These services are administered by the superior court unless there is an agreement with the legislative authority to the contrary and a local rule to that effect. The legislative authorities in some counties believe that juvenile probation and detention services should not be administered by superior court and there is controversy as to the best way to administer these services. Staff will be working with the counties and superior courts to resolve these issues. *(Lidia Mori)*

MEETINGS

Committee Assemblies

August 1-2

September 19-20

December 5-6

COMMITTEE STAFF	
Dick Armstrong, Counsel	786-7460
Susan Carlson, Counsel	786-7418
Marty Lovinger, Counsel	786-7443
Lidia Mori, Counsel	786-7755
Cynthia Runger, Counsel	786-7717
Dixie Imus, Leg. Assistant	786-7462

SENATE COMMITTEE ON NATURAL RESOURCES
Senator Kathleen Drew, Chair

COMMERCIAL FISHING BYCATCH

Commercial fisheries have varying degrees of catch of nontarget species, known as bycatch. Bycatch are generally unmarketable fish or other marine organisms which are discarded overboard while at sea. Mortality on bycatch species is often high. In some cases, bycatch are fish species which are protected because of low populations, such as endangered salmon stocks. Some commercial fishing methods are more selective and have less incidence of bycatch. Bycatch concerns were voiced in Initiative 640 which was defeated at the polls last November. However, the issue of bycatch remains a serious concern.

A public hearing will be held in the first week in May, at that time a report will be available from the Department of Fish and Wildlife. *(Ross Antipa)*

RECREATIONAL FISHING AND HUNTING LICENSE FORMAT

Passage of SSB 6529 required the Fish and Wildlife Commission to simplify and modernize the Fishing and hunting license system in a two-phased approach. Phase I would involve changes in the existing system to make it more workable. Phase II would involve a completely new system by the 1998 legislative session.

The new system would probably utilize on line computer facilities similar to the system now utilized in Oregon and Idaho.

Staff from the Fish and Wildlife Department will be briefing the committee following the department fact finding trip to Idaho. *(Ross Antipa)*

FEDERAL BUDGET CUTS - COLUMBIA RIVER HATCHERIES

The recent federal budget reduced the funding for Mitchell Act hatcheries on the Columbia River by \$813,000. The 1996-97 state supplemental budget continued the funding for these hatcheries with state funds through September 1996. This is the first time the federal government has failed to fund these hatcheries which were established to mitigate for the construction of the federal Columbia River hydroelectric dams. Consequently, this is the first time that the state has been forced to provide funding for a fisheries program that is a federal responsibility. It is uncertain what the funding of this program will be in the future. *(Ross Antipa)*

PUGET SOUND RECREATIONAL FISHING ENHANCEMENT PROGRAM

Establishment of the \$10 recreational fishing surcharge for Puget Sound fishers (ESHB 2055, 1993) brought with it the expectation of improved fishing for salmon and bottom fish in Puget Sound. To date, the fishing opportunities have not been measurably improved. The committee

requires an update of program accomplishments and a review of review of future plans. (*Ross Antipa*)

WARM WATER FISH ENHANCEMENT PROGRAM

This legislative session marks the culmination of a four-year effort to establish a warm water fish enhancement program in Washington State. The committee needs to work with the department and the commission to assure that the program is effective and that it is properly administered. (*Ross Antipa*)

PHEASANT FARM PROGRAM

Recent flooding at the Centralia pheasant farm coupled with the scheduled closure of the Coupeville pheasant farm has threatened the program. The department has reduced the number of pheasant farms from eight to one over the last 20 years. User fees have steadily increased from no extra fees for pheasant hunting in 1970 to \$35 for ten pheasants currently. Production of pheasants is less than 20 percent of what it was 25 years ago. Concurrently, the harvest of wild pheasants (primarily eastern and central Washington) has dramatically declined, and hunter numbers have also plummeted. (*Ross Antipa*)

CLOSURE OF FISH HATCHERIES AND REDUCTION IN FIELD ACTIVITIES

The Department of Fish and Wildlife has closed a number of salmon and trout hatcheries over the last decade. At the same time, the administrative and management staff in Olympia has increased. Important policy issues need to be identified so that decisions can be made on the appropriate level of field activities in contrast to office activities. The committee needs this information in order to evaluate the agency budget for the next biennium. (*Ross Antipa*)

FISHING AND HUNTING LICENSE FEE INCREASE

The most recent fee increase for fishing and hunting licenses was in 1991 (EHB 2235). It is anticipated that the newly empowered Fish and Wildlife Commission will request a fee increase within the next two years. Information will be needed to balance the need for fee increases with the need to increase agency efficiency. (*Ross Antipa*)

OLYMPIC FORESTRY CENTER – FORKS, WASHINGTON

The Olympic Forestry Center in Forks is a unique facility that bridges the gap between academia (University of Washington) and the timber industry and timber communities. The Center offers a number of cutting edge solutions to common problems of natural resource management and sustainable forestry. The center has the potential to assist the Legislature in finding the middle ground in complex natural disputes. (*Vic Moon*)

HABITAT CONSERVATION PLANS

The Legislature approved legislation for one timber company (Murray Pacific Timber Co., SHB 2444) to be exempted from forest practice rules after approval of a habitat conservation plan (HCP). Other companies and public timber owners are also in the process of developing HCPs and legislation is needed to set overall policy on forest practice rules when HCPs are finalized. The Department of Natural Resources and the proposed approval of their HCP for state trust lands is an ongoing issue. (*Vic Moon*)

WILDLIFE DAMAGE PROGRAM

The Legislature passed a revamp of the wildlife damage statutes in 1996 (E2SSB 6146). There are a variety of wildlife damage concerns which were not addressed by the legislation and the implementation of the legislation requires monitoring. The largest issue involves the prevention of damage through active wildlife management practices. Proper levels of monetary compensation are also an issue as is the source of the compensation. (*Vic Moon*)

TRUST LAND TRANSFER

SB 6774 failed to pass during the 1996 session; the legislation would have clarified policy for the trust land transfer program. The current program transfers unproductive trust lands that cannot be easily managed for forestry into other uses and replaces those lands with timber lands. Concerns remain over costs of the program, selection of sites to be transferred, and reasons why sites cannot be managed for timber production. Possible field trips to several sites will be scheduled for interested members. This study will be done in conjunction with Ways and Means staff. (*Vic Moon*)

FOREST FIRE ASSESSMENTS AND FUNDING LEVELS

The 1993 forest fire assessment law needs to be reviewed and clarified. The adequacy of funding for state forest fire fighting needs to be assessed. State and local fire protection entities need sufficient resources to conduct their programs. Forest landowners need a reasonable fire assessment rate. (*Ross Antipa*)

RECREATIONAL USE OF STATE LANDS

The public is demanding increased recreational opportunities of state lands, while at the same time the abuse of state lands continues to increase. In recent years, the Department of Natural Resources has restricted the public use of state lands because of the escalating levels of abuse. Law enforcement resources need to be coordinated for maximum coverage on state lands. Policies need to be developed that will foster responsible public use and to increase the public opportunity for recreation. (*Vic Moon*)

INCOME FROM FOREST TRUST LANDS

Each of the public forest land trusts does not receive equal rate of return from their trust lands due to a number of factors. Some trusts are burdened more with the costs of environmental regulation or DNR management fees than other trusts. The committee needs to investigate ways to assure that each trust receives a fair return on their investment while managing the forest lands for multiple uses. *(Vic Moon)*

COORDINATED RESOURCE MANAGEMENT PLANNING PROCESS FOR STATE GRAZING LANDS

SSB 6551 established a formal coordinated resource management planning process (CRM) for state-owned grazing lands. The CRM coordinates habitat management where multiple ownerships exist to produce the greatest wildlife benefits in conjunction with sustainable grazing. The Department of Fish and Wildlife and the Department of Natural Resources will be working on a state program which will be compatible with state grazing standards. A tour of several CRM sites will be scheduled during the mid summer in central Washington. *(Vic Moon)*

METALS MINING STATUTE REVISION

The Metals Mining Act of 1995 (ESSB 5662) regulates two types of mining activities: surface mining and hard rock mining. The statute is overly complicated and regulatory and not working as intended. There are plans to reopen several existing gold mines using new processes which may need to be addressed in the new statute. *(Vic Moon)*

COUNTY SURFACE MINING FEES

Small rural counties are concerned about their costs for small surface (gravel) mines. The concerns involve permit fees and costs for reclamation planning. A stop-gap measure (ESB 6635) was passed in 1996 which lowered the permit fees but not address the reclamation planning costs. The Association of Counties and the DNR Geology and Earth Resources Division will be working with committee staff. *(Vic Moon)*

SPECIALIZED FOREST PRODUCTS

The Specialized Forest Products Act was substantially revised in 1995 to increase enforcement capability by county sheriffs and buyer and dealer accountability. Problems have developed in the field and county prosecutors are reluctant to use the present law as a basis for prosecutions. In addition, the permit system may need to be redesigned to better fit certain large scale operations. *(Vic Moon)*

MONITORING PROJECTS

Grays Harbor fecal coliform study, Weyerhaeuser Pulp Mill point source task force
Pacific Marine Fisheries Council ocean fishing seasons for salmon
Watershed planning process - implementation of SHB 2428
Forest Board land timber management - with Joint Legislative Audit and Review Committee staff
Performance of the newly empowered Fish and Wildlife Commission
Cost of forest practice permits
South Fork Snoqualmie River public use and recreation planning process
Tribal shellfish rights
Loomis Forest environmental impact statement
US/Canada salmon treaty negotiations
Commercial salmon fishing license buyout
Small lumber mill timber supply
Dusky Canada Goose management
Spartina eradication program

MEETINGS

May 9 Fisheries bycatch issues 10:00 am
License computerization SHR 2
Mass marking update

Committee Assemblies

August 1-2 Olympia
September 19-20 Olympia
December 5-6 Olympia

COMMITTEE STAFF	
Ross Antipa, Analyst	786-7413
Vic Moon, Analyst	786-7469
Kathie DuChateau, Leg. Asst.	786-7406

SENATE COMMITTEE ON TRANSPORTATION
Senator Brad Owen, Chair

The interim meeting schedule and activities for the Senate Transportation Committee are largely reflected by the Legislative Transportation Committee interim schedule. These issues are addressed through the LTC to avoid duplication of effort between the standing committees on transportation of the House and the Senate. Also, directives for studies or monitoring of agencies contained in legislation generally provide that that activity be undertaken by the LTC. Ten of the thirteen members of the Senate Transportation Committee also serve on the LTC. In instances where an issue is of particular concern to the Senate Transportation Committee, it will be addressed during Committee Assembly meetings or at other appropriate times.

COMMITTEE STAFF			
Vicki Fabre, LTC Staff Director	786-7313	Gary LeBow, Analyst	786-7304
Gene Baxstrom, Analyst	786-7303	Jennifer Joly, Counsel	786-7305
Brad Lovaas, Fiscal Analyst	786-7307	Mary McLaughlin, Analyst	786-7309
Jeff Doyle, Counsel	786-7322	Eugene Schlatter, Fiscal	786-7316
Roger Horn, Fiscal Analyst	786-7839	Jan Swenson, Leg. Assistant	786-7300

LEGISLATIVE TRANSPORTATION COMMITTEE 1996 LEGISLATIVE INTERIM ACTIVITIES BY ISSUE

COUNTY ROAD ADMINISTRATION BOARD/TRANSPORTATION IMPROVEMENT BOARD.

ISSUE: Analysis of gravel roads under county jurisdiction; recommendations for implementing statewide program for paving county gravel roads; including prioritizing methodology and list of high priority projects.

Due: To LTC by December 31, 1996

Lead Agency: CRAB

Lead Staff: Gary Lebow, 786-7304

ISSUE: Report to LTC on projects selected to receive matching funds for federal emergency funding for winter storm and flood damage.

Due: To LTC by September 30, 1996

Lead Agency: TIB and CRAB

Lead Staff: Gary Lebow, 786-7304

LEGISLATIVE TRANSPORTATION COMMITTEE.

ISSUE: Transportation funding background briefings.

Due: April-July

Lead Agency: LTC

Lead Staff: Gene Schlatter, 786-7316/Gene Baxstrom, 786-7303/Roger Horn, 786-7839/Brad Lovaas, 786-7307/Jeff Doyle, 786-7322 (other LTC staff as required)

ISSUE: Assessment of transit funding reserves, governance and accountability, efficiency, productivity of expenditures, level of state subsidy, service across jurisdictional boundaries, specialized transit in unserved areas.

Due: To LTC by January, 1997. Development of scope of work/deliverables April, 1996; Consultant selection - May/June, 1996; Working groups and LTC sessions throughout interim.

Lead Agency: LTC

Lead Staff: Gene Baxstrom, 786-7303/Gary Lebow, 786-7304/Jennifer Joly, 786-7305/Gene Schlatter, 786-7316. Consultant is authorized.

ISSUE: Develop legislation to move special fuel tax point of collection from special fuel dealer level to bulk transfer/terminal system; feasibility study of moving point of collection for motor vehicle fuel.

Due: To Legislature by December 31, 1996

Lead Agency: LTC/WSP/DOL

Lead Staff: Roger Horn, 786-7839. Consultant is authorized.

ISSUE: Continue fuel tax evasion study including monitoring of items required by SSB 6673 (C 104 L 96): development of a dealer/distributor database by December 31, 1996 and establishment of a fuel tax advisory group by July 1, 1996.

Due: Status report by December 31, 1996

Lead Agency: LTC

Lead Staff: Roger Horn, 786-7839. Consultant is authorized.

ISSUE: Assessment of methods and technology to create fraud-proof driver's license and identicard.

Due: To LTC by January 15, 1997

Lead Agency: LTC/DOL

Lead Staff: Jennifer Joly, 786-7305. Consultant is authorized.

ISSUE: Recommendation on motor vehicle license plate background, and potential use as a charitable fund raising mechanism.

Due: To LTC by December 31, 1996

Lead Agency: LTC/in consultation with DOL/WSP/License plate vendors

Lead Staff: Jennifer Joly, 786-7305

ISSUE: Legislatively mandated program and fiscal review of Public-Private Transportation Initiatives Program (PPI).

Due: Progress report June 30, 1996; final report June 30, 1997

Lead Agency: LTC

Lead Staff: Vicki Fabré, 786-7313/Gary Lebow, 786-7304. Consultant is authorized.

ISSUE: LTC/WTPI Regional Transportation Forums (12)

Due : May-June with final report July 30, 1996

Lead Agency: LTC

Partner: WTPI

Lead Staff: Vicki Fabré, 786-7313/Gene Schlatter, 786-7316/Gene Baxstrom, 786-7303/Mary McLaughlin, 786-7309 (other LTC staff as required)

ISSUE: LTC/OFM/Transportation Commission/transportation agencies performance-based budgeting/planning and related issues.

Due: Status reports as required

Lead Agency: LTC

Lead Staff: Gene Schlatter, 786-7316/Roger Horn, 786-7839/Brad Lovaas/786-7307

ISSUE: Continue monitoring fund balance, capital projects, and the establishment of fiscal and performance measurements in Transportation Executive Information System. Continue development of LTC Home Page, including LTC history update, E-mail, Transportation Resource Manual.

Due: Recommend status report December 1996 and January 1997

Lead Agency: LTC

Lead Staff: Brad Lovaas, 786-7307/Roger Horn, 786-7839/Mary McLaughlin, 786-7309/Gary Lebow, 786-7304

ISSUE: Monitor changes to Winsum budgeting system.

Due: January 1997

Lead Agency: LTC

Lead Staff: Brad Lovaas, 786-7307

ISSUE: Monitor new state agency budget format development.

Due: Report to LTC September and December 1996

Lead Agency: LTC

Lead Staff: Gene Schlatter, 786-7316/ Brad Lovaas, 786-7307/Roger Horn, 786-7839 (other LTC staff as required)

ISSUE: Incorporate all proposed computer changes in LTC systems and train LTC staff.

Due: December 1996

Lead Agency: LTC

Lead Staff: Brad Lovaas, 786-7307

ISSUE: Update of the LTC History.

Due: January 1, 1997

Lead Agency: LTC

Lead Staff: Mary McLaughlin, 786-7309

ISSUE: Transportation Resource Manual Update.

Due: January 1997

Lead Agency: LTC

Lead Staff: Roger Horn, 786-7839/Brad Lovaas, 786-7307 (other LTC staff as required)

ISSUE: Annual review of service level agreement between LTC, LEAP and LSC.

Due: July 1996

Lead Agency: LTC

Lead Staff: Vicki Fabré, 786-7313/Brad Lovaas, 786-7307

ISSUE: Monitor Expert Review Panels - Puget Sound and South-North Clark County/Oregon; monitor Regional Transit Authority plan development.

Due: Progress reports as needed

Lead Agency: LTC

Lead Staff: Gene Baxstrom, 786-7303

ISSUE: Monitor removal and storage of the nuclear core from the Hanford reactor.

Due: Recommend status reports as needed.

Lead Agency: LTC

Lead Staff: Mary McLaughlin, 786-7309

WASHINGTON STATE PATROL (SUPPORT SERVICES BUREAU).

ISSUE: Development of policies and cost neutral procedures for reporting driver's license status data to the private sector.

Due: To LTC by July 1, 1996

Lead Agency: WSP

Lead Staff: Jeff Doyle, 786-7322

ISSUE: WSP/DOL study on safety inspections for tow trucks used by motor vehicle transporters, hulk haulers, scrap processors and motor vehicle wreckers.

Due: January 1997

Lead Agency: WSP/DOL

Lead Staff: Jennifer Joly, 786-7305

ISSUE: Analysis of untaxed goods.

Due: Recommend status report December, 1996.

Lead Agency: WSP

Lead Staff: Mary McLaughlin, 786-7309

DEPARTMENT OF LICENSING - INFORMATION SYSTEMS.

ISSUE: Status reports on Licensing Application Migration Program (LAMP).

Due: Recommend status reports to LTC in September 1996 and January 1997

Lead Agency: DOL

Lead Staff: Brad Lovaas, 786-7307; Gene Schlatter, 786-7316

ISSUE: Monitor merging of fuel tax statutes by DOL (SSB 6673--C 104 L 96).

Due: December 1, 1996

Lead Agency: DOL

Lead Staff: Roger Horn, 786-7839

DEPARTMENT OF TRANSPORTATION.

Program K - Economic Partnerships

ISSUE: Quarterly reports to LTC and OFM on status of Public-Private Transportation Initiatives Program (PPI).

Due: April, August, December 1996

Lead Agency: DOT

Lead Staff: Vicki Fabré, 786-7313/Gary Lebow, 786-7304; Gene Schlatter, 786-7316

Program M - Highway Maintenance

ISSUE: Maintenance management system evaluation.

Due: To LTC by December 1996

Lead Agency: DOT

Lead Staff: Gene Schlatter, 786-7316/Roger Horn, 786-7839/Gary Lebow, 786-7304/
Consultant (Dye Management Group)

Program R - Sales and Services to Others

ISSUE: Establishment by OFM/DOT of a process to increase the expenditure and work force authority for the program to allow DOT to provide services on non-appropriated requests.

Due: Recommend status report to LTC by August 31, 1996

Lead Agency: OFM/DOT

Lead Staff: Roger Horn, 786-7839/Gene Schlatter, 786-7316/Gary Lebow, 786-7304

Program S - Transportation Management and Support

ISSUE: DOT/LTC/OFM/State Treasurer feasibility analysis of implementing fiduciary fund for processing reimbursable local and federally funded activities.

Due: To LTC by August 31, 1996; final report to LTC/HTC/STC in January, 1997

Lead Agency: DOT

Lead Staff: Roger Horn, 786-7839/Gene Schlatter, 786-7316

ISSUE: LTC/OFM/State Treasurer/House Appropriations/Senate Ways and Means analysis of interest earnings and payments to the state treasurer for services provided.

Due: To LTC December 1996; report to LTC/HTC/STC in January 1997

Lead Agency: DOT

Lead Staff: Gary Lebow, 786-7304/Gene Schlatter, 786-7316

ISSUE: Implementation of toll-free telecommunications to provide mountain pass reports. Update on technology advances, sponsorships, or other measures allowing for a self-supporting SNOLINE program.

Due: Recommend report to LTC by October 1996

Lead Agency: DOT

Lead Staff: Roger Horn, 786-7839

Program W - Marine Construction

ISSUE: Status report on Bremerton multimodal transportation terminal.

Due: Recommend status report to LTC by December 1996

Lead Agency: DOT

Lead Staff: Roger Horn, 786-7839/Vicki Fabré, 786-7313

Program Y - Public Transportation and Rail

ISSUE: Report on the effects of the transfer of the Commute Trip Reduction Program and Task Force from the state Energy Office to WSDOT (4SHB 2009 - C 186 L 96).

Due: To Legislature by December 1, 1996; report to LTC/HTC/STC January 1997

Lead Agency: DOT

Lead Staff: Gary Lebow, 786-7304

Program Z - Local Programs/Port Studies

ISSUE: South Downtown Seattle Surface Transportation and Freight Mobility analysis.

Due: Tour June 13; final report January 1997

Lead Agency: DOT (Office of Urban Mobility/DOT Freight Rail)/LTC

Partners: DOT Freight Mobility, WSF, King County, Metro, City of Seattle, Port of Seattle, Class I Railroads, Major League Baseball Public Facilities District

Lead Staff: Vicki Fabré, 786-7313/Roger Horn, 786-7839/Gene Schlatter, 786-7316/Mary McLaughlin, 786-7309. Consultant is authorized.

ISSUE: Port of Tacoma Surface Transportation and Freight Mobility Analysis to analyze future rail, truck and local traffic circulation patterns within the Port of Tacoma; includes City of Auburn evaluation of impacts of rail transportation through city and planned intermodal rail yard.

Due: Tour June 1996; final report, January 1997

Lead Agency: Port of Tacoma/DOT Freight Rail/LTC

Partners: DOT Freight Mobility and Freight Rail Offices, City of Tacoma, Tacoma Municipal Beltline, Pierce County, City of Auburn, Class I Railroads

Lead Staff: Jeff Doyle, 786-7322/Mary McLaughlin, 786-7309/Gene Schlatter, 786-7316/ Brad Lovaas, 786-7307. Consultant is authorized.

ISSUE: Identification of factors affecting efficient transportation of bulk cargo (grain) and merchandize to export terminal facilities along the Columbia River at Kalama, Longview and Vancouver.

Due: Tour July 30; final report January 1997

Lead Agency: DOT (Freight Rail Office)/LTC

Partners: DOT Freight Rail and Mobility Offices, Ports of Kalama, Longview and Vancouver, Class I Railroads, Washington Wheat Commission

Lead Staff: Jeff Doyle, 786-7322; Mary McLaughlin, 786-7309; Brad Lovaas, 786-7307; Gene Schlatter, 786-7316. Consultant is authorized.

ISSUE: Trail development by Parks and Recreation Commission and cross-state trail development (ESHB 2832 - C 129 L 96).

Due: January 1997

Lead Agency: Parks and Recreation Commission

Lead Staff: Jeff Doyle, 786-7322

ISSUE: Evaluation of jurisdictional responsibility for managing and operating aerial search and rescue program.

Due: Recommend report to LTC September 1996 and January 1997

Lead Agency: DOT

Lead Staff: Gary Lebow, 786-7304. Consultant is authorized.

DOT CAPITAL PROJECTS:

ISSUE: Reports by DOT to LTC on projects going to bid and bimonthly progress reports on all capital facilities projects.

Due: Reports as required

Lead Agency: DOT

Lead Staff: Brad Lovaas, 786-7307/Roger Horn, 786-7839/Gary Lebow, 786-7304

JOINT AGENCY PROJECTS:

ISSUE: DOT/WSP/DOL feasibility study by consultant on consolidating computer/information technology and services.

Due: November 15, 1996 to HTC/STC

Lead Agency: DOT

Lead Staff: Brad Lovaas, 786-7307/Gene Schlatter, 786-7316/Consultant is authorized.

ISSUE: DOT (aviation)/WSP/Fish and Wildlife/Natural Resources development of standard aircraft activity records; plan for acquisition and disposition of aircraft.

Due: To LTC by January 1, 1997

Lead Agency: DOT

Lead Staff: Jennifer Joly, 786-7305

ISSUE: DOT/LTC/ISB/Telecommunication providers development of plan for considering the accommodation of telecommunication facilities within limited access rights of way.

Due: To LTC by December 31, 1996

Lead Agency: DOT

Lead Staff: Vicki Fabré, 786-7313/Gene Schlatter, 786-7316/Gary Lebow, 786-7304/Jennifer Joly, 786-7305

SENATE COMMITTEE ON WAYS AND MEANS
Senator Nita Rinehart, Chair

1. MAJOR STUDIES AND REPORTS

FISCAL NOTE STUDY PHASE II *(Lead: Steve Jones)*

In Conjunction with the House fiscal committee staff, evaluate the effect of the changes in the fiscal note process.

LOCAL GOVERNMENT FINANCING AND EXPENDITURES *(Lead: Denise Graham)*

Examine local government financing and expenditures.

Examine activities of the state contracted services which are provided by local government.

MONITORING FEDERAL FUNDS *(Lead: Mike Wills)*

In partnership with OFM and the House fiscal committees, develop a common data base of significant federal program funds contained in the '95-'97 budget; investigate possible data sources such as NCSL, FFIS, the Congressional Quarterly for use in monitoring federal budget changes; use the above to project the impact of proposed federal actions; report to the members the impact of federal activity on the Washington State budget.

MEDICAL ASSISTANCE FISCAL STUDY *(Lead: Tim Yowell)*

House and Senate fiscal committee staff will provide staff support to the joint committee charged with identifying ways to reduce the rate of growth in state medical assistance programs. Specific activities will include:

- provide the committee with background information on state medical assistance programs and expenditure growth;
- prepare comparisons of Washington's medical assistance programs to those of other states in terms of benefits, eligibility, and costs; and
- direct consultant reviews of the fiscal and programmatic impacts of alternative cost-control approaches.

PROPERTY TAX METHODOLOGY STUDY *(Lead: David Schumacher/Terry Wilson)*

Investigate real and personal property valuation methodologies and practices used by the state Department of Revenue and the various County Assessors in this and other states, including an assessment of the taxation of intangible personal property.

BUDGET FACT BOOK *(Lead: Mike Wills)*

Prior to the next legislative session, in coordination with House fiscal committees, publish the biennial legislative fact book.

WASHINGTON FACTS-ECONOMIC AND DEMOGRAPHIC SUMMARY *(Lead: Randy Hodgins)*

Develop a summary document showing Washington economic and demographic trends and comparisons with other states.

FISCAL UPDATE NEWSLETTER (*Jeff Guykema*)

Publish monthly newsletter on topical issues including Governor vetoes, changes in state revenue forecasts, congressional actions on the federal budget, and other fiscal issues which impact the state budget. Will be available in print and on Senate Ways and Means home page (<http://www.leg.wa.gov/www/senate/swm/welcome.htm>).

2. INDIVIDUAL WORKPLANS -- All Staff

Monitor development of 1997-99 biennial budget

Conduct an in-depth analysis of several agency budgets, including a detailed breakdown of current authorized funding levels by program and activity.

Examine selected programs to determine if outcome data exist by type of program offered.

- Identify characteristics of clients served, performance measures used to determine effectiveness of programs; and
- Identify barriers to more effective outcomes for existing programs.

DSHS AND OTHER HUMAN SERVICES

1. Children's Services (*Lead: Susan Lucas*)

Monitor the management improvement project required in the supplemental operating budget bill. The project will be directed by the Public Policy Institute at The Evergreen State College. Staff's role will be:

- to advise on legislative intent for the project;
- to provide technical advise and assistance where needed and
- to participate in project activities as necessary.

2. Corrections, Juvenile Rehabilitation, and other Criminal Justice Agencies (*Lead: Byron Moore*)

- Examine the cost drivers and institutional capacities at correctional and juvenile rehabilitation facilities.
- Monitor and assist in Legislative Budget Committee study of staffing models and deployment at juvenile rehabilitation facilities.
- Monitor the Sentencing Guidelines Commission's development of juvenile disposition standards.

GOVERNMENT OPERATIONS

1. Military Department (*Lead: Bryon Moore*)

Continue to monitor recovery activities and associated fiscal impacts of recent disasters.

2. DCTED (Lead: Cathy Baker)

Analyze impact of proposed and enacted federal budget reductions affecting housing and energy assistance programs. Conduct a review existing and potential sources of funding for these programs.

Monitor implementation of DCTED's new coordinated economic development funding program (Washington Development Network).

Monitor expenditure of increased funding for the state early childhood education program (ECEAP). Examine relationship between the federal Head Start program and state ECEAP program.

Monitor expenditure of state funding for local government SEPA/GMA integration. Review Land Use Study Commission's proposals for future funding of SEPA/GMA integration.

3. Health Care Authority (Lead: Denise Graham)

With the Health Care Authority and the office of the State Actuary, study state and K-12 retirees' access to health benefits through the Health Care Authority.

PUBLIC SCHOOLS (Lead: Bill Freund)

Participation in study design, monitoring and editorial and other technical help in two studies:

- The use of nurses and other health professionals by school districts [supplemental salaries].

Provide assistance in study design, technical help, frequent monitoring and attending meetings with LBC staff, site visits of K-12 vocational programs, and technical and editorial assistance on two other studies:

- A new vocational education funding formula
- The rear engine bus study

Continue to monitor, provide technical and other assistance as needed on the special education safety net study by the Institute for Public Policy.

Monitor and conduct site visits on:

- \$10 million technology grant program
- Development of the K-20 network.

NATURAL RESOURCES (Lead: Cathy Baker)

Monitor the fish and wildlife license study to be conducted by the Department of Fish and Wildlife pursuant to SB 6529. Analyze projected revenue and proposed expenditures from the wildlife fund during the 1997-99 biennium and future biennia.

In conjunction with Senate Ecology and Parks Committee, review historical funding for planning and implementation of major water-related laws.

Monitor development of the Puget Sound Action Team's proposed budget for implementation of Puget Sound management plan pursuant to ESHB 2875.

Coordinate with LBC on study of feasibility of reconveying forest board lands to counties, and repurchasing transferred timber cutting rights. Review historical and projected revenues and expenditures from the forest development account.

Monitor Department of Natural Resources review of funding for wildfire protection programs.

HIGHER EDUCATION (*Lead: Mike Groesch*)

1. **Higher Education Funding.** Develop options for the establishment of a state tuition policy. Monitor HECB and Governor's Task Force on Higher Ed Funding. Analyze and provide alternative proposals.
2. **Financial Aid.** Monitor HECB development of prepaid tuition legislation.
3. **K-20 Technology Network.** Provide assistance as requested to legislative members of the K-20 Technology Oversight Committee. Monitor the development of technology plans and distribution of funds. (with Bill Freund)
4. **Enrollment planning and needs.** Review enrollment growth assumptions and develop alternatives for enrollment distributions.
5. **Community college faculty compensation.** Monitor study by State Board for Community and Technical Colleges regarding faculty salary issues. Prepare alternatives.

CAPITAL BUDGET (*Lead: Mike Groesch*)

- Coordinate Ways and Means Staff review of capital budget proposals
- Monitor progress of interim studies on K-12 capital funding and GA lease strategies.

REVENUE (*Lead: David Schumacher*)

1. **Property Tax Analysis.** Using DOR data, analyze trends in property taxes especially for residential and commercial property.
2. **Wage Study.** Use census data to study trends in wages and income based on personal characteristics (education, race, sex, age, etc.).

3. COMPUTER TRAINING, SOFTWARE UPGRADES AND CONVERSIONS

BILL DRAFTING MACRO *(Lead: Terry Wilson)*

Participate in a workgroup to review a complete WordPerfect 5.2 legislative drafting macro for analysts, attorneys, and others. The macro provides the complete structure for amendments; bills; joint memorials; joint, concurrent, and floor resolutions; bill reports and bill testimony, floor notes, and memoranda using current styles. Depending on the results of the workgroup, convert the macro to WordPerfect 6.1, install the macro on computers, and train analysts and attorneys in its use.

MIGRATION FROM LOTUS TO EXCEL *(Lead: Jeff Guykema, Cheri Randich)*

Update budget models, tax overviews, legal memoranda, charts, and spreadsheets for use in the 1997 session. This includes:

- K-12 megamodel
- Higher education tuition/enrollment change model
- All major auxiliary budget support spreadsheet models (fund monitoring spreadsheets for health services account, public safety and education account and Bureau of Justice Assistance)

WINDOWS 95 MIGRATION *(Lead: Jeff Guykema, Cheri Randich)*

Assist Legislative Service Center in preparing for Windows 95 migration and provide supplemental training for all Senate Committee Services staff.

K-12 DATABASE *(Lead: Bill Freund, Jeff Guykema)*

Expand the capability of our K-12 reporting systems to answer more of the commonly asked questions raised by legislators and their staffs.

MEETINGS

Committee Assemblies

August 1-2	Olympia
September 19-20	Olympia
December 5-6	Olympia

COMMITTEE STAFF			
Randy Hodgins, Sr. Coordinator	786-7438	Steve Jones, Budget Counsel	786-7440
Mike Wills, Budget Coordinator	786-7188	Susan Lucas, Fiscal Analyst	786-7711
Mike Groesch, Cap. Budget	786-7434	Bryon Moore, Analyst	786-7726
Stan Pynch, Coordinator	786-7512	David Schumacher, Economist	786-7424
Cathy Baker, Fiscal Analyst	786-7708	Terry Wilson, Revenue Counsel	786-7433
Bill Freund, Fiscal Analyst	786-7441	Tim Yowell, Fiscal Analyst	786-7435
Denise Graham, Fiscal Analyst	786-7454	Angela Lowe, Leg. Assistant	786-7715

JOINT ADMINISTRATIVE RULES REVIEW COMMITTEE

Senator Karen Fraser, Chair

Representative Brian Thomas, Vice Chair

The Joint Administrative Rules Review Committee is a bipartisan committee consisting of four senators and four representatives. The Senate chairs the committee in even-numbered years and the House in odd-numbered years. The committee conducts legislative oversight of the existing rules, proposed rules and policy statements and guidelines of the various state agencies. Jurisdiction resides in the committee's determination that a petition alleges facts which place in issue the validity of a rule as being within legislative intent or as being not adopted in accordance with all applicable provisions of law.

Staff counsel receives petitions; conducts preliminary background inquiries; contacts all parties; formulates the issues, if necessary; explores settlement possibilities; prepares and presents committee briefings; prepares any written committee correspondence, formal committee decisions and orders; monitors the agency's compliance with statutory time limits for the agency's response to the committee's orders and reviews all agency rulemaking notices for referral to appropriate standing committees.

Any person may petition for review by the committee. Any rejection of a petition must be made within 30 days of receipt of the petition. The rejection is required to be in writing with a statement of reasons for the rejection. All petitions must be acknowledged within 30 days of receipt. For those petitions accepted for review, a final decision is required within 90 days of receipt of the petition. The committee has subpoena powers and may enlist the superior court to conduct proceedings for contempt in appropriate circumstances.

Within 45 days of the receipt of any proposed rule, the committee may require an agency to perform a significant legislative rule analysis or a small business economic impact statement, or both.

The enactment of Senate Bill 6702 resulted in the addition of four alternate members to the committee, one from each caucus of each house.

MEETINGS

The committee meets regularly during the interim, generally on the third Tuesday of the month. The agenda will include issues brought before the committee by petition, issues regarding proposed rules requiring the significant legislative rule analysis or small business economic impact statement, follow up on past issues and committee orientation sessions for members. *(Diane Smith, Senate Counsel)*

COMMITTEE STAFF	
Diane Smith, Counsel	786-7410
Marilee Scarbrough, Counsel	786-7196
Carole Sanford, Leg. Assistant	786-7106