
Washington State Senate

COMMITTEE



SERVICES

1 9 9 5
Interim Projects
and
Meetings

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**SENATE COMMITTEE ON AGRICULTURE AND
AGRICULTURAL TRADE AND DEVELOPMENT**
Senator Marilyn Rasmussen, Chair

AGRICULTURAL TRADE

Tour Port of Tacoma's agricultural related facilities and identify constraints to expanding trade of agricultural products through Washington Ports. (September 20) *(Lee/Moon)*

Review the activities of state overseas trade offices and their role toward expanding the trade of Washington agricultural products. (September 6) *(Lee)*

Monitor activities of the Washington Agricultural Trade Showcase in Yakima and participation by small and medium size firms. (September 6) *(Lee)*

FLEXIBILITY UNDER PASTEURIZED MILK ORDINANCE

Monitor the Dairy Inspection Program Advisory Committee's development of a proposal to substitute a civil penalty in lieu of degrading milk products for non-health related violations of the federal pasteurized milk ordinance. Examine the advisory committees report due December 15, 1995 (ESHB 5962). *(Lee)*

WEED CONTROL

Jointly study the leasing policies of state agencies in relation to weed control on state owned and managed lands. (Joint meeting with House Agriculture and Ecology Committee on November 30.) (SSB 5315, section 76). *(Moon)*

Review activities of the State Noxious Weed Control Board as they develop a report to the legislature containing a prioritized list of weed infestations (SSB 5315, section 73). *(Moon)*

COMMODITY COMMISSIONS

Develop information relating to agricultural commodity commissions process and ability to modify assessments. *(Lee)*

AGRICULTURAL WORKER SAFETY STANDARDS

Monitor the implementation of requirements for the Department of Labor and Industries to prepare and disseminate a listing of commercially available rollover protection structures for pre-1976 tractors (ESSB 5121). Joint with Senate Labor, Commerce and Trade Committee. *(Lee)*

Review the single manual containing agricultural worker safety regulations (ESSB 5121).
Joint with Senate Labor, Commerce and Trade Committee. *(Lee)*

AGRICULTURAL BURNING

Monitor implementation of legislative changes regarding research of alternatives to burning turf grass for seed production and related field burning issues. *(Lee)*

WEIGHTS AND MEASURES PROGRAM

Review the Weights and Measures Enforcement Task Force activities and their report to the legislature due on November 30, 1995 (ESHB 1524). *(Moon/Lee)*

Compile information regarding the number of examinations and results of examinations of retail electronic scanner systems. *(Lee)*

Monitor the process to increase fees for funding the state metrology laboratory as required in ESHB 1524. *(Lee)*

RE-REGISTRATION OF PESTICIDES

Monitor the appointment and initial operation of the Pesticide Re-registration Commission (ESHB 1009). *(Lee)*

AGRICULTURAL LANDS

Monitor issues relating to the protection and regulation of agricultural lands.
(Lee/Moon)

WATER MANAGEMENT

Develop information on effects of federal water spreading policies on irrigated agriculture in Washington and policies of other states authorizing use of surplus irrigation water.
(Lee)

Compile information on groundwater hydraulic continuity policies utilized in western states. *(Lee)*

Monitor activities relating to processing applications for water right permits and associated basin-wide assessments (SSB 5486). *(Lee/Moon)*

MEETINGS

September 6	Yakima - Agricultural Trade Related Issues
September 21-22	Olympia - To be announced
November 30- December 1	Olympia - To be announced

SENATE ECOLOGY AND PARKS COMMITTEE

Senator Karen Fraser, Chair

- 1. STATE PROGRAMS FOR PROTECTION OF WASHINGTON'S MARINE WATERS:** The committee will review and make recommendations regarding the organization and funding of state programs for the protection of Washington's marine waters, including comprehensive estuary management programs and oil spill prevention and cleanup programs. The review will include implementation of 1995 legislation merging the functions of the Puget Sound Water Quality Authority and the Office of Marine Safety into the Department of Ecology. The effectiveness of the reorganized programs, the sources and uses of funding of such programs, and relationship to other state, local and federal programs will be reviewed. *(Gary Wilburn and Cathy Baker)*

Committee meeting to observe vessel and facility inspections, fuel transfer activities, and spill drill activities. (August)

- 2. CONGRESSIONAL DEVELOPMENTS ON ENVIRONMENTAL LAWS, PROGRAMS AND BUDGETS:** Analyze potential impacts upon Washington and draft legislation to respond to impacts or legal requirements. Congressional proposals to be monitored include Clean Water Act, Safe Drinking Water Act, Superfund, Clean Air Act, solid waste management issues, regulatory process changes, private property "takings" compensation, and sale or disposal of national park units and other federal recreational, natural resource or historical lands. Related budget developments will also be monitored. *(Gary Wilburn and Cathy Baker)*
- 3. WATER QUALITY PROTECTION:** With the enactment of the 1995 regulatory reform legislation (ESHB 1010), state environmental agencies will implement a "compliance" program to supplement their technical assistance and enforcement programs. The committee will review state agency use of these three approaches in the context of water quality protection, the allocation of resources among the three, and the relationship of state water quality protection programs to local and federal programs. *(Gary Wilburn and Cathy Baker)*
- 4. REGIONALLY-BASED WATERSHED PLANNING:** The committee will survey the various processes and standards being used in watershed planning in Washington State, and make recommendations for state implementing legislation. The implementing actions of the Methow and Dungeness/Quilcene plans will be reviewed, as will regionally-based planning processes in other Western States. The recommendations of the Watershed Coordinating Council will be considered as they relate to planning processes. *(Gary Wilburn)* (May be conducted jointly with the Senate Select Committee on Water Policy)
- 5. STATE OPTIONS TO ASSIST BUSINESSES WITH ACCESS TO CAPITAL FOR POLLUTION PREVENTION AND CONTROL MEASURES:** Existing state

programs will be reviewed for their effectiveness, including technical assistance, tax incentives, and financial assistance programs. A survey of programs in other states, including Oregon's loan program, will be conducted. *(Cathy Baker)*

6. **STATE INCENTIVES FOR CLEANUP AND RE-USE OF INDUSTRIAL LANDS:** The plans and recommendations of the Green-Duwamish Coalition will be reviewed, as well as other industrial redevelopment initiatives involving cleanup of contaminated sites. Policy initiatives to address this "greenfields" issue in other states will be reviewed. Related issues involving sediment contamination upon state aquatic and other lands, and stormwater management strategies, will be reviewed. *(Cathy Baker)*

Committee meeting at the Duwamish industrial area (August).

7. **PERMIT COORDINATION:** Review of state and federal initiatives to integrate siting and operating permits, including implementation of the 1995 SEPA/GMA legislation (ESHB 1724), watershed project unified procedures (SSB 5616), the multi-media environmental permit pilot project (ESHB 1743 from 1994 session), and various federal environmental law reauthorization proposals. Recommendations for further state integration will be developed. *(Cathy Baker and Gary Wilburn)*
8. **LAND USE STUDY COMMISSION:** Monitoring implementation of 1995 legislation (ESHB 1724 and SSB 5776), and monitoring commission activities. *(Cathy Baker)*
9. **MODEL TOXICS STUDY COMMITTEE (ESHB 1810):** Monitoring and staffing of Senate participation on the committee. Development of legislative proposals based upon committee recommendations. *(Gary Wilburn)*
10. **SOLID WASTE AND RECYCLING:** The committee will monitor Congressional, judicial and industry developments regarding solid waste and recycling systems as they affect Washington State. The current status and history of programs from 1989 to the present under the "Waste Not Washington" and other legislation will be reviewed, and recommendations developed regarding any changes to current strategies. Alternatives to the current organizational structure and funding of the Clean Washington Center will be reviewed, as this state program approaches its 1997 termination date. *(Gary Wilburn)*
11. **HANFORD RESERVATION:** Review of existing state policy and procedure for participation in future site use decisions, including review of applicable federal surplus property disposal procedures. Review of waste cleanup activities, including monitoring of federal proposals affecting funding levels and cleanup organization and standards. *(Gary Wilburn)* (Joint with Senate Energy, Telecommunications & Utilities Committee)

Committee meeting at the Hanford Reservation (October-November)

12. **PARK AND RECREATION FACILITIES AND OPEN SPACE AND RESOURCE LANDS:** Review of state law barriers and incentives for increased state and local funding of park and recreation facilities. Potential reduction or elimination of services at federal park and recreation facilities due to budget changes will be monitored, and the impact upon state facilities will be assessed. Innovative local government techniques for the protection of open space and resource lands will be monitored, with potential development of recommendations for state law changes to assist local government programs. The committee will also review, jointly with the Senate Natural Resources Committee, issues related to recreational access to a variety of state-owned lands. *(Cathy Baker)*
13. **WATER RIGHTS AND WATER TRANSFERS OF MUNICIPAL WATER SYSTEMS:** The committee will review state water resources laws and doctrines regarding the measurement and existence of water rights held by municipal water systems, and potential changes in water rights transfer laws to encourage efficient management of municipal water systems. *(Gary Wilburn)* (May be conducted jointly with Senate Energy, Telecommunications & Utilities Committee)
14. **AIR QUALITY PROTECTION:** Monitor Department of Ecology rulemaking regarding changes to Stage 2 vapor recovery device rules. Monitor implementation of legislation exempting rural areas from outdoor burning permit requirements, making changes to the silvicultural burning permit program, providing guidance to local air authorities on agricultural burning restrictions, and exempting certain airport fire training activities. *(Cathy Baker)*
16. **HYDRAULICS PROJECT APPROVALS:** Review of current program implementation jointly with the Senate Natural Resources Committee. The Ecology and Parks Committee's review will concentrate upon HPA applicability to projects having stormwater impact, and upon the interrelationship of HPA and Shoreline Management Act permits for projects. *(Gary Wilburn)* (Joint with Senate Natural Resources Committee)

Committee meeting jointly with Senate Natural Resources Committee to observe hydraulic permit program activities (date to be determined).
17. **WATER QUALITY DISCHARGE PERMITS:** Monitor Department of Ecology's advisory committee proceedings on revision of the permit fee schedule and review of program functions. *(Cathy Baker)*
18. **HERITAGE PRESERVATION:** Review of state roles in the preservation of sites, structures and artifacts significant in Washington history. Current activities and programs of the State Office of Archeology and Historic Preservation, the Washington Parks and Recreation Commission, and the two state historical societies will be reviewed.

The relationship to local as well as federal programs will also be considered. (*Gary Wilburn*)

19. **WATER RIGHTS TRANSFERS AND STREAMFLOWS:** Current federal and state laws as they relate to water transfers enabled through conservation or other means will be reviewed. Incentives for and barriers of state laws to water conservation will be identified, including review of the work of the 1988 Water Use Efficiency Study. (*Gary Wilburn*) (May be conducted jointly with the Senate Select Committee on Water Policy)

MEETINGS

September 21-22 Olympia - To be announced
November 30- December 1 Olympia - To be announced

SENATE COMMITTEE ON EDUCATION

Senator Rosemary McAuliffe, Chair

1. TRUANCY AND COMPULSORY ATTENDANCE LAWS

Consistent with the Governor's partial veto message in Engrossed Second Substitute Senate Bill 5439, the Education Committee has formed a work group to look at issues associated with truancy. The work group will examine issues associated with: the definition, identification and reporting of truant youth; the assistance truant students and their families may need in schools and in the community; and the interrelationship of truancy and other social problems.

(Staff: Goldstein, Mielke)

2. VOCATIONAL EDUCATION

COMPARISON OF STAFFING LEVELS: Vocational education programs are changing and the staffing of those programs are changing. A recent study by the Legislative Evaluation and Accountability Program Committee (LEAP) found that the legislature was providing funds for a higher ratio of students to staff than districts actually used in their vocational education programs. Actual staffing levels may vary in different types of vocational programs. The committee will study different types of instruction and staffing in vocational programs ranging from an integrated vocational and academic program to programs involving different types of equipment.

DIFFERENT EDUCATIONAL DELIVERY PROGRAMS: The committee will look at the education programs provided in summer school programs at the Skill Centers and the dropout retrieval programs administered by the Skill Centers.

(Staff: Goldstein/Mielke)

3. DIFFERENT WAYS OF CREATING SCHOOLS

Issues associated with creating different schools are being discussed across the country. The committee will look at the policy issues involved in delegating authority to create different schools.

a) Charter schools: The committee will study charter school legislation in other states and the policy issues.

b) The committee will look at the creation of schools with different programs in districts around the state. Issues will include how the schools are formed, the role of the community, and the range of programs.

c) The committee will look at school programs designed for students with specific needs, including those students who have been expelled, dropped out of school, or who are not succeeding in the regular school program.

d) The committee will look at the different types of private schools in the state and the student populations served by those schools.

(Staff: Goldstein/Mielke)

4. EDUCATION REFORM/ GOVERNANCE

JOINT SELECT COMMITTEE ON EDUCATION RESTRUCTURING: This Select Committee was created in 1993 to monitor the implementation of education reform and to recommend changes to statutes that might interfere with the implementation of education reform. In 1995, the Committee was given the responsibility to make recommendations on a new state-level governance system.

MONITOR IMPLEMENTATION OF EDUCATION REFORM: The Select Committee will monitor the implementation of education reform focusing on the development of the assessment system, the second set of essential academic learning requirements, issues associated with the certificate of mastery, public concerns regarding education reform, and the status of education reform programs including readiness to learn, block grants, mentor programs, etc.

REVIEW OF STATUTES: The Select Committee will continue the process, begun during 1993 and 1994, of identifying and reviewing laws that inhibit or do not enhance education reform.

GOVERNANCE: In Second Substitute House Bill 1027, the Select Committee is required to study changes to the state-level governance of education and to recommend changes. The report is due in December of 1996. The committee will begin to study the current system and identify the components and concepts of a new system.

PERFORMANCE AUDIT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION: The Committee will monitor the performance audit of OSPI that the Legislative Budget Committee will conduct as required under the operating budget.

(Staff: Goldstein/Mielke)

5. INVOLVEMENT OF PARENTS AND THE COMMUNITY

The Committee will review the laws governing parents rights and responsibilities for their children's education and the policies of school districts in implementing the laws. The Committee will also look at programs for increasing parent and community participation in their schools including the role played by organizations such as site-based councils.

(Staff: Goldstein/Mielke)

6. TEACHERS, ADMINISTRATORS, AND CLASSIFIED EMPLOYEES

PREPARATION AND TRAINING: The Committee will monitor changes in educator preparation programs and requirements for continuing education.

EDUCATOR PREPARATION: The State Board of Education and the educator preparation programs at the institutions of higher education are working together to prepare educators to meet the challenges of educating students to meet higher standards. The State Board has adopted new requirements for teacher and principal certification.

CONTINUING EDUCATION: The Legislature has been concerned about professional development programs helping educators meet the new demands of improving instruction and learning. The Committee will continue to monitor the professional development opportunities for educators and the preparation of current educators for future demands. The Committee will also monitor the effect of the language in the budget placing certain requirements on the type of continuing education courses that will be recognized for advancement on the salary schedule.

PREPARATION OF PARAEDUCATORS: The role of persons providing assistance in the classroom is changing. The committee will monitor both the changing roles and the additional preparation opportunities being provided.

(Staff: Goldstein/Mielke)

7. SCHOOL FUNDING

The Joint Education Fiscal Study Committee was created in 1993 to make recommendations on the school funding system. The Joint Committee will meet during the interim to continue to study the current school funding system and policy options and to develop recommendations by December of 1995.

(Staff: Goldstein/Mielke)

8. FEDERAL LEGISLATION

Federal requirements can have major effects on state programs such as the learning assistance program. The Committee will monitor changes in federal legislation and funding.

(Staff: Goldstein/Mielke)

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

The Commission on Student Learning
State Board of Education and its subcommittees
Family Policy Council
Special Education Advisory Council
Work Force Training and Education Coordinating Board

Higher Education Coordinating Board
State Board for Community and Technical Colleges
Education Summit

(Staff: Goldstein/Mielke)

MEETINGS:

Education Committee

Truancy Work Group

June 21	Sea-Tac Legislative Center	9:00-noon
mid September	Sea-Tac or Olympia	
mid October	Sea-Tac or Olympia	
November	Western Washington	
November	Eastern Washington	
December	Sea-Tac or Olympia	

Other Meetings: To be announced

Joint Select Committee on Education Restructuring

July 13	Olympia, HHR C JLOB Bldg	9:30-3:30
September	Sea-Tac or Olympia	
October	Eastern Washington	
November	Sea-Tac or Olympia	
December	Sea-Tac or Olympia	

Joint Education Fiscal Study Committee

June 26	Sea-Tac	9:30-3:30
Sept.- Dec.	to be announced	

Committee Weekend Assemblies

September 21-22	Olympia - To be announced
November 30- December 1	Olympia - To be announced

**SENATE COMMITTEE ON ENERGY,
TELECOMMUNICATIONS AND UTILITIES**
Senator Dean Sutherland, Chair

ENERGY ISSUES

1. Emerging Competition In Electricity Markets

Study the development of retail electricity wheeling and greater wholesale competition and the implications of these markets for electric utilities, generators, and the different classifications of consumers. Determine if statutory changes are necessary to clarify state policy. *(Phil Moeller)*

2. Future Of The Washington State Energy Office

Provide staff support for the study by the Institute For Public Policy on options for closing the State Energy Office. Likely to result in legislation considered by the committee. *(Phil Moeller)*

3. Future Of The Bonneville Power Administration

Continue to follow developments pertaining to the future of the Bonneville Power Administration. Issues include government corporation status, new rate structures, loss of load, and competitive pressures. *(Phil Moeller)*

4. Endangered Species Act Listings

Monitor developments relating to Endangered Species Act implications on the regional hydropower system. *(Diane Smith)*

5. Northwest Power Plan

Follow the development of the next update of the Northwest Power Plan developed by the Northwest Power Planning Council. *(Diane Smith)*

6. System Operation Review

Follow the activities pertaining to the comprehensive review by federal agencies of the Columbia River Operations System. *(Diane Smith)*

TELECOMMUNICATIONS ISSUES

1. The Governor's Telecommunications Policy Task Force

Continue to monitor and participate with the Governor's Telecommunications Policy Task Force. The final report and recommendations from the Task Force are due prior to the 1996 session. *(Phil Moeller)*

2. Federal Telecommunications Policy

Study the impacts on state policy of Congressional action to develop new policies pertaining to competition in the telecommunications marketplace. *(Phil Moeller)*

3. Electronic Access Task Force

Continue to follow the work of the Electronic Access Task Force (SB 6426, 1994). Its final report will include recommendations pertaining to electronic access to information at various levels of government and is due at the end of 1995. Likely to result in legislation considered by the committee. *(Diane Smith)*

4. 9-1-1 Issues

Continue to monitor implementation of statewide Enhanced 9-1-1 (Referendum 42) and the long-term 9-1-1 revenue study by the Department of Revenue (HB 2601, Chapter 96, Laws of 1994). *(Diane Smith)*

5. 360 Area Code

Monitor adoption of new 360 area code in Western Washington. *(Phil Moeller)*

6. Broadcast Copyrights

Provide staffing for a workgroup formed to resolve issues between copyright organizations and commercial establishments. *(Phil Moeller)*

7. Digital Signatures

Continue efforts to develop legislation pertaining to digital signatures and electronic commerce (SB 5959, 1995). Monitor implementation of legislation in Utah and other jurisdictions. Likely to result in legislation considered by the committee. *(Phil Moeller)*

8. Telecommunications Facilities Siting

Study policies, including proposed federal laws and rules, pertaining to the siting of telecommunications facilities. Concentrate on policies relating to attachments to utility poles and siting cellular towers. Could result in legislation considered by the committee. *(Diane Smith)*

9. WUTC Activities

Monitor related activities at the Washington Utilities and Transportation Commission. Policy decisions and activities include major rate cases, price cap proposals, reacting to new federal policies, changes to toll pricing, and interconnection agreements for new local exchange companies. This area also includes implementing SHB 1744 (Chapter 110, Laws of 1995) mandating for small companies some deregulation and the creation of a standard procedure for an alternative form of regulation. *(Phil Moeller)*

WATER UTILITY ISSUES

1. Safe Drinking Water Act Implementation

Monitor state implementation of Safe Drinking Water Act standards. Follow implementation of Senate Bill 5448 (1995) pertaining to regulation of water systems. *(Phil Moeller)*

2. Investor-Owned Water Utility Regulation

Continue to follow efforts to change the method of regulating larger investor-owned water utilities. Could result in legislation considered by the committee. *(Phil Moeller)*

HANFORD ISSUES

1. Site Restoration and Cleanup

Monitor issues pertaining to cleanup standards, progress and funding. Not likely to result in legislation considered by the committee. *(Diane Smith)*

2. Future Site Use

Follow continuing efforts to determine ownership and usage of restored areas of the Hanford site. Not likely to result in legislation considered by the committee. *(Phil Moeller)*

MEETINGS

September 21-22 Olympia - To be announced
November 30- December 1 Olympia - To be announced

**SENATE COMMITTEE ON FINANCIAL INSTITUTIONS
AND HOUSING**

Senator Margarita Prentice, Chair

A. FINANCIAL INSTITUTIONS

INTERSTATE BANKING AND BRANCHING: In 1994 Congress passed the Riegle-Neal Interstate Banking and Branching Efficiency Act. This act significantly changes federal and state laws regarding interstate banking and branching. This session the committee directed the Department of Financial Institutions to facilitate a work group to discuss the impact of Riegle-Neal on the state of Washington, and whether changes need to be made to the state's banking code to comply with Riegle-Neal. Staff will monitor the activities of the work group, and assist in drafting legislation. (Joint hearing with House Financial Institutions Committee, December 1)

(Staff: Dave Cheal and Catherine Mele)

WASHINGTON CREDIT UNION SHARE GUARANTY ASSOCIATION: Seventy-seven state chartered credit unions belong to an association which guarantees payment to credit union shareholders in the event of a loss due to the insolvency or liquidation of one of their member unions. Questions have been raised as to the adequacy of protection provided by this program compared to the alternative National Credit Union Share Insurance Fund. The remaining 240 credit unions in the state belong to the NCUSIF. Staff will further research the safety of the state program and the impact of its elimination. Research and projections by the Department of Financial Institutions will also be utilized.

(Staff: Dave Cheal)

PROMPT CORRECTIVE ACTION: The Department of Financial Institutions is discussing proposed legislation which will focus on increased enforcement authority in the area of troubled financial institutions. Staff will monitor the department's review of state statutes, regulations, and case law which may impact the Department's enforcement authority.

(Staff: Catherine Mele)

SECURITIES INVESTMENTS: This interim, in consultation with state regulators, the committee will review consumer grievances involving security industry practices and the authority of state regulators in these areas. The committee will identify those areas where enhancements in the state's securities laws are appropriate, including the issues addressed by SSB 5178.

(Staff: Catherine Mele)

B. HOUSING

REAL ESTATE APPRAISER LICENSING/CERTIFICATION: This state currently operates a voluntary licensing/certification program for real estate appraisers. During the last several

sessions, efforts have been made to make this program mandatory. Staff will look at the costs versus benefits of changing the voluntary program to a mandatory program, particularly as it relates to the gains in consumer protection.

(Staff: Traci Ratzliff)

RIGHT OF FIRST REFUSAL FOR MOBILE HOME PARK OWNERS AND TENANTS:

In 1993, the legislature passed ESSB 5482, RCW 59.20, which established a right of first refusal process for mobile home park tenants and mobile home park owners in the event that a mobile home park or mobile home should be offered for sale by the owner. Concerns have been raised regarding the adequacy of this process and whether additional changes need to be made to assist both parties in their efforts to avail themselves of the right of first refusal option. Staff will examine the current process and review potential changes that could be made to improve the process for all interested parties.

(Staff: Traci Ratzliff)

REGULATORY BARRIERS TO THE DEVELOPMENT OF AFFORDABLE HOUSING:

For years, housing industry representatives on a national as well as local level have raised concerns about the various regulatory barriers they feel adversely impact the development of affordable housing. Numerous studies have been done at the federal, state and local level that look at those factors that have a direct and indirect impact on the cost of developing housing units. Staff will review existing studies and evaluate potential changes that could be made to improve the regulatory climate as it relates to housing development.

(Staff: Traci Ratzliff)

FARM WORKER HOUSING: ESSB 5503 (C. 220, L. of 1995) delegates broad administrative authority to the Department of Health to license operators of farm worker housing. The Department of Health also has responsibility for developing several specific recommendations for next steps in the area of farm worker housing standards and administration. The State Building Code Council is given the task of developing a discrete building code for farm worker housing. Staff will monitor these activities and arrange consultations with committee members as the work progresses.

(Staff: Dave Cheal)

AFFORDABLE HOUSING ADVISORY BOARD (AHAB): AHAB is a statutory body created to develop affordable housing strategies and the continuing implementation of the State Housing Policy Act. Staff will attend meetings in order to monitor the development of proposed legislation by the Board.

(Staff: Dave Cheal and Traci Ratzliff)

LICENSING MOBILE HOME PARKS: The Mobile Home Landlord-Tenant Act establishes a number of rights for both landlords and tenants. However, many tenants and tenant advocates have complained of the inadequacy of remedies when these rights are violated. Park owners maintain that the current system of mediation is effective. Staff will research the mechanism

of licensing used in some states as a means of ensuring compliance with the act. If a proposal is developed, meetings of affected parties will be held, and possibly a public hearing.

(Staff: Dave Cheal)

CIVIL WARRANTS - INSPECTIONS: State and local building officials have always operated under the assumption that a civil warrant could be obtained to perform an inspection upon a showing of probable cause that a violation of a health or safety code was occurring. Recent Washington State Supreme Court decisions hold that probable cause alone is not enough, and that the Washington constitution requires a statute to authorize the issuance of a civil warrant. Opponents of a bill to meet this requirement argued that it was too broad and would allow inappropriate inspections. Meetings will be held to try to reach a compromise between state and local enforcement agencies and property owners. Staff will review the comparable mechanisms from other states and arrange the meetings with interested parties.

(Staff: Dave Cheal)

C. INSURANCE

PERSONAL INJURY PROTECTION: Currently auto insurance purchasers automatically receive personal injury protection coverage unless they affirmatively reject it. This coverage provides immediate medical treatment independent of any determination of fault. The industry believes this statutory requirement inappropriately highlights this coverage at the expense of other similar products. The proponents of this automatic coverage believe the current procedure provides important protection for consumers. The effectiveness of the provision and possible compromises will be investigated.

(Staff: Dave Cheal)

AUTO INSURANCE CONSUMER ISSUES: During the 1994 interim the Insurance Commissioner held several hearings around the state to ask consumers if they had any suggestions for improving auto insurance coverage and service. Several bills were introduced as a direct result of those hearings. None of them passed. They included: requiring policies be written in plain language, requiring an insurer to state reasons for canceling coverage and prohibiting cancellation for certain reasons, and requiring replacement transportation when a claimant's vehicle is totaled. Staff will research comparable provisions in other states. Meetings will be held to perfect the bills and explore the problems the bills attempt to address.

(Staff: Dave Cheal)

INSURANCE AGENT EDUCATION: Among other requirements, insurance agents must complete 32 hours of continuing education every two years related to their profession, as specified by rule by the Insurance Commissioner. Some agents believe this is excessive. A hearing will be held on the issue of the appropriate number of continuing agent education hours as a condition of license renewal. (Joint hearing with House Financial Institutions Committee, August 25, at SeaTac O.B., 1:30-3:30p.m.)

(Staff: Dave Cheal)

INSURANCE FOR VICTIMS OF DOMESTIC VIOLENCE: Generally, insurers cannot discriminate between insured who have substantially similar risk and exposure factors. During the 1994 Session, legislation was introduced which would have prohibited insurers from discriminating against victims of domestic violence. This interim staff will review whether such discrimination occurs in Washington, and whether other state and federal laws address this issue.
(Staff: Catherine Mele)

POLLUTION LIABILITY INSURANCE AGENCY (PLIA) PRIVATIZATION: During the 1994 session the Legislature reauthorized the pollution liability insurance agency until June 1, 2001 (HB 1498, C. 12, L. of 1995). In addition to the reauthorization, the Legislature asked PLIA to conduct a study about the possibility of privatizing PLIA. Staff will monitor activities related to this study.
(Staff: Catherine Mele)

IMPLEMENTATION OF HOME HEATING OIL LEGISLATION: SSB 5660 (C. 12, L. of 1995) created a program in the pollution liability insurance agency which assists in providing pollution liability insurance to owners of heating oil tanks. Staff will monitor activities related to the implementation of this program.
(Staff: Catherine Mele)

MODEL TOXICS CONTROL ACT EXCEPTION FOR TRUSTS AND FIDUCIARIES: This session the Legislature passed SHB 1856 (C, 70, L. of 1995) which clarified the lender liability exception to the Model Toxins Control Act (MTCA). Under the new law, a lender will not be liable as an owner or operator if a lender acquires title to a contaminated site simply by foreclosing under a security agreement. A lender can operate or participate in the management of a site without being liable under the MTCA, provided the lender complies with certain statutory restrictions. It has been suggested that a similar liability exception should apply to trusts and fiduciaries. Staff will review other states' laws to determine if they provide an exception and whether it is effective.
(Staff: Catherine Mele)

HEALTH CARE FOR CONFINED PERSONS: Detention facilities provide for offender health care. These services may include essential medical care, dental care, mental health treatment, prescription services, laboratory procedures, and radiology procedures. Health care services are provided in a variety of ways. Some services are provided by on-site health care staff. Other services are provided on-site by health care providers under contract, while other services which cannot be conducted on-site are provided by outside health care facilities in the community. The committee directed staff to determine whether private insurance companies play a role in providing health care benefits to confined persons, and whether rational policies and practices exist as to who pays for health care if the confined person has private health care insurance.
(Staff: Catherine Mele)

INSURANCE HOLDING COMPANY ACT: The Holding Company Act requires that businesses seek prior approval of the Insurance Commissioner in order to obtain control of domestic insurers. The Holding Company Act does not apply to domestic insurers obtaining control of other insurers outside of Washington. During the 1993 and 1994 sessions, legislation was proposed which required that insurers seek prior approval of the Insurance Commissioner before obtaining control of an out-of-state insurance company. In addition, the legislation applied the Holding Company Act to health care service contractors, health maintenance organizations, and certified health plans. Staff will conduct research to explore legislative options which address these issues.

(Staff: Catherine Mele)

MEETINGS

September 21-22 Olympia - To be announced
November 30- December 1 Olympia

SENATE COMMITTEE ON GOVERNMENT OPERATIONS
Senator Mary Margaret Haugen, Chair

A. REGULATORY REFORM:

WASHINGTON INDEPENDENT REGULATORY AFFAIRS COMMISSION (SB 6037)

In conjunction with the House Government Operations Committee conduct a study on the advisability of creating an independent commission to provide oversight of the state's regulatory system. (*Jonathan Seib*)

B. LOCAL GOVERNANCE ISSUES:

DIRECT PETITION ANNEXATION

Questions have been raised as to the appropriateness of allowing a city to annex territory without an election of those proposed to be annexed. According to the Municipal Research and Services Center, the most frequently used method of annexing unincorporated territory by a code city is the direct petition method. Rather than holding an election, a petition must be signed by the owners of at least 60 percent of the property value (75 percent in noncode cities) in the area to be annexed. Senate Bill 5079 would limit the direct petition method of annexation by both code and noncode cities to only those annexations involving undeveloped, industrial, or commercial territory, with no qualified voters resident in the area. (*Eugene Green*)

FORMATION OF NEW COUNTIES

Revise and prepare legislation governing the formation of new counties, including constitutional amendments and complimentary statutory provisions. (*Rod McAulay*)

COUNTY DAY LABOR ROAD CONSTRUCTION BUDGETS

The total amount of road construction or improvements by day labor programs a county may perform is determined by the total annual road construction budget of the county. Presently, any county with a road construction budget over \$500,000 and less than \$1,500,000 may have a budget equal to \$250,000 or 35% of the total road construction budget, whichever is greater. Senate Bill 6027 would change this limit to \$400,000 or 50%, whichever is greater. (*Eugene Green*)

CHARGES MADE TO CONTRACTORS FOR PLANS AND SPECIFICATIONS

There are no statutory provisions for assigning financial responsibility for the plans or drawings supplied by a governmental entity for a contractor's use as a potential bidder on a project. Senate Bill 5757 (part) would allow governmental entities to require a refundable deposit from

potential bidders for the use of plans or drawings. However, no other fee could be charged for the use of the plans or drawings. Alternatives to this proposal will be analyzed. (*Eugene Green*)

COUNTY PUBLIC WORKS BIDDING -- ERRORS

What should be the consequences, if any, to a contractor who claims that he made an error in his bid when this claim of error results in the disclosure of all the bids on the project? When the project is rebid, should the contractor who originally claimed error be prohibited from rebidding? Should an honest error be subject to such sanction? Should a distinction be made between honest and other errors? If so, how would this distinction be made? What would the specific consequences be? (*Diane Smith*)

KING COUNTY PUBLIC WORKS -- IN HOUSE LIMITS

A recent Washington State Supreme Court case drew attention to a statutory provision (RCW 36.32.240) which states that:

In any county the county legislative authority may by resolution establish a county purchasing department. In each county which exercises this option, the purchasing department shall contract on a competitive basis for all public works. . .

The court interpreted this statute literally, resulting in potential consequences to King County. One of the concerns was not to "fix" King County and "break" a system which is working well for the rest of the state. (*Diane Smith*)

MERGER OF TITLES 56 AND 57 (Water and Sewer Districts)

Consolidate all of Title 56 into Title 57 providing a single code governing both water and sewer districts. Review existing draft and Code Reviser comparisons. Analyze omitted or modified sections and redraft as necessary. (*Rod McAulay*)

STATEWIDE MAPPING OF GOVERNMENTAL JURISDICTIONS

Review available resources for mapping of governmental and taxing jurisdictions throughout the state, including county auditors offices, DNR and Secretary of State. Determine feasibility of generating statewide mapping capacity and inclusion in GIS systems. (*Rod McAulay*)

COST/BENEFIT ANALYSIS OF "BARS" DATA

Review BARS data to determine methodologies for cost/benefit analysis. (*Rod McAulay*)

C. TAKINGS ISSUES:

STUDY GROUP

Organize a study group composed of representative stakeholders to be identified by the chairman. The group would entertain suggestions for various legislative responses to the property rights/takings problem. Some of these suggestions may include mechanisms facilitating permitting, property rights protection and obtaining relief for property owners if a taking occurs.

Another approach could establish procedural requirements that would reduce the likelihood of a taking or a diminution in property value due to the exercise of currently accepted land use controls.

From another perspective, a suggestion may be to discourage unreasonable expectations that landowners may have about the development potential of their property.

Measures designed to enhance local governments' responsiveness to landowners may also be suggested.

Among the means by which to achieve these ends could be the following:

- transfer of development rights
- direct payments
- wetlands compensation
- ombudsman office or mediator
- property tax incentives and relief of various forms
- notice provisions for landowners whose property values would be affected by proposed regulation
- funding mechanisms

(Diane Smith)

D. ELECTION ISSUES:

INITIATIVE AND REFERENDUM FOR NONCHARTER COUNTIES

Noncharter counties are not authorized to adopt the powers of initiative and referendum. All five charter counties have adopted the powers of initiative and referendum. A study will be undertaken to compare these powers among the charter counties and to make a recommendation as to whether:

(1) all noncharter counties should be required to have the initiative and referendum; or

(2) all noncharter counties should be allowed to adopt the powers of initiative and referendum. *(Eugene Green)*

OATHS OF OFFICE, CLARIFYING DISPOSITION

Review existing statutory framework and that of other states. Consult with affected officials and prepare legislation as appropriate. *(Rod McAulay)*

WARD OR DISTRICT ELECTION OF CITY COUNCIL MEMBERS

Review pros and cons of mandating election of city council members by wards or districts in certain specific circumstances. *(Eugene Green)*

E. STATE GOVERNMENT ISSUES:

STATE PROCEDURES FOR HANDLING DISCRIMINATION COMPLAINTS (SB 5783)

Consult with attorney general and appropriate agency personnel regarding needed changes in procedures governing agency response to employee conflict, sexual harassment complaints and other prohibited discrimination complaints. Draft appropriate legislation. *(Rod McAulay)*

ACQUIRING AND MAINTAINING CONSERVATION AREAS

A study will be conducted as to the feasibility of establishing a state conservation lands program and account. Expenditures from the account would be limited to grants to state agencies or counties to acquire less than fee simple interests in conservation areas. The first priority for these expenditures would be to acquire interests in conservation areas that are wetlands or agricultural lands. A new source of revenue is necessary for implementation. Substitute Senate Bill 5210 from 1993 and Senate Bill 5834 could serve as the starting point for discussion. *(Eugene Green)*

MONITOR:

1. ELECTION-BY-MAIL ISSUES

Monitor interim election-by-mail activities and review proposals for extension, elimination, and modification of authority. *(Rod McAulay)*

2. ELIMINATION OF STATE BOARDS AND COMMISSIONS

Maintain communication with the Governor's staff regarding required continued review of boards and commissions for termination or consolidation. *(Diane Smith)*

3. EMERGENCY MANAGEMENT FUNCTIONS

Monitor transfer of emergency management functions from DCTED to the Military Department. *(Eugene Green)*

4. STATE FIRE MARSHALL

Monitor the transfer of the state fire marshall from DCTED to the State Patrol. *(Eugene Green)*

5. FORENSIC INVESTIGATIONS COUNCIL

Monitor the activities and policies of the forensic investigations council especially regarding the assistance provided to the Washington State Patrol crime lab. *(Diane Smith)*

6. GMA GENERAL IMPLEMENTATION

Growth management issues will be closely watched during the interim. *(Eugene Green)*

7. GMA HEARING BOARD AND APPELLATE DECISIONS

Review decisions and prepare periodic summaries as appropriate. *(Rod McAulay)*

**8. IMPLEMENTATION OF ACCOUNTABILITY/PERFORMANCE EVALUATION
IN STATE GOVERNMENT**

Monitor and report on implementation of state requirements for establishing accountability and performance standards for various state agencies and programs. *(Rod McAulay)*

9. PRECINCT BOUNDARIES/CENSUS TRACT CORRELATION (SB 5746)

Meet with representatives of secretary of state, county auditors and caucus staff to track efforts to redraw census tracts to match precinct boundaries. *(Rod McAulay)*

10. WATER LAW ISSUES

Monitor any legislative activities regarding reform of water law with special attention to governance issues. *(Rod McAulay)*

MEETINGS

September 21-22 Olympia - To be announced
November 30- December 1 Olympia - To be announced

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

A. WELFARE

WELFARE REFORM SURVEY

Senator Quigley has requested that staff complete a comprehensive, analytical survey of all 50 States' efforts in welfare reform, identifying and updating issues of interest to the Committee. No such document currently exists in the literature on this topic. Many of the newer ideas have been enacted or waived in the last 8 to 10 months, and have little published information. *(Joanne Conrad)*

WELFARE FRAUD

Senator Gaspard and others have asked that staff develop legislative options for additional welfare benefit efficiency and fraud prevention measures, including Electronic Fingerprint Scanning and Electronic Benefits Transfer (EBT). EBT is the equivalent of an ATM card, for faster, more cost-efficient, and more client-friendly provision of food stamp and other assistance. This technology also has a fraud-prevention aspect, and is being researched by staff in conjunction with federal experiments and the efforts of DSHS, the financial and retail industries. *(Joanne Conrad)*

MONITOR FEDERAL WELFARE CHANGES AND A FRAMEWORK FOR RECODIFYING STATE WELFARE LAWS

The federal government is in the midst of the most significant policy discussion of welfare in 30 years. Major changes in Federal welfare law will probably necessitate a complete rework of Title 74 RCW, Public Assistance. Staff is working with a focus group composed of both Caucuses, the Code Revisor, the Governor's policy staff, DSHS and others as appropriate, to build a framework into which expected federal statutory changes can be incorporated. *(Joanne Conrad)*

REWARDING POSITIVE BEHAVIOR OF CHILDREN ON AFDC

Rewarding positive behaviors of children on welfare involves staff research into efforts undertaken in various states to reward achievement by children from welfare families. These efforts range from monetary compensation for high school completion, to incentives for teens avoiding pregnancy and mentor programs for male teens to learn responsible parenthood. A survey of programs by staff will look at legislative options in conjunction with the risk factors for long term and intergenerational welfare use. (Sen. Franklin) *(Joanne Conrad)*

B. HEALTH

CHILD LABOR HEALTH AND SAFETY REFORM

Children's health in the workplace continues to be an issue in Washington, especially for children from poor families, who are subject to working under difficult conditions in industries such as agriculture, with problematic safety records. Building on the work of Senator Prentice in the 1995 Session, staff continues to research working conditions and clinical experiences involving child labor. (Sen. Prentice) *(Joanne Conrad)*

DOMESTIC VIOLENCE STUDY

Domestic violence is a leading killer of American women and children, and as such is a public health problem on a major scale. Information is needed regarding successful, health-based approaches to dealing with this problem, by looking beyond the criminal justice system, acquiring epidemiological research, and establishing connections between family dynamics and outcomes. (Sen. Fairley) *(Joanne Conrad)*

DISABILITY ISSUES

Research continues regarding the types of legal protection needed by elderly or disabled persons who may be subject to abuse and neglect. Also, a 50-state survey of disabled parking access laws, including sanctions, is being prepared by staff, with an analysis of effectiveness and with input from the disabled community and law enforcement. (Sen. Fairley) *(Joanne Conrad)*

RURAL HEALTH

In the most rural areas of the state some people may be as many as 30 miles from the nearest health care facility. As Medicaid regulations move toward managed care, the viability of these small clinics is threatened. Staff will explore how these remote facilities fit into changing Medicaid regulations and report on whether present state Medicaid policy related to rural health clinics will continue to meet the needs of the state's most rural communities. (Sen. Moyer) *(Rhoda Jones)*

BASIC HEALTH PLAN EXPANSION OVERSIGHT

Enrollment in the BHP is currently running at less than 2/3 of its budgeted target. Legislation modifying the BHP which passed in the 1995 session creates even higher BHP enrollment targets and directs the Health Care Authority to use several mechanisms to enlist hospitals, community clinics, insurance brokers and insurance agents to help expand BHP enrollment. Senate staff will monitor implementation of these provisions as well as BHP enrollment levels and provide interested members with regular updates on progress on both counts. (Sen. Quigley & Sen. Moyer) *(Don Sloma)*

PUBLIC HEALTH IMPROVEMENT PLAN CAPACITY MEASUREMENT

Substitute Senate Bill 5253 modifies the state's contractual relationships with local health department's by requiring that funding bring about measurable improvement in the capacity and outcomes produced by the public health system. The state Department of Health has convened a work group to develop the detailed public health system capacity standards that will be used for this purpose. Senate staff has been asked to work with the group, since it is felt that a need for legislation modifying existing public health statutes may be identified. In addition, Sen. Fairley has requested a review of the PHIP outcome standard related to youth violence. (Sen. Wojahn, Sen. Fairley & Others) *(Don Sloma)*

TOBACCO USE

Tobacco use continues to be the largest single agent responsible for preventable morbidity and mortality. Several tobacco control measures were considered by the Committee in the 1995 legislative session, but were not successful, including SB 5681 and SB 5689. Senate staff will review efforts to pass similar measures in other states, search for any evidence of the effects of such legislation where enacted, review concerns expressed about these bills during the recently completed legislative session and prepare new legislation as requested. (Sen. Quigley, Sen. Moyer & Others) *(Don Sloma)*

ELECTROSHOCK TREATMENT FOR MENTALLY ILL MINORS

Under current law a minor's parent or guardian may waive the minor's right to refuse electroshock treatment. Senator Fairley has requested a review of current practice in this area to include the number of minors receiving electroshock, the procedures for obtaining or waiving consent and projections for change given recent changes to civil commitment procedures for minors who are mentally ill. *(Don Sloma)*

HEALTH CARE POLICY BOARD

Under the recently signed package of changes to the Health Services Act of 1993, SHB 1046, SSB 5386 and SHB 1589, the Health Services Commission is reconstituted as the Health Care Policy Board including two Senate members, and two House Members. The Board is given much more limited responsibilities related to anti-trust immunity, the development of quality standards and data systems, and several special studies including the general oversight of health system reform efforts by other state agencies and the private sector. Senate staff will monitor major Board activities with an eye to developing legislation related at least to quality standards and health system data collection for the 1996 legislative session. (Sen. Quigley & Sen. Moyer) *(Don Sloma)*

HEALTH SYSTEM REFORM ISSUES REVISITED

Several committee members have expressed interest in reviewing the experience of other states with health reform and some issues related to health system reform not addressed by the 1995 legislative changes. Experience with insurance reform, provider conflicts of interest, a minimum required list of benefits in insurance offerings, collective purchasing arrangements, limits on total out-of-pocket expenditures per family, and more may still be of interest to some members. Committee staff will monitor other states' experiences with health reform issues and draft proposed legislation as requested. (*Don Sloma*)

C. LONG-TERM CARE

The long term care interim study group (Senators Deccio, Franklin, Moyer & Wojahn) has identified several long-term care issues of interest. Staff will study proposed Federal changes in Medicare and Medicaid funding which are expected to affect long-term care; regulations governing long term care insurance in the state and its affordability; the growing interest in so-called "subacute care"; how quality standards in community care are keeping pace with the growing use of non-institutional facilities.

Staff is directed under E2SHB 1908 to serve on two long term care study groups; reviewing the implementation of nurse delegation and following developments of changing nursing home reimbursement rates to case mix. (*Rhoda Jones*)

D. HEALTH PROFESSIONALS

SCHOOL NURSES

The ratio of school nurses to students in public and private schools in this state is 1 to about 2,500. The national average is 1 per 750. Staff will study where the need for school nurses is greatest and ideas for improving health care for children in schools. Staff will explore funding sources for increasing the number of school nurses in Washington state schools. (Sen. Franklin) (*Rhoda Jones*)

MEETINGS

September 21-22	Olympia - To be announced
November 30- December 1	Olympia - To be announced

SENATE COMMITTEE ON HIGHER EDUCATION
Senator Al Bauer, Chair

1. **FACULTY PRODUCTIVITY:** Continue to monitor the efforts of the higher education institutions as they address the questions of faculty productivity identified in the HECB report. Related issues are time-to-degree, increased access, improved quality, greater system efficiency, and improved cost-effectiveness. What is happening in other states? *(Staff: Jean Six, Senior Analyst)*
2. **HIGHER EDUCATION AND EDUCATION REFORM:** All sectors of the education system must be aware of the effect of any decision made by one sector on all other sectors. Long-term problems to be addressed include articulation among the sectors, transfer among the institutions, admissions requirements, role of the Certificate of Mastery, etc. *(Staff: Jean Six, Senior Analyst; Susan Mielke, Staff Counsel)*
3. **WORKFORCE TRAINING:** Workforce training issues continue to be of vital interest to the state. Of particular concern to the committee is the progress of the Workforce Training and Education Coordinating Board (WTECB) as it strives toward greater accountability for the state's system of workforce training and education. The Board's comprehensive plan is to be updated every two years and submitted to the legislature for approval. (SSB 5992) The legislature will receive a report by November 1, 1995, on the outcomes of the timber program. In addition, by December 31, 1996, the legislature will receive a net-impact study of the overall effectiveness and outcomes of the retraining efforts directed toward all unemployed workers. *(Staff: Jean Six, Senior Analyst)*
4. **GOVERNOR'S TASK FORCE:** The rapidly increasing numbers of people seeking access to quality postsecondary education in Washington means the state has reached a point that requires a dramatically redesigned funding methodology for its higher education system. How will the state provide for the expansion of higher education access in a constrained budget environment? What is the role of public higher education? *(Staff: Jean Six, Senior Analyst; Susan Mielke, Staff Counsel)*
5. **FEDERAL LEGISLATION:** Congress is considering many significant changes to the federal role with regard to all sectors of education including a shift to more responsibility at the state level. The states may be required to accept financial responsibility for the cost of the loan defaults of its students. How will Washington be affected by the federal changes? *(Staff: Jean Six, Senior Analyst; Jennifer Hanlon, Committee Intern)*
6. **ASSESSMENT:** The HECB and the public institutions of higher education have implemented a nationally recognized assessment program that continues working toward two goals: (1) "institutional renewal" to improve the quality of undergraduate education ; and (2) "accountability" to provide information about student outcomes to policy makers and the public. Each of the 4-year institutions as well as the system of community

colleges and technical colleges received specific funding to continue the process of assessment. *(Staff: Jean Six, Senior Analyst)*

7. **DATA COLLECTION AND COORDINATION (HB 1336):** There is increasing concern about the number of students at the 4-year institutions taking precollege level coursework. By June 30, 1996, the HECB in consultation with representatives of K-12 and higher education, shall adopt a common definition of remedial and precollege material and coursework. The definitions will be adopted by public colleges and universities and be the basis for reporting on September 30 of each year to OSPI, SBE, and CSL. The report will contain three elements on students who within three years of graduating from a Washington high school, enroll in a state-supported pre-college course. The elements are: (1) the number of students enrolled in defined pre-college classes; (2) the types of classes; and (3) the name of the Washington high school from which the student was graduated. Two pilot projects are currently providing information on high school graduates: The High School Follow Up Study and the Electronic Transcript Project. The committee will work within existing groups to build upon the technology capabilities of these pilots. *(Staff: Jean Six, Senior Analyst; Susan Mielke, Staff Counsel)*
8. **MASTER PLAN UPDATE:** The HECB is required by statute to update every four years its master plan for higher education in Washington. The plan is then submitted to the legislature and becomes higher education policy through Concurrent Resolution. The latest plan update will be submitted for approval by the 1996 legislature.
9. **TEACHER PREPARATION:** The committee is interested in the ability of the educator preparation programs to prepare teachers for the classrooms of the future. The issue of how America teaches its teachers to teach is becoming increasingly crucial. The success of plans to improve student performance in the common schools hinges on the quality of the teachers hired to instruct them. The committee will monitor the progress of the professional development schools and other alternative methods of teacher preparation. *(Staff: Jean Six, Senior Analyst; Susan Mielke, Staff Counsel)*
10. **ALTERNATIVE DELIVERY SYSTEMS**
 - **DISTANCE LEARNING:** Technology is poised to dramatically change the face of higher education. The committee will continue to explore ways to provide higher education course work through non-traditional methods.
 - **2 + 2 PROGRAMS (OLYMPIC COLLEGE, CASCADIA COMMUNITY COLLEGE etc)**
 - **EVENING DEGREES**
 - **CREDIT FOR PRIOR EXPERIENTIAL LEARNING***(Staff: Jean Six, Senior Analyst; Jennifer Hanlon, Committee Intern)*
11. **INTERNATIONAL TRADE EDUCATION CONSORTIUM:** The budget authorizes up to \$50,000, if matched by an equal amount from private sources, to be used to initiate an international trade consortium of selected community colleges. The SBCTC shall

report annually to appropriate legislative committees on these efforts. (Staff: Jean Six, Senior Analyst)

MEETINGS

HIGHER EDUCATION COORDINATING BOARD

JUNE 15-16, 1995	SeaTac	Doubletree Inn
JULY 12-13, 1995	SeaTac	Marriott Hotel
AUGUST 9, 1995	SeaTac	Marriott Hotel
SEPTEMBER 19-20, 1995	Seattle	
OCTOBER 25-26, 1995	Spokane	
NOVEMBER 15-16, 1995	Vancouver	
DECEMBER 14, 1995	SeaTac	

STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

JUNE 15-16, 1995	Spokane
SEPTEMBER 13-14, 1995	Peninsula
NOVEMBER 1-2, 1995	Shoreline
DECEMBER 6-7, 1995	Clover Park

WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

JULY 27, 1995	Bellingham Technical College
SEPTEMBER 14, 1995	Spokane Intercollegiate Research and Technology Institute
OCTOBER 26, 1995	Wenatchee High School
NOVEMBER 30, 1995	Key Bank, Aberdeen

EDUCATION SUMMIT

to be announced

INTERIM COMMITTEE ASSEMBLIES

September 21-22	Olympia - To be announced
November 30- December 1	Olympia - To be announced

GOVERNOR'S TASK FORCE

To be announced

HIGHER EDUCATION COMMITTEE CAMPUS VISITS/TENTATIVE SCHEDULE
(Coordinated with House Higher Education Committee when possible. The committee will focus on the unique contributions of each campus as they strive to meet student goals and expectations as well as the state's economic development and societal needs.)

- SEPTEMBER - WASHINGTON STATE UNIVERSITY, SPOKANE
COMMUNITY COLLEGES, EASTERN WASHINGTON
UNIVERSITY**
1. Governance
 2. Time -to degree
 3. Faculty productivity
 4. Student/peer evaluations
 5. Institutional concerns
- OCTOBER - UNIVERSITY OF WASHINGTON, LAKE WASHINGTON
TECHNICAL COLLEGE**
1. Undergraduate education
 2. Medical School
 3. Admissions standards
 4. Advances in technical education
 5. Governance
 6. Institutional concerns
- OCTOBER - CENTRAL WASHINGTON UNIVERSITY, HERITAGE
COLLEGE**
1. Public/private partnerships
 2. Higher education commercial activities
 3. Contracting out
 4. Institutional concerns
- NOVEMBER - CLARK COLLEGE, WSU SOUTHWEST WASHINGTON**
1. Governance
 2. Access
 3. Time-to degree
 4. Student/peer evaluations
 5. Institutional concerns
- NOVEMBER - WESTERN WASHINGTON UNIVERSITY, EDMONDS
COMMUNITY COLLEGE**
1. Access
 2. Time-to-degree
 3. Faculty productivity
 4. Institutional concerns
 5. Advances in technical education

DECEMBER -

THE EVERGREEN STATE COLLEGE, BATES TECHNICAL
COLLEGE, OLYMPIC COLLEGE

1. Access
2. Time-to-degree
3. Assessment
4. Student/peer evaluations
5. 2 + 2 programs
6. Advances in technical education

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Senator Jim Hargrove, Chair

A. CHILDREN'S SERVICES

1. Monitor the overall implementation of the legislation dealing with runaway and at-risk youth - Engrossed Second Substitute Senate Bill 5439 (1995). (*Richard Rodger*)

The general areas of review will include: Analysis of the new judicial procedures required to be developed for dealing with children in need of services (CHINS) petitions; monitoring litigation filed to challenge any portions of the bill; reviewing the development of rules concerning the creation and operation of secure crisis residential center facilities; monitoring law enforcement response to statutory requirements for dealing with runaways; tracking data from shelters & law enforcement regarding reports on runaways; following DSHS's enforcement of licensing requirements for shelters; and monitoring compliance with required development of school policies regarding leaving school grounds during school hours.

2. Work with Department of Social & Health Services' staff in the development of a plan for intensive treatment options for at-risk youth. This plan is required under E2SSB 5439 (1995) and is intended to provide a greater continuum of services for these children. (*Richard Rodger*)
3. Monitor the study on truancy to be conducted by the Washington State Institute for Public Policy. This study is required by E2SSB 5439 (1995) and funded in the final budget. The study will cover truancy petitions, truancy definitions & recommendations for disciplinary measures for truants. (*Richard Rodger*)
4. Work with the Department of Social & Health Services' staff in developing the new level of Family Preservation Services (FPS) created under E2SSB 5885 (1995). These services are intended to provide assistance to families earlier than the current services. (*Richard Rodger*)

Family Preservation Services are intended to reduce the number of children who have to be placed in out-of-home settings. Staff will be reviewing data regarding the rates at which Family Preservation Services prevent out-of-home placements and review the department's transfer of foster care dollars to fund Family Preservation Services.

5. Convene a work group to study suggested or needed changes to the confidentiality laws. The confidentiality of juvenile records in the areas of juvenile justice, social services, and education limits the full use of those records by different professionals who provide services to the same child. The work group will involve interest groups such as: Department of Social & Health Services, Attorney General's office, prosecutors, public

defenders, schools, chemical dependency providers, mental health providers, American Civil Liberties Union, newspapers, juvenile courts, etc. *(Richard Rodger)*

6. Monitor the Family Policy Council's continued implementation of Community Public Health & Safety Networks as established in 1994. The networks' focus is directed at reducing teen suicide, teen pregnancy, youth delinquency & violence, chemical dependency, child abuse and neglect, school dropouts, and domestic violence. Staff will review distribution of funds, development of local plans, data collection, and evaluation process. Monitor the review of prevention programs, related to children & youth, as conducted by the networks and council. *(Richard Rodger)*
7. Study, in conjunction with the Department of Social & Health Services, the need for establishing some staff-secure group homes as placement alternatives for high-risk youth. In addition, staff will study the insurance & liability issues related to group homes based upon the recent DSHS/Insurance Commissioner study. The study was requested by the legislature in E2SHB 2319 (1994). *(Richard Rodger)*
8. Continue researching options for increasing the availability and affordability of child care. *(Richard Rodger)*

B. MENTAL HEALTH

Monitor the development of rules & regulations concerning mental health treatment facilities which accept minors for treatment upon the application of their parents. The parental rights in this area were recently expanded to allow admission of any child under the age of 18 who is in need of treatment. *(Richard Rodger)*

C. ALCOHOL & SUBSTANCE ABUSE

1. Monitor the development of rules & regulations concerning chemical dependency treatment facilities which accept minors for treatment upon the application of their parents. The parental rights in this area were recently expanded to allow admission of any child under the age of 18 who is in need of treatment. *(Richard Rodger)*
2. Monitor the implementation of satellite clinics for Fetal Alcohol Syndrome (FAS) screening & diagnostic services. These services were expanded by Substitute Senate Bill 5688 (1995). The satellite clinics will be developed by the University of Washington's FAS clinic under contract with the DSHS Division of Alcohol and Substance Abuse and in cooperation with local public and private health care providers. *(Andrea McNamara)*

D. DEVELOPMENTAL DISABILITIES

Staff will research & analyze the issues related to transitioning developmentally disabled individuals from institutions into community placements and examine the expansion of services to families who have a developmentally disabled person in their home (i.e. respite care). *(Andrea McNamara)*

E. JUVENILE REHABILITATION

1. Coordinate with the Juvenile Rehabilitation Administration in examining alternative housing and programming options for special juvenile populations, including juvenile offenders ages 18-21 currently housed with younger inmates, violent/dangerous juvenile offenders of any age, and juveniles who are tried and sentenced as adults. *(Andrea McNamara)*
2. Monitor the implementation of the juvenile boot camp program, as expanded by Substitute Senate Bill 5234 (1995). *(Andrea McNamara)*

F. ADULT CORRECTIONS

1. Assist the joint legislative oversight committee created in Second Engrossed Second Substitute House Bill 2010 (1995). The joint committee will have the following responsibilities: Review all rules, policies, and standards proposed by the department to implement the purposes of the act; consult with the department and appropriate public safety organizations during the department's development of the implementation plan for the alien offender camp; review the several reports to be submitted to the joint committee by December, 1995. *(Andrea McNamara)*
2. Investigate the feasibility of cost-saving alternatives to traditional incarceration of elderly & medically fragile offenders. *(Andrea McNamara)*
3. Monitor the development and implementation of correctional industries programs in local jails. Substitute House Bill 1929 (1995). *(Andrea McNamara)*
4. Monitor expansion of the Work Ethic Camp program & review annual recidivism data. Second Engrossed Second Substitute House Bill 2010 (1995). *(Andrea McNamara)*
5. Research and analyze legislative options to address overcrowding in prisons. With projected growth in the prison population outpacing construction of new prison beds, new alternatives to traditional incarceration may become increasingly necessary to deal with the overcrowding. *(Andrea McNamara)*

6. Conduct a comprehensive review of all federal statutes, regulations, and case law relating to the incarceration and deportation of criminal aliens. Participate in the department's development of an implementation plan for an alien offender camp, and identify any statutory changes necessary for the establishment and operation of the camp. (*Andrea McNamara & Jason Cummings*)

MEETINGS

September 21-22 Olympia - To be announced
November 30- December 1 Olympia - To be announced

SENATE COMMITTEE ON LABOR, COMMERCE AND TRADE

Senator Dwight Pelz, Chair

A. COMMERCE

1. **The Underground Economy:** A 1993 California Study estimated that underground employment accounted for 25 percent of California's economy, causing billions of dollars to bypass the state treasury. Staff will review the nature and extent of the problem in Washington, review current state efforts to address it, and examine how other states' and federal enforcement officials deal with it. *STAFF: Jack Brummel*
2. **Real Estate Agency:** The committee heard a bill this past session which would have substantially modified current law regarding real estate agents. Staff will solicit input from a broad spectrum of the legal community on the potential affects of the changes proposed in the bill. *STAFF: Jack Brummel*
3. **Home Inspectors:** The Labor, Commerce and Trade Committee requested the Department of Licensing to conduct a sunrise review regarding the need to license or otherwise regulate individuals who perform home inspections. Monitor activities related to this study. *STAFF: Traci Ratzliff*
4. **Condominium Association Managers:** The Labor, Commerce and Trade Committee requested the Department of Licensing to conduct a sunrise review regarding the need to license or otherwise regulate Condominium Association Managers. Monitor activities related to this study. *STAFF: Traci Ratzliff*
5. **Regulatory Reform, Chapter 3:** SB 6037 directs staff to study the desirability and feasibility of creating an Independent Regulatory Review Commission to review proposed and existing administrative rules. *STAFF: Jonathan Seib*
6. **Fireworks:** Monitor implementation of SB 5997 - Fireworks Regulations. *STAFF: Patrick Woods*
7. **Contractors Registration:** Review issues pertaining to contractor registration as outlined in HB 1630 - Regulating the Registration of Contractors. Specific issues to be addressed include consumer protection, registration compliance, underground economy, and regulatory fairness. *STAFF: Patrick Woods and Stuart Morgan*

B. LABOR

1. **Mediation:** Several states use mediation as a mechanism for resolving workers' compensation disputes. Staff will research these other states' systems and examine the

potential mediation offers for cost savings to the state industrial insurance fund. *STAFF: Jack Brummel*

2. **Vocational Rehabilitation/Workforce Training:** Approximately 10,000 injured workers are actively involved in rehabilitation at any point in time. Staff will review how injured workers who can't return to their old work are being plugged into the workforce training system and develop recommendations to enhance program performance. *STAFF: Jack Brummel and Patrick Woods*
3. **Workers Compensation/Retrospective Ratings:** Changes in the Department of Labor & Industries retrospective rating program for employers were proposed this past legislative session. Staff will work with the department and business and labor groups to explore additional options for legislative consideration. *STAFF: Jack Brummel*
4. **Personnel System Reform:** Continue review of proposed legislation concerning civil service reform/collective bargaining/contracting out. Analyze experiences of other states and their applicability to Washington State. *STAFF: Jonathan Seib and Patrick Woods*
5. **Alternative Dispute Resolution:** Work in cooperation with dispute resolution project at OFM to identify means to systematically incorporate alternative dispute resolution techniques into government activities. *STAFF: Jonathan Seib*
6. **Unemployment Insurance:** Monitor and review the implementation of the 1995-96 Task Force recommendations. *STAFF: Patrick Woods*
7. **Agriculture/Labor Laws:** Review/monitor implementation of SB 5121-Modifying agricultural safety standards. *STAFF: Patrick Woods* (Joint with Agriculture and Agricultural Trade and Development Committee)
8. **Drug-free Workplace:** SB 5516, The Drug-free Workplace bill, did not pass the legislature. This year, staff will work with interested parties to perfect the bill. *STAFF: Jack Brummel*

C. ECONOMIC DEVELOPMENT AND TRADE

1. **Self Employment:** Self-employment as a mechanism for job creation has generated increased attention during the past decade. Staff will survey self-employment programs in the state and the nation and generate self-employment options for the committee's consideration. *STAFF: Jack Brummel*
2. **Workforce Development:** Staff will monitor progress by the Workforce Training and Education Coordination Board in implementing new legislation (SB 5992) regarding workforce training. *STAFF: Jack Brummel and Patrick Woods*

3. **Employment and Training Trust Fund:** Staff will monitor Community College and Employment Security progress in use of Employment and Training Trust Fund (ESHB 1988) dollars. *STAFF: Jack Brummel*
4. **Urban Economic Development Strategies:** The recent state efforts to assist Timber Impacted Areas may be a precedent to develop a coordinated and effective state and local government response to urban unemployment. The committee during the late 1980's developed several proposals in collaboration with Cities in Schools to address a portion of this urban problem. Review existing government and private sector initiatives to assist urban areas. *STAFF: Jonathan Seib and Patrick Woods*
5. **International Trade/Trade Representative:** Review 1995 Trade legislation and work with Trade Representative's Office on policy recommendations. *STAFF: Patrick Woods and Jack Brummel*
6. **Timber/Salmon Team:** Review and participate in implementation of SB 5342 - Timber/Salmon impacted areas. *STAFF: Patrick Woods*

MEETINGS

September 21-22 Olympia - To be announced
November 30- December 1 Olympia - To be announced

SENATE LAW AND JUSTICE COMMITTEE

Senator Adam Smith, Chair

CRIMINAL LAW

JUVENILE JUSTICE

During the last several legislative sessions, different approaches to juvenile justice reform have been before the Senate Law and Justice Committee. The following are several of the issues which continue to be of interest in juvenile justice reform:

- (a) "Front-end" issues such as changes to diversion, requiring parents to be present at juvenile court hearings and participate in counseling and the creation of a parental privilege;
- (b) Increasing judicial discretion and expanding the ranges of the juvenile disposition standards;
- (c) Changes relating to community supervision, parole, and the creation of a chemical dependent disposition alternative.

Staff will obtain specific information on the costs of the various proposed changes, will continue to research past proposals and will work with interested legislators to draft legislation. (*Lidia Mori*)

DRUG FORFEITURE STATUTES

It is common practice to prosecute drug defendants in criminal court while at the same time using civil procedures to seize property either used in the drug operation or purchased with the proceeds of the drug operation. Several federal and state courts have held such statutes to be unconstitutional on the grounds that they violate legal prohibitions against double jeopardy. Staff will be working with prosecutors, judges, and defense counsel to determine if Washington's drug statutes need to be modified. (*Dick Armstrong*)

BATTERED CHILD DEFENSE

Current law does not fully address the problem of convicting persons of crimes of violence when the defendant, as a child, suffered repeated physical and/or sexual abuse by the victim. Legal commentators have suggested that sympathetic juries may distort the doctrine of self-defense in order to avoid convicting an abused child for a crime against his or her adult abuser. One proposal to address this issue is that a person who can prove a history of abuse would only be guilty of a lesser charge. Staff will monitor developments and review legislation from other jurisdictions with regard to this issue. (*Marty Lovinger, with Susan Carlson*)

TRUTH-IN-SENTENCING

After being sentenced to a jail or prison term, an offender may receive earned early release credit of up to one-third of the sentence; for certain violent offenses, the reduction is limited to 15% of the sentence. It has been suggested that this is misleading to the public who expect that the offender will serve the amount of time indicated in the judgment and sentence, and then see

the offender back in the community earlier. Proposals to accomplish the goal of truth-in-sentencing will be studied and possible legislation drafted. *(Susan Carlson)*

HARMFUL TO MINORS

The last two 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 a process that would waive prison for a first drug-related offense under very strict conditions could alleviate prison overcrowding, while providing sufficient incentive to curtail recidivism. Staff will review legislation and experiences from other jurisdictions and proposals on this subject. *(Marty Lovinger)*

DEATH PENALTY

The Attorney General has proposed that the death penalty in Washington should be carried out by lethal injection, unless a defendant chooses to be executed by hanging. This is the reverse of current law. It is argued that hanging delays executions because it creates more issues for appeal, whereas lethal injection has been upheld repeatedly. Staff will monitor court decisions from this and other jurisdictions, as well as other relevant changes in death penalty statutes. *(Marty Lovinger)*

HIT AND RUN BOATING ACCIDENTS

Concern has been expressed that the statutes dealing with hit and run boating accidents are not adequate, particularly when death or serious bodily injuries occur. SHB 1289 addressed these concerns by making the boating hit and run statutes more consistent with the vehicular hit and run statutes. Staff will be working with law enforcement officials, recreational boaters, the Parks and Recreation Commission and other interest groups to work out compromise legislation for next session. *(Dick Armstrong)*

PEEPING TOMS

There is concern that current law does not adequately treat the problem of peeping toms. No statutory law exists that specifically addresses this issue. To address this concern, staff will study legislation from other states and provide precise language on the matter. *(Cynthia Runger)*

REGISTRATION FOR OFFENSES AGAINST CHILDREN

Concern has been expressed that persons who commit offenses against children should be subject to registration requirements similar to those applied to sex offenders. A review of the type of

offenses subject to registration in other states will be conducted, and possible legislation drafted. *(Susan Carlson)*

ASSAULT STATUTES

There are four degrees of assault; fourth degree assault is simple assault (minimal injury and no use of a weapon) which is a gross misdemeanor. Various interest groups (nurses, sports officials, health practitioners) have asked that assaults against such persons be elevated to third degree assault, which is a felony. Many victims of assault believe that prosecutors and judges treat felony crime more seriously and provide greater relief to the victims of such crimes. It has been suggested that staff review the various assault statutes to determine if such statutes can be revised to provide increased sanctions to persons who have a greater potential of being assault victims. *(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 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)*

JURY TRIALS -- MISDEMEANORS

The issue of when a jury trial is required in misdemeanor cases has been a focus of attention in previous legislative sessions. Staff will work with the Washington State Association of Prosecuting Attorneys and other interested parties to develop legislation and provide some fiscal projections on the impact of such a change. *(Lidia Mori)*

SENTENCING GUIDELINES EMERGENCY POWERS

The current statute which allows the Sentencing Guidelines Commission to exercise emergency powers to deal with prison overcrowding may need to be clarified and updated. *(Dick Armstrong)*

B. FAMILY LAW & CHILD SUPPORT

DOMESTIC VIOLENCE - WORKSHOP AND STUDY BY SUPREME COURT

The Washington Supreme Court has announced they will be undertaking a study of domestic violence programs, including a survey of what services are available for victims and batterers. There will also be a Domestic Violence Summit to examine services already being provided and to find ways to improve them. Staff will monitor the study and the Summit, as well as assist in the drafting of possible resulting legislation. *(Susan Carlson)*

JOINT CUSTODY

SB 5955 proposed amending Washington laws to provide for presumptive joint custody. At a hearing held on May 10, 1995, the committee reviewed SB 5955 and the general concept of joint custody. During the interim, staff will continue to research joint custody laws and their impact. The research will include an examination of the impact of the change in California laws from presumptive joint custody to a modified joint custody scheme. *(Susan Carlson)*

CHILD SUPPORT ISSUES

- a. Calculation of child support: Issues that continue to be raised in regards to calculating child support include: what items should be included in income and what are appropriate deductions from income for purposes of the support calculation; how to allocate support where there are children from a second family involved; how to calculate a residential credit for time the child spends with the nonresidential parent; and the appropriate allocation of ordinary health care expenses. These and other issues were raised in HB 1478 which did not pass out of the House. Committee staff will continue to study these issues in conjunction with House Law and Justice Committee staff.
- b. Postsecondary Education Support: SB 5565 proposed to eliminate the court's authority to award postsecondary education child support. Although the bill was not debated on the Senate floor this year, the issue continues to be controversial. Staff will monitor the status of postsecondary child support laws in other states.
- c. License suspension for failure to pay child support: ESSB 5375 proposed that driver's licenses and a number of professional licenses be subject to suspension if an obligor is six months or more in arrears on child support payments. This issue has received national attention and is being debated in Congress. Staff will monitor developments on this issue and the effectiveness of similar programs in other states. *(Susan Carlson)*

GRANDPARENTS VISITATION

Visitation rights for grandparents was addressed in HB 1556 and is a topic of ongoing interest. The interested parties were unable to reach a consensus on how best to alter current statutes to assist grandparents in their endeavor to obtain visitation without interfering with the best interests of the child or the interests of the parents. Staff will work with interested parties to reach a resolution of this issue. *(Lidia Mori)*

SEX OFFENSES -- VISITATION

In 1993, the Legislature passed SB 5061 which directed courts to prohibit parents who are convicted of a sexual offense or found to be a sexual predator from visitation with a child. There is concern that SB 5061 is overbroad; however, consensus on this issue was not able to be reached during the 1995 session. Staff will work with the Bar Association and interested parties to develop an agreeable approach. *(Lidia Mori)*

C. CIVIL LAW

FRAUD PREVENTION THROUGH USE OF ELECTRONIC FINGERPRINT SCANS

SB 5080 proposed that driver's licenses and identicards be verified through the use of an electronic fingerprint scan. The purpose of the proposal was to prevent the issuance of multiple identification cards to the same person, and to provide a system of verification for use by agencies or businesses relying on the license/identocard as identification. The substitute bill required the Department of Licensing to study the use of electronic security systems to prevent fraud involving driver's licenses and identicards. Staff will continue to study this issue and research information on the implementation of similar programs in other states. *(Susan Carlson)*

INDIGENTS COST OF COUNSEL

SB 5311 tightened the requirements for indigents' repayment of costs of appointed counsel. With the increasing cost of indigent defense, there is concern about adequate recovery to counties for the cost of providing counsel to indigents. Staff will be working with the counties, plaintiffs' bar, and defense bar to determine if legislation can be developed to alleviate this problem. *(Cynthia Runger)*

GARNISHMENT

Existing law is unclear whether a child support order may preclude or reduce the priority of other garnishment orders. There is also disagreement among the interested parties as to the amount of income that should be protected from garnishment. The Washington State Bar and Washington Collectors Association have been involved in ongoing negotiations about this issue. Staff will review proposals and participate, as necessary, in negotiations on these and other concerns with existing garnishment laws. *(Marty Lovinger)*

HUMAN RIGHTS COMMISSION (ANTI-DISCRIMINATION)

In the 1995 Legislature, a bill was introduced that would prohibit discrimination based upon a person's sexual orientation. A nearly identical bill has also been introduced that would prohibit discrimination based upon gender identity. In addition, several initiatives have been filed that address the issue of sexual orientation. Staff will be following these issues and the related initiatives with the goal of keeping the legislature informed about any developments. *(Marty Lovinger)*

WRONGFUL DEATH

Families of children who are physically, mentally or emotionally challenged and who are unable to work as a result of such disabilities generally have little practical recourse against tortfeasors who negligently kill such children. The reason for such a result is that the families have not suffered any economic loss by reason of the death. Staff will be working with representatives of the plaintiffs' bar and defense bar to determine if the wrongful death statutes need to be revised to recognize noneconomic losses of such parents. *(Dick Armstrong)*

LANDLORD/TENANT

In 1994, a Landlord-Tenant Workgroup met in order to formulate a proposal for legislation that would address some major concerns regarding landlord-tenant law. Although the group was unable to agree on a proposal for legislation, they did identify a number of problems with existing law. Representatives of tenants, landlords, and tenant screening companies are still communicating with regard to their respective concerns with existing law. Staff will monitor these discussions and the issues. *(Marty Lovinger)*

MOTOR FUEL PRICE FIXING

Independent motor fuel dealers and distributors have argued that unfair wholesale pricing policies are responsible for many gas station closures and higher fuel prices for consumers. In past years measures have been introduced that set price ceilings for wholesale gasoline sales by distributors. Staff will communicate with interested parties about whether there is a need to pursue this issue, and if there is, what approach should be taken. *(Marty Lovinger)*

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, green belts are examples of areas in a residential association that have common community ownership. Staff will be working with a Bar Association committee to develop legislation on this subject, as well as refining the condominium law governing oral misrepresentations. *(Dick Armstrong)*

FORECLOSURE PROCEDURES

The foreclosure procedures available to purchasers and sellers of real estate are generally determined by a deed of trust, real estate contract, or mortgage. The Bar Association has established a workgroup to determine if the foreclosure procedures on real estate transactions can be simplified and consolidated. Staff will be monitoring the progress of the workgroup. *(Dick Armstrong)*

D. FIREARMS -- VIOLENCE

FIREARMS POSSESSION

The Senate and House of Representatives introduced legislation that would have changed the criteria for eligibility of firearms possession. The House and Senate were unable to reach an agreement. Staff will be working with interested legislators and parties to draft proposed legislation on this issue. *(Cynthia Runger)*

FIREARMS DEALERS LICENSES

The issues of firearms dealers' license requirements and license fees were addressed in both the Senate and House of Representatives. The interested parties were unable to reach an agreement on the necessary requirements for eligibility of firearms dealers' licenses. Staff will work with interested parties on these issues. *(Cynthia Runger)*

FIREARMS RESTORATION

A felon may have his or her right to possess a firearm restored if he or she petitions a court for a "Certificate of Rehabilitation". The courts want to be removed from this process, thereby making restoration automatic. Staff will work with the courts, prosecutors and other interested parties to draft proposed legislation on this issue. *(Cynthia Runger)*

E. ALCOHOL -- TRAFFIC

DEFERRED PROSECUTION -- DUI

A recent decision by the Washington State Court of Appeals, Division III, regarding deferred prosecution for DUI violations has created a split of opinions between Division I and Division III. Staff will review the conflicting opinions and research the state constitution and legislative history regarding this issue so as to be prepared for a legislative response to this matter. *(Lidia Mori)*

TRAFFIC OFFENSES

In an effort to relieve court congestion, it was proposed during the 1995 legislative session that certain traffic offenses be decriminalized. There were some concerns voiced regarding this approach and staff will need to investigate the ramifications of decriminalizing certain traffic offenses including analyzing the benefits and possible negative impacts of such a proposal. *(Lidia Mori)*

ALCOHOL AND MINORS

The serious consequences of providing liquor to minors is an issue of concern to the legislature. The sanctions for such behavior are viewed by some legislators as inappropriately lenient. Staff will compare the approach taken by other states regarding this crime, work with interested parties and draft legislation. *(Lidia Mori)*

F. COURTS

LEGAL ASSISTANTS

SB 5380 addressed issues surrounding the unlicensed practice of law and regulation of paralegals. The Board of Governors of the Washington State Bar Association has also considered these issues. Staff will coordinate efforts with the state bar association and other interested parties on these matters. *(Cynthia Runger)*

COURT REPORTS PUBLICATION/DISTRIBUTION

Two bills that passed this session, SB 5067 and 5724, reorganized the Commission on Supreme Court Reports and shifted duties between the State Law Librarian and the Supreme Court reporter. The governor vetoed language on one of the bills which addressed the publication and distribution of court reports. The statute may need to be clarified to avoid confusion. *(Cynthia Runger)*

JUDICIAL ELECTIONS

A Judicial Elections Review Committee has been jointly established by the Chief Justice and the Governor. The primary focus of the committee is to determine if the method of selecting judges for Washington's courts can be improved. Staff will be providing assistance to the legislative members on the committee. *(Dick Armstrong)*

G. CORPORATIONS - BUSINESS

LIMITED LIABILITY PARTNERSHIPS

SB 5374, which created a new business entity called limited liability partnerships, was passed by the Legislature in the 1995 session. The Secretary of State is given responsibility under this law to register the new partnerships. The Secretary of State has indicated that the provisions dealing with the administration of registration differ from such provisions for other business entities and will request clean-up legislation in 1996 to address this matter. Staff will work with the Secretary of State as the language is drafted. *(Marty Lovinger)*

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)*

CORPORATIONS ACT

It has been suggested that the for-profit corporations statute needs to be revised and updated to correct various technical problems. The Corporations Act Revisions Committee of the Bar Association will be meeting regularly during the course of the summer. Staff will work with the committee in preparation for the next legislative agenda. *(Cynthia Runger)*

UNIFORM PARTNERSHIP ACT

HB 1184 repealed the state's existing Partnership Act and implemented the Uniform Partnership Act. The Washington State Bar Association is currently reviewing the UPA. Staff will work in concert with the Washington Bar Association to draft legislation on this matter. *(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)*

H. CAMPAIGN - PDC

CAMPAIGN PRACTICES

A number of proposals to reform campaign practices were made by the Governor's Commission on Ethics in Government and Campaign Practices. Some of these were implemented by the Legislature in 1994 and 1995. Staff will monitor the issues that gave rise to the proposals, since some, such as a primary voters' pamphlet, a local option for public funding of campaigns, and coercion of voters, are likely to be addressed next session. *(Marty Lovinger)*

POLITICAL TELEMARKETING

It has been proposed that telemarketing in political campaigns be regulated as political advertising in order to eliminate the spread of false and misleading information. Concerns have been raised that doing so could make certain legitimate campaign activities more difficult. Staff will look at possible language that could regulate misleading telemarketing without restricting appropriate campaign activities. *(Marty Lovinger)*

CAMPAIGN SPENDING LIMITS

Staff will continue to review proposals to establish voluntary spending limits for candidates for public office or for public officials involved in recall campaigns. *(Marty Lovinger)*

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 result in a feeling of invasion of privacy, which may lead to some contributors refusing to participate in election campaigns. SB 5340 was introduced in the 1995 session to address this matter. Concerns were raised that the language in the bill might adversely affect the ability to campaign for office. Staff will review language proposals from various interest groups concerned with this issue to see if a bill can be drafted that will protect the conflicting interests. *(Marty Lovinger)*

MEETINGS

September 21-22
November 30-December 1
(Agendas -- To be announced)

SENATE COMMITTEE ON NATURAL RESOURCES

Senator Kathleen Drew, Chairman

HYDRAULIC PERMIT AUTHORITY OF THE DEPT OF FISH AND WILDLIFE

Hydraulic permits are issued by the Dept of Fish and Wildlife for the purpose of protecting fish life during the construction and operation of projects built within state waters. The Dept is under criticism for overzealous regulation by people who build hydraulic projects. On the other hand, anadromous fish runs have declined significantly in areas that have been affected by development and increasing human density. The task of the Committee is to define the best compromise for protection of fish without undue burden upon developers.

A working group will be formed including interested members of the Committee, such as Senator Drew and Senator Swecker, possibly Senator Fraser, Governor's office, representatives of the Ports, Counties, Cities, fishing interests, and agriculture interests. *(Staff - Ross Antipa)*

FISH AND WILDLIFE LICENSE FORMAT

There has been a long term interest by the Committee to simplify the number and complexity of fishing and hunting licenses so that the general public would be more supportive of the license requirements. There is also a need to consider the desires of the license dealers. Many of these changes have been developed by the Dept, and their implementation has been speeded by the merger of the two agencies. *(Staff - Ross Antipa)*

COMMERCIAL BOTTOM TRAWLING PROHIBITION

Bottom trawling for food fish is a nonselective fishing method that results in a large "by catch" of unwanted or unmarketable fish, and may have adverse environmental effects. Bottom trawling has been banned by the legislature in the waters of inner Puget Sound and Hood Canal. SB 5077 (1995) would have enacted a statewide ban on bottom trawling, but the bill was held in Committee.

A field trip and possibly a public hearing will be conducted in the Bellingham area, since this is a center for bottom trawling activity in North Puget Sound. *(Staff - Ross Antipa)*

INTERAGENCY COOPERATION - NATURAL RESOURCE LAW ENFORCEMENT

SB 5271 (1995) proposed to authorize federal agents the authority to arrest persons who they have reason to believe have committed serious crimes on non-federal property. This legislation was not enacted, but the problem of serious offenders not being apprehended due to jurisdictional glitches remains. There is a need for further efforts to improve interagency cooperation in this area.

A working group will be formed. *(Staff - Vic Moon)*

SOUTHEAST WASHINGTON WILDLIFE CONCERNS

A variety of wildlife concerns continue to be a problem in the S.E. Washington area. These all relate to too many animals (Elk damage), or too few animals (restricted hunting opportunity). Added to this mix is a lack of wildlife enforcement officers.

The consolidated Dept of Fish and Wildlife is also perceived as being preoccupied with anadromous fish concerns to the detriment of wildlife concerns. This study will be conducted in conjunction with the wildlife damage study.

A public hearing is planned for the Walla Walla area. *(Staff - Ross Antipa, Vic Moon)*

WILDLIFE COMMISSION AUTHORITY

The Fish and Wildlife Commission made a spirited attempt to increase their authority over the director of the Dept and the Governor in the 1995 session. The issue was not resolved, but there is great public and legislative interest.

There may be an opportunity to work more closely with the Commission, and to look for issues that the Committee may work on jointly with the Commission. *(Staff - Ross Antipa)*

INDIAN TREATY SHELLFISH RIGHTS

Implementation of the Rafeedie decision on tribal shellfish rights has not been finalized by the court. The state will be required to alter its shellfish management program in order to provide the court-ordered rights of the treaty tribes. In turn, the legislature will be required to revisit the statutes to bring them into compliance with the court decision. The legislature will probably fund the appeal of the Rafeedie decision.

The Committee will work with the Attorney General's Office to keep abreast of the issues. *(Staff - Ross Antipa)*

WILDLIFE DAMAGE

The committee is concerned about the amount and frequency of wildlife damage claims, and the source of the funding for the claims (wildlife fund). In addition, the procedure for killing a damage causing wildlife is a matter of controversy. The need for preventative measures needs to be assessed, including funding issues. Legislation passed in 1995 allowed the legislature to pay more than \$2,000 per damage claim through December 31, 1995. *(Staff - Vic Moon)*

FOREST INCENTIVES AND SMALL LANDOWNER STEWARDSHIP

The Committee will continue its study of methods to improve forest health, forest practices and wildlife habitat through the use of incentives. Meetings in Olympia are planned with both the Department of Natural Resources and the Department of Community, Trade, and Economic Development. The Committee intends to work with representatives of private forest landowners. *(Staff - Vic Moon, with intern to be assigned)*

