

Washington State



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**Senate Committee
SERVICES**

SENATE COMMITTEE SERVICES

BILLS PASSED

DURING THE 2005 REGULAR

LEGISLATIVE SESSION

BY COMMITTEE OF ORIGIN



DATE: April 27, 2005

TO: Washington State Senate Senators and Staff

FROM: Stan Pynch, Director
Senate Committee Services

SUBJECT: Bills Passed During the 2005 Regular Legislative Session Report

We are pleased to provide you this Senate Committee Services (SCS) report, Bills Passed During the 2005 Legislative Session, by Committee of Origin. Very simply, this report includes a brief description of each Senate and House bill passed by the 2005 Legislature. Bills are listed under their committee of origin in the Senate.

We have noted the Governor's action on bills through April 24. The Governor has not yet taken action on the overwhelming majority of bills included in this report.

We will be working with House staff in the weeks ahead to prepare the more comprehensive 2005 Final Legislative Report. You are likely familiar with that report, which has been produced for many years. It will include the final bill report for each bill passed by the 2005 Legislature and relevant gubernatorial veto messages.

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

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AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

786-7411

SB 5039: REGULATING THE PROCESSING OF MILK AND MILK PRODUCTS

Prime Sponsor: Senator Rasmussen

(HB 1085 Representative Linville)

- The requirement that milk products be bottled and capped by mechanical capping methods is removed.
- Milk product license fees are equalized with food processor license fees but businesses that require both licenses are exempt from the food processor's license fee.

SSB 5092: CREATING A BEGINNING FARMERS LOAN PROGRAM

Prime Sponsor: Senator Jacobsen

- The Housing Finance Commission is authorized to develop a Beginning Farmer Loan Program that utilizes low interest tax exempt bonds.
- The program must be consistent with the parameters of the federal tax code so the bonds will qualify for tax exempt status.

**Signed by the Governor*

ESB 5094: CHANGING THE MAXIMUM PER PARCEL RATE FOR CONSERVATION DISTRICT SPECIAL ASSESSMENTS

Prime Sponsor: Senator Jacobsen

- The maximum assessment to fund conservation district activities is increased from \$5 to \$10 per parcel for counties with a population in excess of 1.5 million.
- Clarification is provided that all funds, except those to reimburse the county for the actual cost of collecting the assessments, are to go to the conservation district for use as authorized by statute.

SB 5142: REGARDING AIR REGISTRATIONS FOR ELEVATORS AND WAREHOUSES

Prime Sponsor: Senator Schoesler

- An exemption from air pollutant registration, reporting, and fee requirements for grain warehouses and elevators annually handling ten million bushels of grain or less is clarified to include licensed facilities storing or cleaning grain. The term "grain" is defined to include a grain or a pulse ("pulse" includes peas, lentils, and beans).

**Signed by the Governor*

SSB 5190: CONCERNING ADULTERATED COMMERCIAL FEED

Prime Sponsor: Senator Fraser

- Adulterated commercial feed includes ruminant feed that contains any animal protein that is prohibited and listed as unsafe pursuant to the current federal regulations adopted under the Federal Food, Drug, and Cosmetic Act.
- The penalty for intentionally violating the ruminant feed provision is a gross misdemeanor and the penalty for all other violations of the feed law is a misdemeanor.

**Signed by the Governor*

SSB 5290: INCLUDING GOATS IN THEFT OF LIVESTOCK IN THE FIRST DEGREE

Prime Sponsor: Senator Delvin

(HB 1398 Representative Haler)

- Goats are added to the list of animals theft of which constitutes a Class B felony and is the basis for a civil action for treble damages and attorney's fees. A person who suffers damage to livestock as a result of criminal animal cruelty may bring a civil action against the offender for treble damages and attorney's fees.

SSB 5488: CONCERNING THE FRUIT AND VEGETABLE DISTRICT FUND

Prime Sponsor: Senator Rasmussen

- Extends until June 30, 2009, the authorization that \$200,000 from the fruit and vegetable district fund may be transferred to the plant pest account, should apple maggot control activities be needed.

**Signed by the Governor*

SSB 5602: MANAGING LIVESTOCK NUTRIENTS

Prime Sponsor: Senator Rasmussen

(SHB 1615 Representative Pettigrew)

- Provides for the continued development of the livestock nutrient management program and reaffirms that it is to be implemented by the Department of Agriculture (WSDA).
- Requires protocols for water quality monitoring for areas around dairies and concentrated animal feeding operations to be developed by the Department of Ecology.
- Provides for the development of composting guidelines for livestock.
- Requires information obtained by state and local agencies from livestock producers be available to the public in ranges that provide meaningful information to the public according to rules adopted by the WSDA.

2SSB 5663: CHANGING THE TAX EXEMPTIONS FOR MACHINERY AND EQUIPMENT USED TO REDUCE AGRICULTURAL BURNING

Prime Sponsor: Senator Rasmussen

(HB 1664 Representative Grant)

- Extends until January 1, 2011, tax incentives for equipment and structures used to reduce the burning of grass seed and cereal grain stubble that is scheduled to expire on January 1, 2006.
- Narrows the tax incentives that are available by deleting the exemption from personal property tax and discontinuing the credit from business and occupation tax but continues the sales tax exemption for the extended period.
- To qualify for this tax incentive, over 50 percent of the farmer's tillable land must be in cereal grain or grass seed production and be located in a county with at least 15,000 acres of cereal grain production.

ESB 5962: CONCERNING CUSTOMARY AGRICULTURAL PRACTICES

Prime Sponsor: Senator Haugen

- A farmer who prevails against a legal claim that agricultural activity constitutes a nuisance or violates a specified law may, with certain limitations, recover reasonably incurred costs and expenses. If warranted, the farmer may also recover exemplary damages.
- A seller of land located within one mile of a farm must make a statement available to a buyer notifying them that the farm may generate dust, odors, and other conditions protected by Washington law.

- With certain limitations, dust and odors caused by agricultural activity, including shellfish production, are exempted from state air pollution standards.

SJM 8010: PETITIONING THE UNITED STATES DEPARTMENT OF AGRICULTURE REGARDING CANADIAN BEEF IMPORTATION AND EXPORT OF UNITED STATES BEEF

Prime Sponsor: Senator Rasmussen

(HJM 8012 Representative Morrell)

- The United States Department of Agriculture is requested to: (a) reaffirm to Congress and the courts that the rule to lift the ban on importing Canadian beef be based on sound scientific proof; (b) and to swiftly conclude negotiations with trading partners to reestablish critical export markets for United States produced beef be based on the same sound science.

HB 1086: REGULATING COMMERCIAL FEED

Prime Sponsor: Representative Linville

(SB 5004 Senator Rasmussen)

- Registration periods for pet foods are changed from annually to once every two years with fees adjusted accordingly.
- To improve auditing, feed registrants are required to report semiannually indicating the volume of feed distributed, the volume of feed they are responsible to pay fees on, and who is responsible to pay fees if the reporting company did not pay the fees.
- Specific procedures are provided to inspect feed vehicles.

**Signed by the Governor*

HB 1110: MODIFYING RECERTIFICATION STANDARDS FOR PRIVATE APPLICATORS OF PESTICIDES

Prime Sponsor: Representative Eickmeyer

- The maximum credits that may be earned in a year for re-certification of a private pesticide applicators license is increased from eight to ten hours. The requirement of earning a total of 20 credits over a five year period is unchanged.

HB 1407: PROVIDING AN EXPIRATION DATE FOR THE TAX DEDUCTION FOR CERTAIN BUSINESSES IMPACTED BY THE BAN ON AMERICAN BEEF PRODUCTS

Prime Sponsor: Representative Grant

- A deduction from the business and occupation tax established in 2004 because of the detection of one cow imported from Canada with bovine spongiform encephalopathy (BSE) that caused a disruption in exports of United States beef, is clarified.
- The deduction will expire on December 31, 2007, or when Japan, Korea, and Mexico all lift their bans on importation of United States beef, whichever occurs first.

**Signed by the Governor*

SHB 1461: CHANGING CONSERVATION ASSISTANCE REVOLVING ACCOUNT PROVISIONS

Prime Sponsor: Representative Linville

(SSB 5009 Senator Rasmussen)

- Allows funds in the conservation assistance revolving account previously loaned to participants in the Conservation Reserve Enhancement Program to also be loaned to participants in the Continuous

Conservation Reserve Program. These are parallel cooperative federal programs that provide for enhancement of riparian areas in different regions of the state.

**Signed by the Governor*

SHB 1462: FUNDING CONSERVATION DISTRICTS

Prime Sponsor: Representative Linville

(SB 5010 Senator Rasmussen)

- Provides the State Conservation Commission with authority to develop rules for distribution of state appropriated base funding to local conservation districts.
- Deletes the statutory formula under which state base funds have previously been distributed.

**Signed by the Governor*

HB 1554: CLARIFYING THE DEFINITION OF "FARM AND AGRICULTURAL LAND" FOR PURPOSES OF CURRENT USE PROPERTY TAXATION

Prime Sponsor: Representative Morrell

- Allows the value of agricultural products donated to nonprofit food banks or feeding programs to be included in meeting the gross income requirements to qualify for current use valuation for property tax purposes.
- This provision is applicable to farms between 5 and 20 acres.

**Signed by the Governor*

HB 1722: EXTENDING AN ASPARAGUS EXCEPTION TO THE STANDARDS FOR FRUITS AND VEGETABLES

Prime Sponsor: Representative Grant

(SB 5723 Senator Rasmussen)

- Extends the exemption for asparagus shipped out of the state, for fresh packing, from state grades and standards for two more years, until December 31, 2007.

EARLY LEARNING, K-12 & HIGHER EDUCATION

786-7415

SSB 5112: PROVIDING PUBLIC EMPLOYMENT RETIREMENT CREDITS FOR VETERANS OF THE AFGHANISTAN CONFLICT AND THE PERSIAN GULF WAR II

Prime Sponsor: Senator Shin

- Military service in southern or central Asia as part of Operation Enduring Freedom and service in the Persian Gulf as part of Operation Iraqi Freedom are added to the list of conflicts which qualify a member of PERS 1 for service credits. To qualify for service in these categories, a member of PERS 1 must be awarded the related campaign badge or medal.
- The veteran's waiver provisions that were originally included in this legislation are addressed by SHB 1174.

SSB 5289: DISREGARDING FROM FEDERAL ACCOUNTABILITY REPORTING THOSE STUDENTS RECEIVING HOME-BASED INSTRUCTION WHO PARTICIPATE IN RUNNING START

Prime Sponsor: Senator McAuliffe

- A technical change is made to the Running Start statutes clarifying that 11th and 12th grade students are eligible for Running Start as long as they have not met the credit requirements for a high school diploma.
- Students receiving home-based instruction and students attending private schools who enroll in a public high school for the sole purpose of participating in Running Start will not be counted in state and federal accountability reporting for schools and districts.

**Signed by the Governor*

SB 5411: AUTHORIZING BRANCH CAMPUSES TO OFFER LOWER-DIVISION COURSES

Prime Sponsor: Senator Pridemore

(HB 1267 Representative Sommers)

- * *SB 5411 is incorporated in part into E2SHB 1794.*

ESSB 5426: CREATING A WORK GROUP TO REVIEW LAWS GOVERNING SCHOOL ATTENDANCE

Prime Sponsor: Senator Carrell

- * *ESSB 5426 was incorporated in its entirety into SHB 1708.*

E2SSB 5441: REQUIRING STUDIES OF THE STATE'S EDUCATION SYSTEMS

Prime Sponsor: Senator Weinstein

- The comprehensive education study steering committee is created to study the finance of early learning, K-12, and higher education in the state, particularly relative to the development of recommendations about how the state can best provide stable funding for student learning for young children, students in the public schools, and students in the public colleges and universities.
- The steering committee will have three advisory committees: one for early learning, one for K-12, and one for higher education.

- The steering committee is required to provide interim reports to the appropriate policy and fiscal committees of the legislature by November 15, 2005, and June 16, 2006. The final report and recommendations of the steering committee must be submitted by November 15, 2006.

SSB 5552: REQUIRING SCHOOL DISTRICTS TO REQUEST INFORMATION FROM EMPLOYMENT APPLICANTS' OUT-OF-STATE EMPLOYERS

Prime Sponsor: Senator Kohl-Welles

- Clarifies current law that: (1) the release of information statement that must be signed by an applicant for a certificated or classified position in a school, applies to disclosure of information from both in-state and out-of-state school district employers; and (2) school districts must request information from all current and past school district employers, including out-of-state employers.
- For out-of-state applicants, if the laws or policies of the other states prevent the documents requested from being made available or if that out-of-state school district fails or refuses to cooperate with the request, the applicant may still be hired by the school district.

SB 5634: REQUIRING THAT EDUCATIONAL CREDITS USED TO INCREASE TEACHERS' SALARIES ARE EARNED AT VERIFIED ACCREDITED EDUCATIONAL INSTITUTIONS

Prime Sponsor: Senator Schoesler

** SB 5634 is incorporated in its entirety into 2SHB 2212.*

SSB 5664: IMPROVING TEACHERS' SKILLS WITH REGARD TO CHILDREN WITH LEARNING DIFFERENCES

Prime Sponsor: Senator McAuliffe

- Requires that credits earned by teachers that move them along the state salary schedule include research-based assessments and instructional strategies for students with dyslexia, dysgraphia, and language learning disabilities when mastery of State Learning Goal One is addressed, as appropriate and applicable for individual teachers.

SB 5677: REVOKING CERTIFICATES OR PERMITS OF EDUCATIONAL EMPLOYEES POSSESSING PORNOGRAPHY ON SCHOOL GROUNDS

Prime Sponsor: Senator Benton

** SB 5677 was incorporated in its entirety into 2SHB 2212.*

SB 5707: CREATING A WOMEN'S HISTORY CONSORTIUM

Prime Sponsor: Senator Fraser

(HB 1839 Representative Kenney)

- Establishes a Washington women's history consortium, with the Washington State Historical Society as the managing agency to compile and recognize Washington's women's history, seek private donations, and develop various volunteer and grant programs.

ESSB 5732: REVISING THE POWERS, DUTIES, AND MEMBERSHIP OF THE STATE BOARD OF EDUCATION AND THE WASHINGTON PROFESSIONAL EDUCATOR STANDARDS BOARD AND ELIMINATING THE ACADEMIC ACHIEVEMENT AND ACCOUNTABILITY COMMISSION

Prime Sponsor: Senator McAuliffe

- The Academic Achievement and Accountability Commission is abolished January 1, 2005 and their duties and responsibilities are transferred to the State Board of Education (SBE). Except for statutory authority for educator preparation and certification, the SBE retains its current duties.
- Statutory authority previously held by the SBE pertaining to educator preparation and certification transfers to the Professional Educator Standards Board, effective January 1, 2005.
- The SBE is reconstituted with sixteen members: seven appointed by the Governor; five elected by local school directors, three from western Washington and two from eastern Washington; one private school representative; two students; and the Superintendent of Public Instruction. All members, except the students, vote on all matters. The chair is elected by the board for two-year terms, limited to two consecutive terms.

SSB 5828: REGARDING DIGITAL OR ONLINE LEARNING

Prime Sponsor: Senator Eide

- The Superintendent of Public Instruction must revise the definition of a full-time equivalent student to include students who receive instruction through digital or online programs and adopt rules to implement the revised definition.

SB 5867: CREATING A PILOT PROGRAM FOR BACCALAUREATE DEGREES AT SELECTED COMMUNITY AND TECHNICAL COLLEGES

Prime Sponsor: Senator Schmidt

* *SB 5867 is incorporated in part into E2SHB 1794.*

SB 5926: MODIFYING PROVISIONS IN THE ADVANCED COLLEGE TUITION PAYMENT PROGRAM

Prime Sponsor: Senator McAuliffe

(HB 2021 Representative Kenney)

- Modifies requirements for the Guaranteed Education Tuition (GET) program.
- The recipient of funds from the GET program need not be a resident of Washington as long as the purchaser of the tuition units is a resident of the state.
- Tuition units are protected from bankruptcy judgments if purchased two years before filing.
- Service and activity fees are not considered "tuition and fees" for the purpose of the program.

SB 5983: REGARDING PROFESSIONAL CERTIFICATION OF TEACHERS

Prime Sponsor: Senator Pflug

- Directs the agency responsible for educator certification to adopt rules for the approval or disapproval of programs leading to professional certification. The rules must include a process for approving educational service districts as programs providers by August 31, 2007.
- The rules must include processes for reciprocity of veteran teachers from out-of-state, for a liaison relationships between school district and preparation programs, and for the evaluation of programs.

2SHB 1050: CREATING A FOSTER CARE ENDOWED SCHOLARSHIP PROGRAM

Prime Sponsor: Representative Kenney

- An endowed scholarship program is created for financially needy foster care youth and former foster care youth. The amount of the scholarship may not exceed the student's demonstrated financial need. Receipt of a scholarship does not affect a student's eligibility for other state financial aid.
- The Higher Education Coordinating Board may deposit \$25,000 of state matching moneys into the endowment fund as the principal and this principal may not be invaded.

HB 1066: REVISING LEARNING ASSISTANCE PROGRAM DISTRIBUTION FORMULA

Prime Sponsor: Representative McDermott

- Revises the distribution formula for the Learning Assistance Program from one based on 50 percent assessment results and 50 percent family need to one based solely on family need.

EHB 1068: ELIMINATING MANDATORY NORM-REFERENCED STUDENT ASSESSMENTS

Prime Sponsor: Representative Quall

(SB 5071 Senator McAuliffe)

- Repeals the requirement that each public school student in the third, sixth, and ninth grades take a norm-referenced achievement test.
- School districts may offer norm-referenced assessments at their own expense.
- By September 1, 2005, subject to available funds, the Office of the Superintendent of Public Instruction (OSPI) will post on its website a guide of diagnostic assessments for voluntary use by school districts. Subject to the availability of amounts appropriated for this specific purpose, OSPI will make diagnostic assessments available to school districts by September 1, 2006.
- OSPI is encouraged to offer state-wide and regional staff development to assist practitioners in interpreting and applying instructional strategies based on diagnostic assessment data.

ESHB 1079: REGARDING POSTSECONDARY EDUCATION AND TRAINING SUPPORT FOR FOSTER YOUTH

Prime Sponsor: Representative Kagi

(ESSB 5084 Senator McAuliffe)

- The membership of the Children's Administration of the Department of Social and Health Services oversight committee on education of foster youth is expanded to include staff from the Higher Education Coordinating Board (HECB), foster youth, former foster youth, and foster parents. The scope of responsibilities of the committee is expanded to include promotion of opportunities for foster youth to participate in postsecondary education or training, particular to expanding access and providing support for former foster youth as they transition to postsecondary education.
- Former foster youth are guaranteed a state need grants out of funds that were previously awarded and declined, forfeited, or otherwise unused. Further, the HECB is to give former foster youth special consideration in the state work study program.

**Signed by the Governor*

SHB 1100: CREATING A STATE FINANCIAL AID ACCOUNT

Prime Sponsor: Representative Kenney

- The state financial aid account is created allowing financial aid funds to be expended during and after the fiscal period in which the funds were deposited in the account, without a legislative appropriation. The funds may be used only for the various aid programs.
- The state financial aid programs included in the account are the State Need Grant, State Work Study, Washington Scholars, Washington Award for Vocational Excellence, and Educational Opportunity Grant.

**Signed by the Governor*

E2SHB 1152: CREATING A WASHINGTON EARLY LEARNING COUNCIL

Prime Sponsor: Representative Kagi

- The Washington Early Learning Council is established to develop an early learning plan, a voluntary rating system, and tiered-reimbursement system for licensed child care providers.
- The Child Care Coordinating Committee is repealed.
- The Council will serve as the early learning advisory committee noted in E2SSB 5441.

SHB 1174: CHANGING VETERANS' TUITION WAIVER PROVISIONS

Prime Sponsor: Representative McCoy

- Tuition waiver authority for all veterans is incorporated into one chapter and the various separate statutes are repealed or amended as necessary. State-supported waiver authority is expanded to include the children and spouse, or surviving children and spouse, of eligible veterans and National Guard members.
- Eligible veterans and National Guard members are defined as Washington residents who are, or were, active duty or reserve military members or National Guard members, in a war or conflict fought on foreign soil or in international waters or in support of those serving. Institutions of higher education may also waive all or a portion of tuition and fees for a veteran who does not meet the eligible veteran definition; however, for those waivers no state general fund support is assumed.

ESHB 1252: PROVIDING FOR FAMILY AND CONSUMER SCIENCE EDUCATION

Prime Sponsor: Representative Quall

- School districts are encouraged to adopt a family preservation education curriculum and offer a unit in family preservation education to high school students.
- School districts may adopt the model curriculum or may develop a curriculum with input from the community. The Office of the Superintendent of Public Instruction must adopt a model curriculum for family preservation education. A list of what should be included in the model curriculum is included in the legislation.

SHB 1345: ALLOWING STATE FINANCIAL AID FOR PART-TIME STUDENTS

Prime Sponsor: Representative Hasegawa

- The Higher Education Coordinating Board (HECB) is authorized to develop a pilot project that will expand eligibility for the State Need Grant program to students who are enrolled in a participating Washington institution of higher education for at least four credit hours per quarter. Current law requires at least six credit hours.
- The HECB may select up to ten colleges, including both community and technical colleges, or

universities to participate in the pilot project. The project begins in the Fall 2005 academic term and expires June 30, 2007. The HECB must report back to the legislature on the results of the pilot project.

HB 1399: AUTHORIZING PUBLIC TRIBAL COLLEGES TO PARTICIPATE IN THE RUNNING START PROGRAM

Prime Sponsor: Representative Quall

** HB 1399 was incorporated in its entirety into SHB 1708.*

HB 1432: AVOIDING FRAGMENTATION IN BARGAINING UNITS FOR CLASSIFIED SCHOOL EMPLOYEES

Prime Sponsor: Representative Fromhold

(SB 5705 Senator Rockefeller)

- The requirements for making determinations of bargaining units of classified school employees are modified.
- For units existing on the bill's effective date, the Public Employment Relations Commission (PERC) may not divide a unit into more than one unit without the agreement of the school district and the bargaining representative of the employees.
- The PERC must avoid excessive fragmentation in making unit determinations for classified school employees.

HB 1485: REGARDING THE SCHOOL BUS BID PROCESS

Prime Sponsor: Representative Hunter

- Revises the state bidding and purchasing process for school buses to allow the Office of Superintendent of Public Instruction (OSPI) to solicit competitive price quotes for base buses and for optional features and equipment.
- The OSPI will reimburse school districts and educational service districts for buses purchased through a lowest-bid competitive process or through the competitive price quote bus process, using reimbursement rates established for base buses.

SHB 1495: ENCOURAGING TRIBAL HISTORY TO BE INCLUDED IN THE COMMON SCHOOL CURRICULUM

Prime Sponsor: Representative McCoy

(SB 5655 Senator Schmidt)

- The Washington State School Directors' Association is encouraged to convene regional meetings between local school boards and tribal councils to establish government-to-government relationships.
- The State Board of Education must consider including information on the American Indian people to fulfill high school graduation requirements.
- School district boards of directors are encouraged to incorporate curricula about federally recognized tribes within and near the school district.

SHB 1560: AUTHORIZING COMMUNITY COLLEGES TO DEDUCT CERTAIN PAYMENTS FROM TUITION WAIVERS

Prime Sponsor: Representative Sells

(SB 5613 Senator Berkey)

- For courses offered in an approved apprenticeship program, a community or technical college may deduct

the tuition owed from the funds that the college is sending to the apprenticeship trust under the training contract with the apprentice organization. The deduction may occur if the apprentice organization requests it.

**Signed by the Governor*

ESHB 1607: INCLUDING MEMBERS OF FEDERALLY RECOGNIZED INDIAN TRIBES AS RESIDENT STUDENTS FOR TUITION PURPOSES

Prime Sponsor: Representative Strow

- Members of any federally recognized Indian tribe, rather than a specific list of tribes, whose customary and tribal boundaries include portions of Washington, are eligible for resident tuition.

**Signed by the Governor*

SHB 1708: REGARDING DROPOUT PREVENTION

Prime Sponsor: Representative Lovick

- The Office of Superintendent of Public Instruction (OSPI) is directed to review and evaluate the most promising dropout prevention programs and practices and report to the legislature by December 2005.
** ESSB 5426 was incorporated in its entirety into SHB 1708, as described below.*
- To the extent funds are appropriated, the OSPI, in conjunction with the Administrative Office of the Courts, is required to convene a work group to evaluate and recommend modifications and additions to state statutes and administrative rules that issues pertaining to truancy and dropouts.
** HB 1399 was incorporated in its entirety into SHB 1708, as described below.*
- A public tribal college located in Washington and accredited by the Northwest Commission on Colleges and Universities or another accrediting association recognized by the United States Department of Education is authorized to participate in the Running Start program.

SHB 1719: REGARDING SCHOOL DISTRICT BIDDING REQUIREMENTS

Prime Sponsor: Representative P. Sullivan

(SB 5704 Senator Pridemore)

- The threshold for competitive bid procedures in relation to purchases of furniture, supplies, or equipment is increased from \$15,000 to \$40,000. If such cost is between \$40,000 and \$75,000 the bid process must include quotations from at least three different sources obtained in writing or by telephone and recorded for public access. Any purchase in excess of \$75,000 must be made using a more extensive formal bid procedure as established in current law.
- The threshold for competitive bid procedures in relation to public works projects is increased to \$40,000. The distinctions between improvements and repairs made using one craft or two crafts are removed, as are the distinctions based upon the number of students in a school. If the public works project is over \$100,000 the district must use the formal bid procedure.

HB 1771: REQUIRING SCHOOL BREAKFAST PROGRAMS IN CERTAIN SCHOOLS

Prime Sponsor: Representative McDermott

- To the extent funds are appropriated for this purpose, school districts must implement school breakfast programs in schools in which more than 40 percent of the students qualify for free or reduced-price meals.

- School districts may be exempted from the requirement if they can show the Office of Superintendent of Public Instruction good cause for that exemption.
- The requirement that districts offer school breakfast and summer nutrition programs does not become a state funding obligation and is not included in basic education.

E2SHB 1794: EXPANDING ACCESS TO BACCALAUREATE DEGREE PROGRAMS

Prime Sponsor: Representative Kenney

- Directs Everett Community College to develop an educational plan for the North Snohomish Island Skagit consortium based on the university center model, including moving the consortium to the college campus. The college must submit preliminary recommendations to the legislature by December 1, 2005.
- Directs the State Board for Community and Technical Colleges (SBCTC) to select three community or technical colleges to enter into an agreement with a four-year institution to offer bachelor's degrees on the college campus.
- The Higher Education Coordinating Board (HECB) must report back to the legislature in December 1, 2008, regarding progress made under this bill in regards to expanding access.
* *2SSB 5411 is similar to provisions included in E2SHB 1794.*
- Authorizes the University of Washington (UW) Bothell and Tacoma, and Washington State University (WSU) Tri-Cities to begin offering lower division courses in fields not addressed by local community colleges beginning in the fall 2006. UW-Tacoma and UW-Bothell may also directly admit freshmen and sophomores and WSU Tri-Cities may directly admit freshmen and sophomores for a bachelor's program in biotechnology.
- Authorizes WSU-Vancouver to begin admitting freshmen and sophomores in fall 2006.
* *SB 5867 is similar to provisions included in E2SHB 1794.*
- Authorizes four community or technical colleges to offer applied baccalaureate degrees on a pilot basis, subject to approval by the SBCTC and the HECB. The pilot college may not enroll students in the courses before fall 2006.

SHB 1893: PROVIDING FOR A CERTIFICATION ENDORSEMENT FOR TEACHERS OF THE DEAF AND HARD OF HEARING

Prime Sponsor: Representative McDermott

- The agency responsible for teacher certification will develop endorsement requirements for teachers of hearing impaired students. The standards for the endorsement will be based on the skills and knowledge necessary to serve the education and communication needs of these students.
- When establishing the rules for the endorsement, the agency will consider special education endorsement requirements to have been met by applicants if they have a baccalaureate or master's degree from a teacher training program that has been approved by the Council on Education of the Deaf.

SHB 1951: REGARDING VISION EXAMS FOR SCHOOL-AGED CHILDREN

Prime Sponsor: Representative Quall

(SB 5897 Senator McAuliffe)

- Requires the Department of Health to convene a work group to re-evaluate current visual screening rules of children in public schools.

SHB 1987: REGARDING ALTERNATIVE ASSESSMENTS

Prime Sponsor: Representative Priest

- Requires that the Office of the Superintendent of Public Instruction (OSPI) conduct a review of the course requirements and assessments that lead to industry certification in two or more career and technical education certification programs to determine the extent to which the curricula and assessments are aligned with the high school Washington Assessment of Student Learning (WASL).
- Based on the review, OSPI is to determine if the content assessed for industry certifications are comparable in rigor to the knowledge and skills assessed on the high school WASL, and whether the assessments for industry certifications should be used as alternatives to the WASL for the purposes of high school graduation.

EHB 1998: CREATING THE APPLE AWARD PROGRAM

Prime Sponsor: Representative P. Sullivan

- The Apple Award program is created to honor public elementary schools that have the greatest combined average increase in the percentage of students who meet the state standard on the fourth grade reading, writing, and mathematics WASL.
- Within the amounts appropriated for this purpose, each school selected for the award will receive \$25,000 to use for capital construction projects that have been selected by the school's students and approved by the school board.

HB 2058: REGARDING NOTICE REQUIREMENTS FOR SCHOOL EMPLOYEES CONVICTED OF SEXUAL OFFENSES

Prime Sponsor: Representative Quall

- If a school employee or certificated person is convicted of or pleads guilty to a felony sex offense, regardless of whether the victim was a minor, the prosecuting attorney must notify the Washington State Patrol (WSP) and the WSP must notify the Superintendent of Public Instruction. The modifying phrase "where a minor is the victim" is removed from current law.

2SHB 2212: REVISING EDUCATOR CERTIFICATION PROVISIONS

Prime Sponsor: Representative Hunter

- * *SB 5677 is incorporated in its entirety into 2SHB 2212.*
- A school district employee must have his or her certificate or permit revoked or suspended upon a finding that the employee has engaged in any unauthorized use of school equipment to intentionally access any material depicting sexually explicit conduct, or has intentionally possessed on school grounds any material depicting sexually explicit conduct. Reference to the current statutory definition of sexually explicit conduct is included. An exception for material used in conjunction with established curriculum is included. A first time offense can result in either suspension or revocation and a second offense results in mandatory revocation of the certificate. A person whose certificate is in question must be given the opportunity to be heard and has the right to appeal. These provisions are only applicable to findings that occur after the effective date of the act.
- * *SB 5632 is incorporated in its entirety into 2SHB 2212.*
- Degrees earned by certificated instructional staff that move them along the state salary schedule must be earned at accredited educational institutions.

HCR 4408: CREATING A JOINT SELECT COMMITTEE ON SECONDARY EDUCATION

Prime Sponsor: Representative Quall

- Creates a joint select committee to examine instructional, design, and organizational models for middle schools and high schools. The committee membership consists of four members from each legislative chamber, selected from each major caucus by the Speaker of the House of Representatives and the President of the Senate.
- The committee will report its findings and recommendations to the House and Senate committees on education policy by January 15, 2006.

FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

786-7408

**ESB 5045: ALLOWING TITLE INSURANCE COMPANIES TO PROVIDE A GUARANTEE
COVERING ITS AGENTS**

Prime Sponsor: Senator Doumit

(HB 1157 Representative Roach)

- Title insurance companies may provide a guarantee of financial responsibility, up to \$200,000 for fraudulent or dishonest acts committed by employees, officers, and owners of title insurance companies, in lieu of unavailable bonding or insurance.

**Signed by the Governor*

**ESB 5049: REQUIRING THE DISCLOSURE OF INFORMATION ABOUT MOLD IN
RESIDENTIAL DWELLING UNITS**

Prime Sponsor: Senator Kohl-Welles

- Landlords are required to provide residential tenants with information from the Department of Health on the health hazards of mold, and the steps that can be taken to minimize indoor mold growth.

**SB 5107: ALLOWING REIMBURSEMENT LIMITS UNDER THE MOBILE HOME
RELOCATION ASSISTANCE ACT TO BE SET BY RULE**

Prime Sponsor: Senator Fairley

(HB 1061 Representative Dunn)

** SB 5107 is incorporated in its entirety into SHB 1393.*

**SB 5196: REGULATING INSURABLE INTERESTS AND EMPLOYER-OWNED LIFE
INSURANCE**

Prime Sponsor: Senator Fairley

(HB 1033 Representative Kirby)

- For death and disability insurance transactions in Washington State, the person contracting for the insurance must have an insurable interest in the person being insured.
- In the case of corporate-owned life or disability insurance purchased by an employer on an employee, the individual insured will have to consent in writing. An employer cannot retaliate against an employee who does not want to be insured. The employer must provide information about the policy.
- This law applies prospectively.
- The Office of the Insurance Commissioner is required to report to the legislature on the subject of corporate-owned insurance.

**SSB 5266: RESERVING STATE AUTHORITY TO REGULATE CUSTOMER FINANCIAL
TRANSACTIONS**

Prime Sponsor: Senator Fairley

(HB 1419 Representative Kirby)

- Cities, towns, and local government entities are prohibited from regulating the terms or conditions of lawful transactions between financial institutions and their customers. The authority to regulate financial services, including disclosures to customers, is reserved to the state.

SSB 5317: PROVIDING CONFIDENTIALITY TO CERTAIN INSURANCE COMMISSIONER EXAMINATIONS

Prime Sponsor: Senator Benton

(SHB 1035 Representative Kirby)

- In the Office of the Insurance Commissioner's market conduct and financial solvency examinations, information is not required to be disclosed, unless cited by the Commissioner in connection with an agency action. Parties may apply for injunctions to prevent disclosure of this information.
- In insurer change-of-control proposals, disclosure of examination information is not required if the information is otherwise privileged, or if the Commissioner finds that the public interest supports nondisclosure.
- Parties may petition for access to information that relates to allegations of commissioner misconduct in the performance of insurer examinations.

**Signed by the Governor*

ESSB 5415: MAKING LOANS UNDER CHAPTER 31.45 RCW TO MILITARY BORROWERS

Prime Sponsor: Senator Fairley

- The payday loan industry's "Military Best Practices" are established in statute. For loans to known military borrowers, payday lenders are required to refrain from garnishment of military wages; defer collection efforts during deployment; refrain from contacting the borrower's military chain of command; honor repayment terms worked on with the military or third parties; and make no military loans from "off limits" locations.

ESB 5418: ALLOWING CONSUMERS TO PLACE A SECURITY FREEZE ON A CREDIT REPORT

Prime Sponsor: Senator Berkey

- A victim of identity theft or a data security breach may place a "credit freeze" on his or her credit report. The consumer who places the freeze may lift it to allow temporary access to credit history.

SSB 5479: CHANGING PROVISIONS RELATING TO THE UNLAWFUL DETAINER PROCESS UNDER THE RESIDENTIAL LANDLORD-TENANT ACT

Prime Sponsor: Senator Berkey

- The time periods in which a defendant must respond to a summons for an unlawful detainer action and appear at a show cause hearing are changed. It is further provided that legal holidays and weekends are included when calculating the time periods.
- Defendants have the option to fax documents for legal service of papers when responding to an eviction summons' and when submitting notice of appearance or sworn statements regarding non-payment of rent.

**Signed by the Governor*

ESSB 5506: PLACING RESTRICTIONS ON THE MARKETING OR MERCHANDISING OF CREDIT CARDS TO STUDENTS AT THE STATE'S INSTITUTIONS OF HIGHER EDUCATION

Prime Sponsor: Senator Kohl-Welles

(HB 1894 Representative Chase)

- State institutions of higher education are required to develop policies for on-campus marketing of student credit cards, including consideration of student comments.

- The policies must consider: whether to register credit card marketers and limit the time and location of marketing; or prohibit material inducements to complete credit card applications.
- Policies must include a requirement that marketers inform students about credit management.

**Signed by the Governor*

ESSB 5577: MAKING AVAILABLE RELOCATION ASSISTANCE PAYMENTS TO TENANTS

Prime Sponsor: Senator Fairley

(HB 1583 Representative Hunt)

- Landlords are required to pay relocation assistance to residential tenants displaced as a result of health and safety violations leading to the building's condemnation or "no occupancy" order.
- There are exceptions for natural disasters, eminent domain actions, and illegal conduct by tenants or third parties.

SSB 5692: REGULATING TAX REFUND ANTICIPATION LOANS

Prime Sponsor: Senator Berkey

(ESHB 1251 Representative Santos)

- Refund Anticipation Loan (RAL) facilitators must be registered with the Department of Financial Institutions, in order to lawfully conduct business within Washington.
- RAL facilitators must provide a disclosure statement, containing specified information, to borrowers prior to completion of the loan application.
- Certain types of dishonest, fraudulent, unfair, or unethical practices are expressly prohibited. Violations subject RAL facilitators to both criminal and civil penalties.

SB 5713: ASSISTING TENANTS IN MULTIPLE-UNIT HOUSING PROPOSED FOR REHABILITATION

Prime Sponsor: Senator Regala

- To qualify for a property tax exemption for the rehabilitation of multi-family housing in urban centers, it is no longer required that the property be vacant for one year before submitting an application.

**Signed by the Governor*

ESSB 5736: CONDUCTING AN EVALUATION OF THE FEASIBILITY OF SUBSCRIPTION AIR AMBULANCE SERVICE

Prime Sponsor: Senator Spanel

(HB 1996 Representative Quall)

- The Office of the Insurance Commissioner (OIC) is to fund and perform a feasibility evaluation on the availability of subscription air ambulance service.
- An OIC report on findings and recommendations is due to the legislature by December 31, 2005.

**Signed by the Governor*

SSB 5767: CREATING A HOMELESS HOUSING TASK FORCE IN EACH COUNTY

Prime Sponsor: Senator McAuliffe

- Counties that opt to participate in the Homeless Housing Program must create a task force to develop a 10-year plan that addresses both short and long-term housing solutions for the homeless.
- Each task force must establish guidelines on temporary encampments and public notice of proposed homeless facilities, among other issues.
- If a county chooses to not participate, the Department of Community, Trade and Economic Development

will contract with another non-profit entity to develop the county's plan.

SSB 5939: REQUIRING POLICE REPORTS TO BE GIVEN TO VICTIMS OF IDENTITY THEFT

Prime Sponsor: Senator Fairley

- The identity theft statute is revised to require that all police and sheriff's departments in Washington State provide police reports, at the request of victims of identity theft.
- This does not create a duty for law enforcement agencies to investigate every report claiming identity theft.

SB 5957: CHANGING THE TERMS FOR THE ESCROW ACCOUNTS REQUIRED OF SELF-FUNDED MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

Prime Sponsor: Senator Fairley

(HB 1528 Representative Kirby)

- Washington State authorized "Multiple Employer Welfare Arrangements" (MEWAs) for companies. Due to unresolved legal issues, MEWAs are required to pay premium taxes and assessments into an escrow account, pending a legal decision. One MEWA currently exists, and three others are in process.
- The payment by MEWAs in formation into the escrow account is extended to April 1, 2006, or when the MEWA becomes certified by the Office of the Insurance Commissioner, whichever comes first.
- Funds in escrow will either go to the state, or back to the contributing MEWA, depending upon the federal legal decision regarding taxability.

**Signed by the Governor*

ESSB 5997: REGULATING OUT-OF-STATE BANKS, SAVINGS BANKS, AND MUTUAL SAVINGS BANKS BRANCHES

Prime Sponsor: Senator Spanel

- Former law in Washington State required that an out-of-state bank that wanted to do interstate bank branching in Washington first had to acquire an entire domestic bank that had been in business for at least five years.
- Commercial banks and savings banks are now permitted to engage in "reciprocal de novo bank branching," opening branches in Washington State without purchasing an existing bank, as long as the state of the bank that is branching in Washington has equally favorable laws.

SSB 6022: CHANGING PROVISIONS RELATING TO SURETY BONDS OR INSURANCE FOR PUBLIC BUILDING OR CONSTRUCTION CONTRACTS

Prime Sponsor: Senator Prentice

(HB 1127 Representative B. Sullivan)

- The ability to use wrap-up insurance is expanded to include all large construction projects that have a public owner and that have a total value in excess of \$200 million, not including insurance and bond costs.
- Unrelated projects cannot be aggregated to meet the \$200 million threshold.

SSB 6043: ADDRESSING BREACHES OF SECURITY THAT COMPROMISE PERSONAL INFORMATION

Prime Sponsor: Senator Brandland

- Corporations that deal with private financial data sometimes experience security breaches, potentially exposing consumers to the risk of financial fraud. California has a law requiring notification of affected consumers when a breach occurs. Washington State did not have such a law.
- Owners of computerized data now have a statutory duty to notify Washington consumers of security breaches involving their personal information. Remedies for violation of the notification law include civil action for damages and injunctive relief.

SSB 6064: LIMITING THE POWERS OF HOMEOWNERS' ASSOCIATIONS

Prime Sponsor: Senator Benton

- A homeowners' association cannot ban the outdoor display of political yard signs by an owner or resident on that owner or resident's property.
- The homeowners' association may have reasonable regulations concerning the placement and manner of display of political yard signs.

**Signed by the Governor*

ESHB 1012: REGULATING COMPUTER SPYWARE

Prime Sponsor: Representative Morris

- Computer "spyware" is a growing problem, threatening the integrity of e-commerce and the security of personal information privacy.
- Transmission of spyware is unlawful. The Attorney General, as well as some businesses, can bring actions for injunction and damages in spyware cases.
- Local government regulation of spyware is preempted.

HB 1032: ADOPTING THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT

Prime Sponsor: Representative Kirby

(SB 5195 Senator Fairley)

- Washington State is to become a member of the Interstate Insurance Product Regulation Compact.

**Signed by the Governor*

HB 1034: CONDUCTING THE ADMINISTRATIVE SUPERVISION OF FINANCIALLY DISTRESSED INSURERS

Prime Sponsor: Representative Kirby

(SB 5197 Senator Fairley)

- The Office of the Insurance Commissioner has the authority to intervene in the administration of financially-distressed insurers, short of insolvency and receivership, and help in their operation.

EHB 1074: INCREASING THE ADMINISTRATIVE CAP ON THE HOUSING ASSISTANCE PROGRAM AND THE AFFORDABLE HOUSING PROGRAM

Prime Sponsor: Representative Dunshee

(SSB 5108 Senator Fraser)

- The statutory limit on the Department of Community, Trade and Economic Development's administrative expenses in managing the Housing Assistance and Affordable Housing programs is raised from 4 to 5 percent.

HB 1138: REGULATING FEES FOR USING AN AUTOMATED TELLER MACHINE

Prime Sponsor: Representative Ericksen

- Owners and providers of automatic teller machines may charge access fees or surcharges to customers making transactions from foreign financial institutions.

**Signed by the Governor*

EHB 1146: FUNDING GROUP LIFE INSURANCE

Prime Sponsor: Representative Roach

(SB 5212 Senator Fairley)

- Employers can provide group life insurance for their employees by allowing the employees to fund the entire premium.
- Washington State Patrol members can buy insurance on their family members in the amount they wish to purchase; they are no longer limited to the amount of insurance on their own lives.

SHB 1185: PROHIBITING DISCLOSURE OF PERSONAL WIRELESS NUMBERS

Prime Sponsor: Representative Morrell

- Wireless companies are to obtain consent from subscribers before publishing their phone numbers in directories.
- Violations of this requirement are punishable by a fine of up to \$50,000, and the Attorney General may bring actions to enforce compliance.

SHB 1197: REGULATING INSURANCE, GENERALLY

Prime Sponsor: Representative Roach

(SB 5362 Senator Fairley)

- The insurance code is updated, clarified, and brought into compliance with federal standards.

HB 1247: CHARGING MANUFACTURED HOUSING COMMUNITIES FOR WATER AND SEWER CONNECTIONS

Prime Sponsor: Representative Morris

- Cities or counties providing water/sewer services to manufactured housing communities can only charge individual connection fees, if they do in fact provide connections to the individual homes.

SHB 1347: CHANGING PROVISIONS RELATING TO DISHONORED CHECKS

Prime Sponsor: Representative Lantz

- The grace period that a debtor has to pay a bad check is expanded from 15 to 33 days.
- A collection agency may charge a debtor for attorney's fees and damages only if court action is taken.

HB 1356: EXPANDING LOCAL GOVERNMENT INSURANCE OPTIONS

Prime Sponsor: Representative Pettigrew

(SB 5335 Senator Fairley)

- Statutory legal authority is provided to public housing authorities that are part of an interstate pool, in order for them to form a joint self-insurance program. This type of program is already permitted for public entities and allows cost-savings on reinsurance.

**Signed by the Governor*

SHB 1393: REGULATING MOVEMENT OF OLDER MOBILE HOMES

Prime Sponsor: Representative Buri

(SB 5366 Senator Schoesler)

- A pre-1976 mobile home cannot be transported unless: (1) it was inspected by the Department of Labor and Industries for fire safety; (2) it is being moved by the owner for his or her continued use; or (3) it is being transported to a disposal facility.
* *SB 5107 is incorporated in its entirety into SHB 1393, as described below.*
- The statutory caps under the Department of Community, Trade and Economic Development's mobile home relocation assistance program are increased from \$7,000 to \$12,000 for a double-wide home and from \$3,500 to \$7,500 for a single-wide home.

EHB 1561: PROHIBITING DISCRIMINATION IN LIFE INSURANCE BASED ON LAWFUL TRAVEL DESTINATIONS

Prime Sponsor: Representative Appleton

(ESB 5530 Senator Kline)

- Life insurers cannot deny, limit, cancel, or restrict coverage, or charge a different rate for the same coverage, based upon a consumer's lawful travel destinations. Life insurers may, however, include travel destinations in underwriting decisions, when there is a substantial, bona fide statistical difference in risk exposure.

ESHB 1640: PROVIDING A DISPUTE MECHANISM FOR MANUFACTURED/MOBILE HOME LANDLORD AND TENANT DISPUTES

Prime Sponsor: Representative Morrell

(SB 5660 Senator Kastama)

- The ombudsman service provided by the Department of Community, Trade and Economic Development (CTED) to manufactured/mobile home and park owners is temporarily expanded.
- Tenants and mobile home park owners can file complaints with CTED regarding any alleged violations of their leases and/or the Consumer Protection Act.
- The expanded ombudsman service is funded by a \$5 registration fee imposed on the owners of manufactured/mobile home parks.

ESHB 1703: MODIFYING THE APPLICATION OF THE UNCLAIMED PROPERTY LAWS TO CERTAIN PUBLIC TRANSPORTATION FARE CARDS

Prime Sponsor: Representative Jarrett

(SB 5576 Senator Poulsen)

- Public transportation agencies may retain funds on abandoned fare cards unless the owners of the cards claim the value on it.

E2SHB 1888: REGULATING INTERNET FRAUD

Prime Sponsor: Representative Nixon

- "Phishing" is a relatively new form of financial fraud, committed with the use of computers. Persons and businesses are prohibited from soliciting, requesting, or inducing anyone to provide confidential financial information by means of a website, e-mail, or other internet use through misrepresentation.
- Remedies for phishing victims include civil action for injunctive relief and damages. The court may award up to three times the damages allowed, plus costs and attorney's fees.
- Local government regulation is preempted.

E2SHB 2163: ESTABLISHING A HOMELESS HOUSING PROGRAM

Prime Sponsor: Representative Ormsby

- The Department of Community, Trade and Economic Development (CTED), along with counties and cities that opt to participate, will create a 10-year plan and implement programs to reduce homelessness in each county by 50 percent by July 1, 2015.
- The Homeless Housing Program and the Homeless Grant Program are created, funded by an additional \$10 surcharge on certain documents recorded with the county auditor.
- CTED is required to conduct a state-wide census of homeless persons.

SHB 2225: ALLOWING CERTAIN HIGHER EDUCATION ENDOWMENT GRANT FUNDS TO BE DEPOSITED OUTSIDE THE STATE

Prime Sponsor: Representative Kirby

- Out-of-state higher education study or research program funds are exempted from the general prohibition on out-of-state public funds deposits.

GOVERNMENT OPERATIONS & ELECTIONS

786-7432

ESSB 5034: MAKING RESTRICTIONS ON CAMPAIGN FUNDING

Prime Sponsor: Senator Kastama

(HB 1144 Senator Representative Haigh)

- The term, electioneering communications, is defined. It means a communication made within 60 days of the election, that clearly identifies the candidate and has a fair market value of \$5,000 or more. Electioneering communications made at the candidate's request are contributions and are subject to contribution limitations.
- If the national office of a trade union participates in an election, the local office of the union must share the contribution limitation with the national office.

SB 5044: REGULATING CONTRACT INTERESTS OF AN OFFICER OF A RURAL PUBLIC HOSPITAL DISTRICT

Prime Sponsor: Senator Mulliken

- Officers of a rural public hospital district may have a beneficial interest in a contract that may exceed \$1,500 in any calendar month, but may not exceed \$24,000 in any calendar year.
- The legislative authority of the rural public hospital district must increase the \$24,000 limitation every year to account for inflation.

**Signed by the Governor*

SB 5046: MODIFYING PROVISIONS GOVERNING ETHICS COMPLAINTS

Prime Sponsor: Senator Regala

(HB 1051 Representative Murray)

- The legislative and executive ethics boards may dismiss complaints alleging a violation of the Ethics in Public Service Act in the same manner as the staff of the respective board.
- Complaints alleging that a legislator or statewide elected official violated the prohibition on the use of public resources for political campaigns may be investigated by the appropriate ethics board or by the Attorney General if so requested.

**Signed by the Governor*

2SSB 5056: CREATING THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Prime Sponsor: Senator Haugen

- The Office of Archaeology and Historic Preservation (OAHP) is removed from the Department of Community, Trade and Economic Development and made a separate, stand-alone agency of state government.
- The State Historic Preservation Officer, who is the head of the OAHP, is appointed by the Governor with the consent of the Senate.

SB 5136: MODIFYING FIRE PROTECTION DISTRICT PROPERTY TAX LEVIES

Prime Sponsor: Senator Doumit

(HB 1106 Representative Haigh)

- Twenty-five cents of the property tax levy for fire protection districts is protected from the prorationing

process applied to junior taxing districts.

**Signed by the Governor*

ESSB 5140: MODIFYING THE DISPOSAL OF SURPLUS FUNDS OF CANDIDATES OR POLITICAL COMMITTEES

Prime Sponsor: Senator Berkey

(HB 1104 Representative Green)

- The list of ways that state law allows surplus campaign funds to be spent is expanded to include donations to the Oral History, State Library, and Archives Account and the Legislative International Trade Account.

ESSB 5151: CHANGING THE AUTHORITY OF A METROPOLITAN PARK DISTRICT TO DISPOSE OF SURPLUS PROPERTY

Prime Sponsor: Senator Franklin

(HB 1355 Representative Conway)

- Through December 31, 2006, a majority, rather than a unanimous, vote of the board of metropolitan park commissioners may sell surplus park property to the highest or best, rather than "and best," bidder.
- This additional method only applies to real estate transactions requiring transfer of title to a charitable organization that results in programs for disadvantaged youth, funded by an endowment of at least \$30 million.

**Signed by the Governor*

2SSB 5154: PROVIDING A LEASEHOLD EXCISE TAX EXEMPTION FOR CERTAIN HISTORICAL PROPERTY

Prime Sponsor: Senator Pridemore

(SHB 1239 Representative Fromhold)

- Leases of city property that are listed on a federal or state register of historical sites and are within a national historic reserve are exempt from the leasehold excise tax.

**Signed by the Governor*

SB 5168: AUTHORIZING MEMBERS OF LEGISLATIVE BODIES TO SERVE AS VOLUNTEER AMBULANCE PERSONNEL

Prime Sponsor: Senator Hargrove

- The legislative body of a city operating under the Optional Municipal Code may authorize its members to serve as volunteer ambulance personnel, volunteer fire fighters, reserve law enforcement officers, or all three.

**Signed by the Governor*

SB 5254: CREATING THE LEGISLATIVE YOUTH ADVISORY COUNCIL

Prime Sponsor: Senator Jacobsen

- A legislative youth advisory council is established until June 30, 2007, to examine issues important to youth and advise the legislature about these issues and related legislation.
- The council has 22 members between the ages of 14 and 18, appointed by the legislature and the Governor, and is administered by the Office of the Superintendent of Public Instruction. It is authorized to meet between three and six times a year, hold up to two public hearings, and conduct educational seminars for its members.

SB 5268: ALLOWING ASSUMPTIONS OF WATER-SEWER DISTRICTS BY CODE CITIES

Prime Sponsor: Senator Esser

- A city can assume a water-sewer district that lies entirely outside the city's territory, if it is a code city with a population over 100,000 and the district has fewer than 250 customers. Both the city council and the district's board of commissioners must approve.

**Signed by the Governor*

ESB 5332: HONORING THE REVEREND DOCTOR MARTIN LUTHER KING, JR

Prime Sponsor: Senator Kline

- King County's namesake is changed to the Reverend Doctor Martin Luther King, Jr.

**Signed by the Governor*

SB 5354: REVISING ADMINISTRATION OF FLOOD CONTROL ZONE DISTRICTS

Prime Sponsor: Senator Doumit

(HB 1238 Representative Blake)

- Flood Control Zone Districts that elect their supervisors, instead of the County Commissioners serving as the supervisors, are now authorized to compensate their elected supervisors in the same way as other special purpose districts and to hire their own administrator, instead of using the County Engineer.

**Signed by the Governor*

ESSB 5395: REQUIRING VOTING DEVICES TO PRODUCE PAPER RECORDS

Prime Sponsor: Senator Kastama

- Beginning January 1, 2006, all electronic voting devices must produce an individual paper record of each vote that may be accepted or rejected by the voter before finalizing his or her vote.

ESSB 5499: CLARIFYING AND STANDARDIZING VARIOUS ELECTION PROCEDURES

Prime Sponsor: Senator Kastama

- Ballot handling and counting procedures for provisional ballots are standardized.
- Any person voting at the polls must provide identification.
- County auditors must prepare reconciliation reports and make them available at certification.
- A voter's original ballot may not be altered. Damaged or unreadable ballots may only be referred to the canvassing board or duplicated.
- The destruction of voter registration forms or signed absentee or provisional affidavits is a gross misdemeanor.
- A voter who knowingly votes more than once at the same election is guilty of a Class C felony.
- A voter who negligently votes more than once at the same election has committed a class 1 civil infraction.

SB 5563: INCLUDING WOMEN'S CONTRIBUTIONS IN THE WORLD WAR II ORAL HISTORY PROJECT

Prime Sponsor: Senator Franklin

(HB 1592 Representative Serow)

- Appropriations made during the 2005-2007 biennium to the World War II Oral History Project must be used to record the memories of women who served in the armed forces or otherwise contributed to the war effort through national or community contributions.

**Signed by the Governor*

**SB 5564: REQUIRING THE SECRETARY OF STATE TO PREPARE A MANUAL OF
ELECTION LAWS AND RULES**

Prime Sponsor: Senator Schmidt

- The Secretary of State must prepare a manual to be available at all vote-counting centers in the state. The manual is to be used during vote counting, recounting, tabulation, and canvassing to explain all election laws and rules in plain language.

**SB 5565: INFORMING OUT-OF-STATE, OVERSEAS, AND SERVICE VOTERS OF RIGHTS
AND PROCEDURES**

Prime Sponsor: Senator Schmidt

- The Secretary of State must provide certain instructional information to out-of-state, overseas, and service voters. The information can be provided on a ballot envelope or on a separate instruction sheet.
- The information instructs the voter in receiving a ballot by fax or electronic mail, complying with signature and date requirements, and returning a completed ballot.

**SB 5589: PROVIDING FOR PROCEEDINGS FOR EXCLUDING AGRICULTURAL LAND
FROM THE BOUNDARIES OF A CHARTER OR NONCHARTER CODE CITY**

Prime Sponsor: Senator Haugen

- Property owners of agricultural land may petition for exclusion from the incorporated area of a code city.
- After a public hearing on the petition, the legislative body of the city may effect the exclusion through adoption of an ordinance.

**Signed by the Governor*

ESB 5606: CONCERNING THE ACTIVATION OF THE NATIONAL GUARD

Prime Sponsor: Senator Pridemore

(HB 1568 Representative Haigh)

- The Governor is given authority to order the organized militia of Washington into active service for training purposes.

**Signed by the Governor*

**ESSB 5620: PROVIDING FOR PRIORITY CONSIDERATION IN CURRENT USE TAXATION FOR
LANDS USED AS BUFFERS**

Prime Sponsor: Senator Kline

(HB 1637 Representative Uptegrove)

- By July 1, 2006, lands used for buffers must receive priority consideration in open space plans, public benefit rating systems, and assessed valuation schedules adopted by counties under the Open Space Taxation Act. The buffers must have primarily native vegetation.

SB 5701: REVISING PROVISIONS RELATING TO REGIONAL LAW LIBRARIES

Prime Sponsor: Senator Hewitt

(HB 1906 Representative Grant)

- Regional law libraries, created by counties with statutorily set population levels, may continue to operate if any of the creating counties' populations increase beyond the statutory level.

**Signed by the Governor*

ESSB 5743: ENHANCING VOTER REGISTRATION RECORDKEEPING

Prime Sponsor: Senator Kastama

(HB 1753 Representative Green)

- Courts must require persons convicted of a felony to sign a statement acknowledging that the defendant has lost his or her right to vote.
- A voter registration applicant who registers by mail and indicates that he or she does not have a license, state identification card, or social security number must provide secondary identification prior to voting.
- The Secretary of State must review and update records of all registered voters on a quarterly basis.
- The Secretary of State must screen the statewide voter registration database for persons who declined to serve on juries because of non-citizenship, and for persons determined to be legally incompetent to vote.
- The Secretary of State may screen the voter registration database against databases maintained by the federal government and other states.
- The date of birth is added to information on voter registration records that is subject to public disclosure.
- Voters with non-traditional addresses may register to vote using the county courthouse, city hall, or other public building as their addresses.

SSB 6037: CHANGING PROVISIONS RELATING TO LIMITED DEVELOPMENT OF RURAL AREAS

Prime Sponsor: Senator Sheldon

(HB 2206 Representative Haigh)

- Connection to an existing sewer line that is not available to adjacent parcels is added as an example of the kind of public facility allowed under the Growth Management Act for a limited area of more intense rural development for recreational or tourist use. This provision takes effect immediately and expires on August 31, 2005.

HB 1000: ALLOWING FAX AND ELECTRONIC MAIL NOTICE OF SPECIAL MEETINGS

Prime Sponsor: Representative Clibborn

- Changes the Open Public Meetings law by allowing notice of special meetings to be made by fax or electronic mail, in addition to personal delivery or mail.

HB 1048: MODIFYING THE DATE FOR SUBMITTING LOCAL GOVERNMENT PROPERTY TAX ESTIMATES TO COUNTIES

Prime Sponsor: Representative Linville

- The annual deadline for local governments to inform their county of how much property tax revenue they will need the following year is November 30, instead of November 15.

**Signed by the Governor*

ESHB 1064: IMPROVING GOVERNMENT PERFORMANCE AND ACCOUNTABILITY

Prime Sponsor: Representative Miloscia

- A newly created Citizen Oversight Board (Board) will develop an assessment and performance grading program for state agencies.
- The Board, State Auditor, and the Joint Legislative Audit and Review Committee will collaborate regarding performance audits.
- The judicial branch is encouraged to conduct performance audits.

- The legislature must appropriate up to 2/100 of 1 percent of the general fund for funding performance audits. The budget request is made by the State Auditor.

HB 1130: ELIMINATING DROP-IN INSPECTIONS OF CAMPAIGN ACCOUNTS

Prime Sponsor: Representative Nixon

- The requirement that a political committee's books be open for inspection for two consecutive hours on the eighth day prior to an election is removed.
- The seven day period during which inspection is available by appointment is changed to an eight day period.

SHB 1132: ALLOWING MORE CANDIDATES TO FILE WITH THE SECRETARY OF STATE

Prime Sponsor: Representative Nixon

- A candidate for the state legislature, the court of appeals, or the superior court may file a declaration of candidacy with either the Secretary of State or the county auditor.

SHB 1133: REORGANIZING PUBLIC DISCLOSURE LAW

Prime Sponsor: Representative Nixon

- The public records provisions in chapter 42.17 RCW are recodified and reorganized as new sections in Title 42, to be cited as the Public Records Act.

SHB 1158: MODIFYING COUNTY TREASURER ADMINISTRATIVE PROVISIONS

Prime Sponsor: Representative Alexander

(SB 5014 Senator Fraser)

- The ways in which County Treasurers handle collection of property taxes and various other duties are modified.
- For property taxes, back taxes have to be paid when the certificate of delinquency is issued if there is to be any claim to excess foreclosure proceeds; no interest or penalties are charged on the back taxes of active duty military personnel serving in an armed conflict overseas; a third party's erroneous tax payment won't be refunded; and all taxes have to be paid before a boundary line adjustment.
- A third party's shipping date is treated the same as a postmark, the state's unclaimed property procedures no longer apply to excess foreclosure proceeds that a county is allowed to keep, and the interest rate paid on voluntary deposits will be the same as the one paid on property tax refunds.

ESHB 1189: PROVIDING RELIEF FOR INDIGENT VETERANS AND THEIR FAMILIES

Prime Sponsor: Representative Moeller

(SSB 5393 Senator Kastama)

- Changes many provisions of the Veteran's Relief chapter and repeals three provisions.
- Some of the changes include: counties must establish a veteran's assistance program to address the needs of local indigent veterans and their families; allowing counties to authorize other entities to administer the programs if certain requirements are met; requiring the counties to establish a veteran's advisory board; and requiring board members to be veterans.
- Board members must be veterans.

EHB 1222: INCREASING ACCOUNTABILITY OF BALLOT MEASURE PETITIONS

Prime Sponsor: Representative McDermott

- Initiative and referendum petitions must contain a declaration to be signed by the individual circulating the petition.

HB 1261: MAKING THE JOINT COMMITTEE ON VETERANS' AND MILITARY AFFAIRS PERMANENT

Prime Sponsor: Representative Morrell

(SB 5221 Senator Schmidt)

- Makes the Joint Committee on Veterans' and Military Affairs permanent.
- Creates an executive committee with co-chairs.

**Signed by the Governor*

HB 1303: CONCERNING METROPOLITAN PARK DISTRICTS

Prime Sponsor: Representative Appleton

(SB 5337 Senator Rockefeller)

- When the property to be acquired lies wholly within the boundaries of a metropolitan park district, a majority of a metropolitan park district's board of commissioners may acquire the property of and assume the voter-approved debt of the park and recreation district and issue replacement debt instruments.

EHB 1307: DEFINING VETERAN FOR CERTAIN PURPOSES

Prime Sponsor: Representative Haigh

(SB 5467 Senator Kastama)

- The "peacetime" definition of a veteran, found in RCW 41.04.007, includes merchant mariners with service aboard oceangoing vessels in specific locations during both the Korean and Vietnam war periods, and who received a military commendation.

HB 1385: RESTRICTING THE INFORMATION ON RECORDED DOCUMENTS

Prime Sponsor: Representative Takko

(SB 5459 Senator Shin)

- Documents presented to a county auditor, or other recording official, for recording must not contain social security numbers, a date of birth identified with a particular person, or the maiden name of a person as identified with a particular person.
- The restrictions do not apply to documents generated by a governmental agency.

**Signed by the Governor*

HB 1386: MODIFYING THE COUNTY AUDITOR SURCHARGE FOR RECORDED DOCUMENTS

Prime Sponsor: Representative Takko

(SB 5458 Senator Shin)

- The historical preservation surcharge imposed on recorded documents by the county auditor is increased from two dollars per document to five dollars per document.

HB 1447: ESTABLISHING A PILOT PROJECT TO EXAMINE THE USE OF INSTANT RUNOFF VOTING FOR NONPARTISAN OFFICES

Prime Sponsor: Representative Moeller

- The city of Vancouver is authorized through July 1, 2013, to conduct a pilot project using Instant Runoff Voting to elect city officers.
- The Secretary of State must develop the pilot project, certify all election equipment, and report to the legislature by July 1, 2013.

**Signed by the Governor*

HB 1487: CONCERNING PAYMENT AGREEMENTS

Prime Sponsor: Representative Ormsby

- Public facilities districts with debt or revenue in excess of \$100 million join the limited list of local governmental entities that are authorized to use interest rate "swap" agreements.

**Signed by the Governor*

SHB 1509: PROVIDING A PROPERTY TAX EXEMPTION TO WIDOWS OR WIDOWERS OF MEMBERS OF THE MILITARY.

Prime Sponsor: Representative Green

(SB 5443 Senator Rasmussen)

- Beginning with property taxes collected in 2006, widows or widowers of veterans, who meet certain eligibility criteria, are eligible for state funded assistance in paying their property taxes if they also are eligible for certain provisions of the senior citizen property tax exemption program.

HB 1555: CLARIFYING THE VALUATION OF LAND FOR MONETARY ASSESSMENTS BY DRAINAGE, DIKING, FLOOD CONTROL, AND MOSQUITO CONTROL DISTRICTS

Prime Sponsor: Representative Wallace

- When calculating their proportion of the property tax levied on land that is classified for current use taxation, the specified special purpose districts must use the assessed value that is determined by the county under the current use taxation laws. Lands that may be classified for current use taxation are open space, farm and agricultural, and timber and forest lands.

ESHB 1635: MODIFYING LOCAL EMERGENCY MEDICAL SERVICE FUNDING PROVISIONS

Prime Sponsor: Representative Kessler

(SB 5624 Senator Kastama)

- A city or town is authorized to set and collect rates and charges in an amount sufficient to regulate, operate, and maintain an ambulance utility.
- The process by which a city or town establishes and funds an ambulance utility is set forth in the bill.
- The Joint Legislative Audit Review Committee is instructed to study and review ambulance utilities established by cities and report to the legislature by December, 2007.

SHB 1694: PROTECTING PUBLIC EMPLOYEE PERSONAL INFORMATION

Prime Sponsor: Representative O'Brien

(SSB 5132 Senator Carrell)

- The following personal information of public employees, volunteers of public agencies, and independent provider home care workers, and the dependents of each group, is exempt from disclosure under the Public Disclosure Act: personal wireless telephone numbers, email addresses, social security numbers, and emergency contact information.

HB 1749: STRENGTHENING REVIEW AND CORRECTION OF COUNTY ELECTION PROCEDURES

Prime Sponsor: Representative Green

(SB 5742 Senator Roach)

- Election reviews must be done in every county at least once every three years.

- If staffing or budget levels do not permit a three year election review cycle, reviews must be done as often as possible.

SHB 1754: AUTHORIZING COUNTY-WIDE MAIL BALLOT ELECTIONS

Prime Sponsor: Representative Hunt

(SB 5744 Senator Haugen)

- With express authorization from the county legislative authority, a county auditor may conduct all elections entirely by mail ballot.

SHB 1756: ESTABLISHING OBJECTIVES FOR CERTAIN FIRE DEPARTMENT SERVICES

Prime Sponsor: Representative P. Sullivan

(SB 5865 Senator Franklin)

- Every city, town, code city, fire protection district, regional fire service authority, and port district with substantially career fire departments is required to maintain written policies, including service delivery and response time objectives, for various major firefighting and emergency medical service components.
- Each policy must establish a 90 percent performance objective for achievement of each response time objective.

2SHB 1758: REVISING PUBLIC DISCLOSURE LAW

Prime Sponsor: Representative Kessler

(SB 5735 Senator Brown)

- Agencies may not deny a request for records under the public disclosure act solely on the basis that the request is overbroad.
- Public records that are part of a larger set of requested records may be made available on a partial or installment basis as they become available.
- The Attorney General must adopt an advisory model rule for state and local agencies addressing public disclosure issues.
- Civil actions under the public disclosure act must be filed within one year, and venue for such actions is expanded to include either of the two judicial districts nearest to the county where the record is maintained.

HB 1759: DESIGNATING THE ORCA AS THE STATE OFFICIAL MARINE MAMMAL

Prime Sponsor: Representative Appleton

- The orca is designated as the state's marine mammal.

**Signed by the Governor*

ESHB 1830: ESTABLISHING THE CAPITAL PROJECTS REVIEW BOARD

Prime Sponsor: Representative Hunt

(SB 5768 Senator Kastama)

- The Capital Projects Advisory Review Board is created in the Department of General Administration to evaluate public works construction processes, and to advise the legislature on policies related to major public works delivery methods.
- Certain qualified cities are authorized to use alternative public works processes for one demonstration project.

SHB 1847: CHANGING THE MEMBERSHIP OF THE STATUTE LAW COMMITTEE

Prime Sponsor: Representative Haigh

(SSB 5884 Senator Kastama)

- The composition of the Statute Law Committee is changed to include more customers of the services provided by the Office of the Code Reviser. The newly formulated committee includes four legislators, the Secretary of the Senate, the Chief Clerk of the House, the Directors of the nonpartisan staff of the Senate and the House, two lawyers from the judiciary and one lawyer from the Governor's Office, for a total of 11 members.

SHB 1876: EXPANDING VOTING RIGHTS OF PERSONS UNDER GUARDIANSHIP

Prime Sponsor: Representative Green

- An incapacitated person under a limited or full guardianship does not lose the right to vote unless a court specifically determines the person to be incapable of rationally exercising the franchise.
- The court order establishing the guardianship must specify whether or not the individual retains voting rights.

2SHB 1970: IMPROVING GOVERNMENT MANAGEMENT, ACCOUNTABILITY, AND PERFORMANCE

Prime Sponsor: Representative P. Sullivan

(SSB 5921 Senator Kastama)

- All state agencies must institute quality management, accountability, and performance systems.
- Agencies must apply every three years for independent assessments of the agencies' quality management, accountability, and performance systems.
- There is a null and void clause.

HB 2088: ADDING A NINTH MEMBER TO THE STATE FIRE PROTECTION POLICY BOARD

Prime Sponsor: Representative Lantz

(SB 5976 Senator Sheldon)

- A representative of the Washington State Association of Fire Marshals is added to the state's Fire Protection Policy Board.

**Signed by the Governor*

HB 2131: CONCERNING THE MASTER LICENSING SERVICE

Prime Sponsor: Representative Conway

(SB 5967 Senator Kastama)

- The Department of Licensing will administer a grant program to help small jurisdictions join the Department's Master Licensing Service.
- The program is fully funded by the Master Licensing Service Fund.
- The total amount of grants awarded per fiscal year will not exceed \$750,000.

ESHB 2171: ALLOWING COUNTIES AND CITIES ONE ADDITIONAL YEAR TO COMPLY WITH CERTAIN SPECIFIED REQUIREMENTS OF RCW 36.70A.130

Prime Sponsor: Representative Springer

- Cities and counties scheduled under the Growth Management Act to complete an update of comprehensive plans and development regulations in 2005, 2006, or 2007 will have an additional year to complete the update of development regulations to protect critical areas and will remain eligible for public works and water quality funding during that year.
- Cities and counties that were required to update in 2004 will have until December 1, 2005 to complete the update of their comprehensive plans and development regulations and will remain eligible for public

works and water quality funding.

EHB 2241: AUTHORIZING LIMITED RECREATIONAL ACTIVITIES, PLAYING FIELDS, AND SUPPORTING FACILITIES EXISTING BEFORE JULY 1, 2004, ON DESIGNATED RECREATIONAL LANDS IN JURISDICTIONS PLANNING UNDER RCW 36.70A.040

Prime Sponsor: Representative Dunshee

- Until June 30, 2006, an eligible county can change the designation of qualifying land from "agricultural" to "recreational" under the Growth Management Act (GMA).
- An eligible county is a "buildable lands" county with less than a million people and annual agricultural production worth more than \$125 million. Qualifying land is land that is designated "agricultural" under the GMA, is not being farmed, and has playing fields for sports played on grass that were there before July 1, 2004.
- Sports played on grass and agriculture are the only uses allowed on "recreational" land.

HEALTH & LONG-TERM CARE

786-7436

SSB 5035: REVISING THE FORENSIC PATHOLOGY PROGRAM

Prime Sponsor: Senator Thibaudeau

- Eliminates funding for the forensic pathologist fellowship program.
- Grants the State Forensic Investigations Council the authority to study the need for a state forensic pathologist.

**Signed by the Governor*

SSB 5064: STUDYING THE USE OF ELECTRONIC MEDICAL RECORDS

Prime Sponsor: Senator Thibaudeau

- Creates a health information infrastructure advisory board, which will work in conjunction with the Health Care Authority (HCA) to develop a strategy for the adoption and use of electronic medical records.
- Directs the advisory board and the HCA to provide policy recommendations to encourage statewide infrastructure to support the widespread use of such health information technologies.

SSB 5065: REQUIRING NOTICE OF POTENTIAL INJURIES RESULTING FROM HEALTH CARE

Prime Sponsor: Senator Thibaudeau

- Requires hospitals to have policies in place to ensure that patients or their families receive information about unanticipated outcomes.
- Notification of the unanticipated outcome or an apology are not an admission of liability and cannot be introduced as evidence in a civil action.

**Signed by the Governor*

SSB 5146: ALLOWING QUALITY IMPROVEMENT COMMITTEE CONFIDENTIALITY

Prime Sponsor: Senator Keiser

(HB 1148 Representative Schual-Berke)

- Allows the board of commissioners for a public hospital district to confidentially review and discuss the findings of a quality improvement committee in executive session.

**Signed by the Governor*

ESSB 5158: MODIFYING THE UNIFORM HEALTH CARE INFORMATION ACT

Prime Sponsor: Senator Keiser

(HB 1300 Representative Morrell)

- Brings state law regarding disclosure of protected health information by hospitals and other covered entities in line with federal Health Insurance Portability and Accountability Act regulations

SSB 5178: ISSUING A MORATORIUM ON LICENSING SPECIALTY HOSPITALS

Prime Sponsor: Senator Kastama

- From January 1, 2005, until July 1, 2006, the Department of Health may not grant a license to any specialty hospital in which a physician, or his or her immediate family member, has an ownership or investment interest.

**Signed by the Governor*

ESSB 5186: INCREASING THE PHYSICAL ACTIVITY OF THE CITIZENS OF WASHINGTON STATE

Prime Sponsor: Senator Franklin

- Directs county and city planners, wherever possible, to utilize urban planning approaches that promote physical activity.
- Promotes the adoption of school-based curricula and policies that provide quality, daily physical education for all students.

SB 5198: IMPLEMENTING CHANGES TO MEDICARE SUPPLEMENT INSURANCE REQUIREMENTS AS MANDATED BY THE MEDICARE MODERNIZATION ACT OF 2003 AND OTHER FEDERAL REQUIREMENTS

Prime Sponsor: Senator Keiser

(HB 1497 Representative Green)

- Amends Washington laws governing Medicare supplemental insurance policies to be consistent with the National Association of Insurance Commissioner's Medicare Supplemental Insurance Model Regulation, reflecting changes required by the federal Balanced Budget Act and the Medicare Modernization Act.

**Signed by the Governor*

2SSB 5202: REQUIRING A STUDY OF PUBLIC EMPLOYEE HEALTH PLANS AND HEALTH SAVINGS ACCOUNT OPTIONS

Prime Sponsor: Senator Parlette

(HB 1383 Representative Condotta)

** 2SSB 5202 is incorporated in its entirety into ESSB 6090.*

SB 5347: REQUIRING THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES TO DEFEND TEMPORARY MANAGERS IN NURSING HOMES

Prime Sponsor: Senator Keiser

(HB 1364 Representative Green)

- Requires the Department of Social and Health Services to indemnify, defend, and hold harmless temporary managers in nursing homes, or their agents, for any actions that do not amount to intentional torts or criminal behaviors.

SB 5358: REGARDING SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

Prime Sponsor: Senator Keiser

(HB 1198 Representative Linville)

- Removes the direct supervision requirement for speech-language pathologists and audiologists who practice pursuant to an interim permit.
- Clarifies the exception for audiologists and speech-language pathologists who are certified by the State Board of Education, but who additionally practice outside of a school setting, requiring that he or she be licensed.

**Signed by the Governor*

SB 5391: OFFERING A TRICARE SUPPLEMENTAL INSURANCE POLICY TO CERTAIN PUBLIC EMPLOYEES

Prime Sponsor: Senator Keiser

- The Health Care Authority may make available to eligible public employees a health policy to supplement the employees' coverage under TRICARE, the United States Department of Defense's health care program for uniformed service members and their families.

**Signed by the Governor*

SSB 5406: MODIFYING MEDICARE SUPPLEMENTAL INSURANCE POLICY PROVISIONS TO CONFORM TO FEDERAL LAW

Prime Sponsor: Senator Franklin

(HB 1443 Representative Appleton)

- Removes the requirement that the Health Care Authority (HCA) offer a Medicare supplemental policy which includes a pharmacy benefit.
- Repeals the statute directing the HCA to design a self-insured Medicare supplemental policy.
- Makes additional changes to clarify the current law and make it consistent with other statutory provisions.

**Signed by the Governor*

ESSB 5470: ALLOWING THE IMPORTATION OF CERTAIN PRESCRIPTION DRUGS FROM NONDOMESTIC WHOLESALERS

Prime Sponsor: Senator Franklin

(2SHB 1316 Representative Schual-Berke)

- Requires the Board of Pharmacy to submit a request to the Federal Food and Drug Administration authorizing Washington to license Canadian, Irish, United Kingdom, and other non-domestic prescription drug wholesalers.

SSB 5471: AUTHORIZING A PRESCRIPTION DRUG PURCHASING CONSORTIUM

Prime Sponsor: Senator Thibaudeau

(SHB 1219 Representative Cody)

- Directs the Health Care Authority (HCA) to establish a prescription drug purchasing consortium based on the state's existing evidence-based prescription drug purchasing program.
- In addition to state agencies, the consortium may include, on a voluntary basis, local government, private entities, labor organizations, and individuals without insurance, or who are underinsured for prescription drug coverage.
- An 11 member advisory committee is created to advise the HCA on the implementation of the purchasing consortium.

**Signed by the Governor*

SSB 5492: MODIFYING HOSPITAL REPORTING OF RESTRICTIONS ON HEALTH CARE PRACTITIONERS

Prime Sponsor: Senator Keiser

(HB 1538 Representative Cody)

- Requires that hospitals report the restriction or termination of a medical practitioner's privilege to the Department of Health, who will then forward the information to the appropriate disciplining authority.
- Reporting requirements that previously only applied to physicians are expanded to include other health care providers who work at hospitals.

SSB 5558: ESTABLISHING A PRESCRIPTION DRUG ASSISTANCE FOUNDATION

Prime Sponsor: Senator Brown

(HB 1677 Representative Kessler)

- Directs the Health Care Authority to establish a nonprofit foundation to assist uninsured low-income individuals to obtain free or low-cost prescription drugs.
- The Governor will appoint the foundation's five-member board of directors.
- Prohibits the use of state funds for the ongoing operation of the foundation.

ESSB 5599: PROVIDING FOR A CENTRAL RESOURCE CENTER FOR THE NURSING WORK FORCE

Prime Sponsor: Senator Franklin

(HB 1353 Representative Kenney)

- Creates the Nursing Resource Center Account through a \$5 surcharge on certain nursing licenses, to fund activities to collect and distribute data about the nursing workforce and to serve as a central resource for issues related to the nursing profession.

SSB 5650: REGULATING ADULT FAMILY HOME STAFF

Prime Sponsor: Senator Thibaudeau

(SHB 1545 Representative Curtis)

* *SSB 5650 is incorporated in its entirety into SHB 1591.*

SSB 5687: CHANGING THE NUMBER OF RESIDENTS ALLOWED TO RESIDE IN AN ADULT FAMILY HOME

Prime Sponsor: Senator Deccio

* *SSB 5687 is incorporated in its entirety into SHB 1591.*

SSB 5708: REGARDING THE ADMINISTRATION OF EPINEPHRINE BY EMERGENCY MEDICAL TECHNICIANS

Prime Sponsor: Senator Finkbeiner

- Removes restrictions on an emergency medical technician's authority to administer epinephrine.

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

Prime Sponsor: Senator Keiser

(SHB 1738 Representative Cody)

* *SB5714 is incorporated in part into ESSB 6090.*

SB 5715: ESTABLISHING THE JOINT PUBLIC HEALTH FINANCING COMMITTEE

Prime Sponsor: Senator Keiser

(HB 1737 Representative Schual-Berke)

* *SB 5715 is incorporated in part into EHCR 4410.*

SSB 5841: PROVIDING FOR THE PREVENTION, DIAGNOSIS, AND TREATMENT OF ASTHMA

Prime Sponsor: Senator Keiser

(HB 1904 Representative Kagi)

- Requires the Superintendent of Public Instruction and the Department of Health (DOH) to develop a policy for school districts regarding the training of school staff about children with asthma. Requires school districts to adopt policies regarding asthma rescue procedures.
- Requires all elementary and secondary schools to allow any student to self-administer medication to treat his or her asthma or anaphylaxis where certain conditions are met.
- Requires the Health Care Authority to issue a status report on state agency disease management strategies

for asthma and other chronic diseases.

- Requires the Department of Health to design a state asthma plan, and implement it to the extent funds are available.

SB 5898: ORDERING A PUBLIC INFORMATION CAMPAIGN ON POSTPARTUM DEPRESSION

Prime Sponsor: Senator Regala

(HB 1427 Representative Roberts)

- Directs the Council for the Prevention of Child Abuse and Neglect to conduct a public information and outreach campaign about postpartum depression.

SB 5924: PROVIDING FOR A CENTRALIZED TECHNOLOGY ASSESSMENT PILOT PROJECT

Prime Sponsor: Senator Thibaudeau

**SB 5924 is incorporated in its entirety into ESSB 6090.*

SHB 1075: MODIFYING THE COMPOSITION OF THE NURSING CARE QUALITY ASSURANCE COMMISSION

Prime Sponsor: Representative Kenney

(SB 5598 Senator Franklin)

- Increases the number of members on the Nursing Care Quality Assurance Commission from 11 to 15 members.
- Delineates educational and training requirements for the different members to encourage diverse backgrounds and areas of expertise.

**Signed by the Governor*

SHB 1137: MODIFYING THE SCOPE OF CARE PROVIDED BY PHYSICAL THERAPISTS

Prime Sponsor: Representative Morrell

(SB 5248 Senator Kastama)

- Specifically defines the scope of practice of physical therapists and the categories of physical therapy assistive personnel.
- Creates education and training requirements for physical therapists who perform electroneuromyographic (EMG) exams and sharp debridement wound care.

HB 1140: DEVELOPING A SCHEDULE OF FEES FOR PERFORMING INDEPENDENT REVIEWS OF HEALTH CARE DISPUTES

Prime Sponsor: Representative Bailey

(SB 5159 Senator Keiser)

- Directs the Department of Health, by January 1, 2006, to develop a reasonable maximum fee schedule that independent review organizations are to use to assess carriers for conducting reviews under the state Patient Bill of Rights.

**Signed by the Governor*

SHB 1154: REQUIRING THAT INSURANCE COVERAGE FOR MENTAL HEALTH SERVICES BE AT PARITY WITH MEDICAL AND SURGICAL SERVICES

Prime Sponsor: Representative Schual-Berke

(SB 5450 Senator Thibaudeau)

- Requires a health insurance plan offered to any group of more than 50 employees, or to a Basic Health Plan enrollee, to cover most mental health services to the same extent, and under the same terms and conditions, as it covers medical and surgical services.
- Phases-in the requirement between January 1, 2006, and July 1, 2010.

**Signed by the Governor*

2SHB 1168: AUTHORIZING THE STATE BOARD OF PHARMACY TO REGULATE NONRESIDENT CANADIAN PHARMACIES

Prime Sponsor: Representative Appleton

- Requires the State Board of Pharmacy to submit a waiver request to the Federal Food and Drug Administration authorizing the board to license Canadian pharmacies that serve the residents of the State of Washington.

HB 1170: ELIMINATING BASIC HEALTH PLAN ELIGIBILITY OF PERSONS HOLDING STUDENT VISAS

Prime Sponsor: Representative Dickerson

- Prohibits full-time students on a temporary visa to study in the United States from enrolling in the Basic Health Plan.

2SHB 1220: ESTABLISHING A JOINT LEGISLATIVE AND EXECUTIVE TASK FORCE ON LONG-TERM CARE FINANCING AND CHRONIC CARE MANAGEMENT

Prime Sponsor: Representative Morrell

(SSB 5442 Senator Poulsen)

- Creates a joint legislative and executive task force on long-term care financing and chronic care management.
- Directs the task force to develop recommendations about public and private mechanisms for financing long-term care, particularly in rural counties.

HB 1364: REQUIRING THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES TO DEFEND TEMPORARY MANAGERS IN NURSING HOMES

Prime Sponsor: Representative Green

(SB 5347 Senator Keiser)

- Requires the Department of Social and Health Services to indemnify, defend, and hold harmless temporary managers in nursing homes, or their agents, for any actions that do not amount to intentional torts or criminal behaviors.

E2SHB 1418: REGULATING INSURANCE OVERPAYMENT RECOVERY PRACTICES

Prime Sponsor: Representative Kirby

(SB 5579 Senator Keiser)

- Prohibits, with some exceptions, a carrier from requesting a refund from a health care provider of a payment previously made to satisfy an insurance claim more than 24 months after the payment was made.
- Prohibits, with some exceptions, a health care provider from requesting additional payment from a carrier to satisfy an insurance claim more than twenty-four months after the claim was denied or initially paid.
- In cases involving coordination of benefits, the applicable time period is 30 months.

- Establishes procedural standards to govern the adjustment process.

SHB 1463: REQUIRING SCHOOLS TO PROVIDE INFORMATION ON MENINGOCOCCAL IMMUNIZATION

Prime Sponsor: Representative Green

- Requires all public and private schools to provide the parents and guardians of students in sixth grade and above with information about meningococcal disease at the beginning of every school year.

HB 1479: REGARDING INDEPENDENT PRESCRIPTIVE AUTHORITY FOR ADVANCED REGISTERED NURSE PRACTITIONERS

Prime Sponsor: Representative Morrell

(SB 5516 Senator Thibaudeau)

- Allows advanced registered nurse practitioners (ARNP) to independently prescribe controlled substances contained in Schedules II through IV of the Uniform Controlled Substances Act.
- An ARNP is no longer required to have a joint practice arrangement with a physician or osteopathic physician in order to prescribe these controlled substances.

**Signed by the Governor*

SHB 1486: CONCERNING HEALTH CARE SERVICES

Prime Sponsor: Representative Conway

- Requires the Health Care Authority and the Department of Social and Health Services, in coordination with the Employment Security Department, to annually report to the legislature on the employment status of Basic Health Plan enrollees and medical assistance recipients, including certain specified information.

SHB 1512: CONCERNING IMPROVING THE QUALITY OF CARE IN STATE-PURCHASED HEALTH CARE PROGRAMS

Prime Sponsor: Representative Morrell

(SB 5390 Senator Keiser)

- Requires the Health Care Authority and the Department of Social and Health Services to collaborate with others in the development of common performance standards and financial incentives for carriers and providers in order to improve health care quality and increase the use of health information technology.

HB 1533: REVISING PROVISIONS FOR INSPECTION OF HOSPITALS

Prime Sponsor: Representative Appleton

(SB 5496 Senator Keiser)

- Changes the required frequency of Department of Health (DOH) hospital inspections from once every year to, on average, once every 18 months.
- Simplifies language allowing certain hospitals to be exempt from DOH inspection.

HB 1534: IDENTIFYING HEALTH CARE PROVIDERS COVERED BY THE RETIRED HEALTH CARE PROVIDER LIABILITY MALPRACTICE INSURANCE PROGRAM

Prime Sponsor: Representative Green

(SB 5494 Senator Thibaudeau)

- The Department of Health administers a program that purchases malpractice insurance for retired health care providers who volunteer to serve low-income patients. Specialists whose malpractice insurance premiums are comparable to premiums for primary care providers will be eligible for this malpractice insurance.

**Signed by the Governor*

SHB 1536: PROVIDING THE SECRETARY OF HEALTH WITH AUTHORITY TO ADMINISTER GRANTS

Prime Sponsor: Representative Moeller

(SSB 5495 Senator Kline)

- Gives the Secretary of the Department of Health (DOH) the authority to enter into contracts and distribute grants that further the mission of the agency.
- Requires the DOH to report to the legislature a summary of the grants distributed under this authority for each year of the first biennium that the Secretary has granting authority.

**Signed by the Governor*

HB 1546: REGULATING NATUROPATHIC PHYSICIANS

Prime Sponsor: Representative Clibborn

(SB 5605 Senator Thibaudeau)

- Allows a naturopath to administer codeine and testosterone products and expands the office procedures that a naturopath may perform.
- Requires that naturopathic education programs be accredited.

**Signed by the Governor*

SHB 1569: REGARDING QUALITY ASSURANCE IN BOARDING HOMES, NURSING HOMES, HOSPITALS, PEER REVIEW ORGANIZATIONS, AND COORDINATED QUALITY IMPROVEMENT PLANS

Prime Sponsor: Representative Morrell

(SSB 5698 Senator Franklin)

- Grants nursing homes the authority to maintain quality assurance committees.

**Signed by the Governor*

SHB 1591: CONCERNING ASSISTED CARE FACILITIES

Prime Sponsor: Representative Schual-Berke

- Requires the Department of Health, Department of Social and Health Services (DSHS) and the Building Code Council to develop standards for small boarding homes.
 - * *SSB 5650 is incorporated in its entirety into SHB 1591, as described below.*
- Requires the DSHS to implement a food safety component as part of the required annual training for staff and providers in adult family homes.
 - * *SSB 5687 is incorporated in its entirety into SHB 1591, as described below.*
- Allows adult family homes to be licensed to care for up to eight individuals.

SHB 1606: PROVIDING FOR FAIRNESS IN THE INFORMAL DISPUTE RESOLUTION PROCESS

Prime Sponsor: Representative Green

(SSB 5649 Senator Keiser)

- Grants nursing home providers the right to an informal dispute resolution process to present written evidence refuting findings or deficiencies cited during licensing, certification, or a complaint investigation.

HB 1612: MODIFYING THE LICENSING PROVISIONS FOR FACULTY MEMBERS OF THE UNIVERSITY OF WASHINGTON DENTAL SCHOOL

Prime Sponsor: Representative Kilmer

- The current exception allowing a full-time teaching faculty member at the University of Washington School of Dentistry to obtain a license to practice dentistry without taking an examination is expanded to also include part-time faculty members.

**Signed by the Governor*

SHB 1652: AUTHORIZING FIRE PROTECTION DISTRICTS TO ESTABLISH OR PARTICIPATE IN HEALTH CLINIC SERVICES

Prime Sponsor: Representative Ericks

(SB 5675 Senator Rockefeller)

- Authorizes a fire protection district located in Kitsap County to participate in the operation and maintenance of health clinics.
- Directs the Department of Health (DOH) to appoint an advisory group to conduct a study to evaluate the merits of allowing fire protection districts to provide health clinic services. The DOH must report the results of the study and any recommendations to the legislature by September 1, 2006.

E2SHB 1688: STUDYING AND PREPARING RECOMMENDATIONS TO IMPROVE AND UPDATE THE CERTIFICATE OF NEED PROGRAM

Prime Sponsor: Representative Cody

- Establishes a 16-member task force to make recommendations to the Governor and legislature on improvements to the certificate of need process. Task force recommendations are due November 1, 2006.
- Directs the Joint Legislative Audit and Review Committee to conduct a performance audit of the administration and implementation of the certificate of need program. The audit is due by July 1, 2006, and is to be considered by the task force in developing its recommendations.

SHB 1689: CONCERNING DENTAL HEALTH SERVICES

Prime Sponsor: Representative Cody

- Allows a prospective dentist to replace the practical examination requirement with the completion of a postdoctoral residency program in a community health clinic that serves predominantly low-income patients, or is located in a dental care health professional shortage area.
- Allows the resident dentist to receive a limited license while practicing in the residency.

EHB 2254: CLARIFYING PROTECTIONS PROVIDED TO QUALITY IMPROVEMENT ACTIVITIES

Prime Sponsor: Representative Cody

- Prohibits the review or disclosure of information or documents created specifically for quality improvement or peer review committees.

EHCR 4410: ESTABLISHING THE JOINT SELECT COMMITTEE ON PUBLIC HEALTH FINANCING

Prime Sponsor: Representative Schual-Berke

** SB 5715 is incorporated in part into EHCR 4410, as described below.*

- Creates the Joint Select Committee on Public Health Financing to review and recommend funding

sources for public health services, and report to the Governor and the legislature by July 1, 2006.

HUMAN SERVICES & CORRECTIONS

786-7414

SB 5127: IMPROVING SERVICES TO VICTIMS OF HUMAN TRAFFICKING

Prime Sponsor: Senator Kohl-Welles

- The Director of the Department of Community Trade and Economic development will convene a work group to develop written protocols for service delivery to victims of human trafficking. A report is due to the legislature and the Governor by January 1, 2006.

E2SSB 5213: SUPPORTING THE LONG-TERM SUCCESS OF FAMILIES WITH CHILDREN BY REMOVING BARRIERS TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND THE WORKFIRST PROGRAMS

Prime Sponsor: Senator Brandland

(HB 1190 Representative Pettigrew)

- An applicant for Temporary Assistance to Needy Families, with a drug related felony conviction is no longer required to be assessed as chemically dependent, or participate in or complete rehabilitation with chemical dependency and vocational components in order to be eligible to receive benefits.

**Signed by the Governor*

SSB 5242: CHANGING PENALTIES FOR POSSESSION OF WEAPONS BY INMATES

Prime Sponsor: Senator Doumit

- Defines the crime of possessing a weapon in jail the same way it is defined for the prison population, which encompasses weapons created from materials on hand.
- Possession of a weapon by a jail inmate is a Class C felony.

SSB 5256: REVISING PROVISIONS RELATING TO THE USE OF RISK ASSESSMENTS IN THE SUPERVISION OF OFFENDERS WHO COMMITTED MISDEMEANORS AND GROSS MISDEMEANORS

Prime Sponsor: Senator Hargrove

- The law requiring the Department of Corrections (DOC) to perform risk assessments on felony offenders is extended to require the DOC to perform risk assessments on misdemeanor and gross misdemeanor probationers who are sentenced in superior court.
- The DOC's supervision of misdemeanor and gross misdemeanor probationers is limited to misdemeanor and gross misdemeanor probationers who are sentenced in superior court and who rank in the two highest risk management classifications or who have been convicted of specific offenses (regardless of risk classification) or who have treatment requirements, first-time offender waivers, or supervision transferred to Washington from another state.

ESSB 5308: CHANGING PROVISIONS RELATING TO MANDATORY REPORTING OF CHILD ABUSE OR NEGLECT

Prime Sponsor: Senator Kohl-Welles

- Supervisors are added to the list of mandatory reporters of child abuse unless they obtain the information solely as the result of a privileged communication.

SSB 5309: DEFINING SEXUAL MISCONDUCT WITH A MINOR

Prime Sponsor: Senator Kohl-Welles

- The definition of "abuse of a supervisory position," an element of the crime of sexual misconduct with a minor, is amended to include exploiting a significant relationship to obtain the consent of a minor.
- The section of the criminal law establishing the elements of the crime of sexual misconduct with a minor is also amended to include a situation in which a foster parent has sexual contact or sexual intercourse, or causes another person under the age of 18 to have sexual contact or sexual intercourse, with his or her foster child who is at least 16 years old.

SB 5461: CHANGING LIMITS ON COSTS OF INCARCERATION CHARGED TO OFFENDERS

Prime Sponsor: Senator Fairley

- A court may order an offender who is confined in a local jail to pay the actual cost of incarceration, not to exceed \$100 per day.

**SB 5501: AUTHORIZING USE OF LIE DETECTOR TESTS ON JUVENILE COURT SERVICES
EMPLOYMENT APPLICANTS**

Prime Sponsor: Senator Hargrove

- The law allowing law enforcement agencies to conduct a polygraph, or similar test, as a condition of employment is extended to allow county juvenile court services agencies to conduct a polygraph, or similar test, as a condition of employment.

**SB 5582: CLARIFYING HOW DEMOGRAPHIC FACTORS ARE USED WITH REGARD TO
SEXUALLY VIOLENT PREDATORS**

Prime Sponsor: Senator Regala

- There must be a showing of actual substantive change in a committed person's physical or mental condition to meet the "so changed" standard for a new commitment trial.
- A change in a single demographic factor, without more, does not establish probable cause for a new commitment trial. Demographic factors include age, gender, and marital status.

**ESB 5583: REQUIRING TRAINING OF CHILDREN'S ADMINISTRATION EMPLOYEES
CONCERNING OLDER CHILDREN WHO ARE VICTIMS OF ABUSE OR NEGLECT**

Prime Sponsor: Senator Regala

- Within its existing resources, the Department of Social and Health Services (DSHS) is required to develop, and incorporate into existing training, a curriculum designed to train staff members of the DSHS's Children's Administration on how to screen and respond to referrals to child protective services when those referrals may involve victims of abuse or neglect between the ages of 11 and 18.
- The DSHS must conduct a quarterly review of a sampling of screening decisions by child protective services related to children between the ages of 11 and 18.
- In August 2006 and August 2007, the DSHS must report on its quarterly reviews to the Governor and the appropriate committees of the legislature.

SSB 5631: CHANGING PROVISIONS RELATING TO INMATE WORK PROGRAMS

Prime Sponsor: Senator Regala

- The list of potential customers for products and services produced by Class II industries is expanded to include employees and family members of employees of the Department of Corrections (DOC) and persons under the supervision of the DOC and their family members.
- The Correctional Industries Board of Directors must authorize the type and quantity of items produced by Class II Industries that may be purchased and sold to persons under DOC supervision, DOC employees, and their respective family members.
- School districts are permitted to purchase goods, such as furniture, equipment, and supplies from Class II industries.

ESSB 5719: EXTENDING THE COMMUNITY COMMITMENT DISPOSITION ALTERNATIVE PILOT PROGRAM

Prime Sponsor: Senator Hargrove

- A county or group of counties may establish a program to implement the community commitment disposition alternative, which must include delivery of evidence-based treatment programs.
- A juvenile offender that is eligible for the program may serve up to 30 days in secure county detention between the date of disposition and the initial release date and up to an additional 30 days if he or she violates the terms of the community commitment disposition.
- A court may revoke the community commitment disposition alternative and order the disposition's execution at a Juvenile Rehabilitation Administration facility under certain circumstances.
- The court retains jurisdiction for purposes of community supervision upon release.

E2SSB 5763: CREATING THE OMNIBUS TREATMENT OF MENTAL AND SUBSTANCE ABUSE DISORDERS ACT OF 2005

Prime Sponsor: Senator Hargrove

- This is an omnibus bill relating to the treatment of mental disorders, chemical dependency disorders, and co-occurring mental and chemical dependency disorders. It includes pilot projects, adoption of best practices and integrated screening and assessment, expansion of treatment, a new facility type, interaction with criminal justice and other systems, authorizes a local tax, and updates current law.

ESSB 5806: REQUIRING CHILD CARE AGENCIES TO PROVIDE ADDITIONAL INFORMATION TO PARENTS

Prime Sponsor: Senator Kohl-Welles

- Child care providers are required to post or make available to parents, specific information about license status, enforcement action, inspections, and insurance.

SB 5809: REVISING JURISDICTION OF YOUTH COURTS

Prime Sponsor: Senator Fairley

- The section of the law that permits youth courts to hear matters involving certain traffic infractions under the supervision of the district courts is amended to include cross-references to the other sections of Washington law that allow youth courts to serve as diversion units in certain juvenile cases and to hear matters arising out of violations of school rules.

**Signed by the Governor*

ESSB 5872: CREATING A TASK FORCE ON THE ADMINISTRATIVE ORGANIZATION, STRUCTURE, AND DELIVERY OF SERVICES TO CHILDREN AND FAMILIES

Prime Sponsor: Senator Stevens

- A task force is created to determine the most appropriate and effective administrative structure for delivery of social and health services to children and families.
- Findings and recommendations are to be reported to the Governor and the legislature by December 1, 2005.

SSB 5899: CHANGING PROVISIONS RELATING TO BACKGROUND CHECKS

Prime Sponsor: Senator Kohl-Welles

(HB 2215 Representative Brian Sullivan)

- Responses to requests for background checks under RCW 43.43.832 must contain all conviction data but must not contain information on pending charges, unless such charges relate to crimes against persons, as defined elsewhere by statute.
- The requirement that disciplinary board final decisions and information regarding dependency matters and domestic relations cases be sent to the Washington State Patrol is eliminated.
- Responses to requests for background checks under RCW 43.43.832 must indicate that they do not contain information on civil adjudications, administrative findings, or disciplinary board final decisions, but that they may contain information about pending charges which do not constitute convictions or findings of guilt.

ESSB 5922: CHANGING PROCEDURES FOR INVESTIGATIONS OF CHILD ABUSE OR NEGLECT

Prime Sponsor: Senator Stevens

- The Department of Social and Health Services (DSHS) must train all of its personnel who investigate allegations of abuse and neglect on the legal duties of the DSHS in conducting such investigations.
- A parent's substance abuse must be considered in determining whether negligent treatment or maltreatment exists.
- If the DSHS has determined that a child has been subject to or is at risk of negligent treatment or maltreatment, then the DSHS may offer services to the parent of that child.
- If the parent refuses to accept or fails to obtain or complete such treatment or services, the DSHS may initiate a dependency proceeding on the basis that the negligent treatment or maltreatment by the parent.
- The DSHS must report to the legislature and the Governor on the implementation of the act by January 2007.

SB 5974: PROVIDING INFORMATION TO PREGNANT WOMEN ABOUT OPIATE TREATMENT PROGRAMS

Prime Sponsor: Senator Prentice

(HB 2115 Representative Dickerson)

- Opiate treatment programs are required to educate pregnant women participating in treatment about the risks and benefits of methadone treatment to their fetus.

**Signed by the Governor*

SHB 1014: REVISING DNA TESTING PROVISION

Prime Sponsor: Representative Darneille

(SB 5003 Senator Hargrove)

- Requests for post conviction DNA testing can be submitted to the court of conviction and the Office of Public Defense.
- The sentencing court may order the preservation of any biological material or evidence samples in criminal cases, consistent with any court rule adopted for the preservation of evidence.

**Signed by the Governor*

SHB 1058: REVISING PROVISIONS RELATING TO MENTAL HEALTH TREATMENT FOR MINORS

Prime Sponsor: Representative Dickerson

- An evaluation and treatment center or an inpatient facility may not refuse to treat a minor under the parent-initiated admission provisions solely on the basis that the minor has failed to consent.
- A minor has no cause of action against a treatment provider or an evaluation and treatment center or inpatient facility that treats him or her under the parent-initiated provisions solely on the basis that he or she did not consent.
 - * *The substance of SSB 5257 is included in its entirety, as described above.*
 - * *HB 1082 is incorporated in its entirety into SHB 1058, as described below.*
- Recodifies the sections of chapter 71.34 RCW by topic.

HB 1082: REORGANIZING PROVISIONS CONCERNING MENTAL HEALTH SERVICES FOR MINORS

Prime Sponsor: Representative Moeller

- * *HB 1082 is incorporate in its entirety into SHB 1058.*

HB 1136: ORDERING A STUDY OF ELECTRONIC MONITORING SYSTEMS

Prime Sponsor: Representative O'Brien

(SB 5166 Senator Hargrove)

- The bill requires the Washington Association of Sheriffs and Police Chiefs (WASPC) to do a comprehensive review and analysis of the use of electronic monitoring in other states and to report any findings and recommendations to the legislature by the end of 2005.
- The WASPC must work with the Department of Corrections (DOC) to establish an electronic monitoring program for low-risk offenders who violate terms of their community custody.
- A civil immunity provision protects the DOC, the WASPC, local governments, and their employees from liability unless an employee acts with gross negligence or in bad faith.

SHB 1147: PROTECTING COMMUNITIES FROM SEX OFFENDERS THROUGH THE ESTABLISHMENT OF COMMUNITY PROTECTION ZONES

Prime Sponsor: Representative Clements

- Sex offenders convicted of a first two-strikes offense whose victim was a minor may not live within 880 feet of a public or private school.
- A Sex Offender Management Task Force is created that must work in collaboration with the Partnership for Community Safety on five issues related to sex offenders in the community and report to the legislature by December 1, 2005.
- The bill expires July 1, 2006.

HB 1160: REDUCING WORKPLACE VIOLENCE IN STATE HOSPITALS

Prime Sponsor: Representative Conway

- The Department of Social and Health Services is required to report its efforts to reduce violence in the state hospitals to the appropriate committees of the legislature, by September 1 of each year.

HB 1161: ADDING ENTITIES ENTITLED TO NOTIFICATION ABOUT SEX OFFENDERS AND KIDNAPPING OFFENDERS

Prime Sponsor: Representative Buri

- The list of businesses and organizations receiving Level 2 sex offender notification includes public libraries.

**Signed by the Governor*

EHB 1187: ELIMINATING MANDATORY MINIMUM SENTENCES FOR CERTAIN YOUTHFUL OFFENDERS TRIED AS ADULTS

Prime Sponsor: Representative Dickerson

- If a juvenile court holds a hearing and declines jurisdiction in a juvenile case, and the juvenile offender in that case is tried and convicted in adult criminal court, then the juvenile is not subject to mandatory minimum sentencing in adult court.
- If the juvenile offender's case is automatically transferred to adult court because of the offender's age and the seriousness of the offense, then mandatory minimum sentencing applies, if the offender is convicted of certain crimes.

SHB 1280: EXTENDING THE KINSHIP CARE OVERSIGHT COMMITTEE AND ITS DUTIES

Prime Sponsor: Representative Pettigrew

- The Kinship Care Oversight Committee will continue for a period of five years and provide annual updates to the legislature, on the committee's work.

SHB 1281: ADDING TO THE LIST OF PERSONS WHO MAY GIVE INFORMED CONSENT TO MEDICAL CARE FOR MINORS AND PROVIDING IMMUNITY TO HEALTH CARE PROVIDERS AND FACILITIES WHEN THEY RELY UPON THE REPRESENTATION OF A PERSON CLAIMING TO BE RESPONSIBLE FOR THE CARE OF THE MINOR

Prime Sponsor: Representative Pettigrew

- A relative who is not a parent is permitted to authorize medical care for a minor as long as they present a signed, dated declaration under penalty of perjury.
- Health care providers relying on such representation are immune from lawsuits.

E2SHB 1290: MODIFYING COMMUNITY MENTAL HEALTH SERVICES PROVISIONS

Prime Sponsor: Representative Cody

- The Department of Social and Health Services (DSHS) must institute a procurement process in which existing Regional Support Networks (RSNs) that respond to and substantially meet a request for qualifications will continue as the RSN, otherwise the RSN will be subject to a request for proposals. The Joint Legislative and Executive Mental Health Task Force will oversee the procurement process.
- DSHS must require: continued and improved coordination with local government, correctional agencies, and the chemical dependency treatment system; the use of evidence and research-based services to

promote recovery and resiliency; and independent decision-making for civil commitment in its RSN contracts.

- DSHS must expedite establishment or reestablishment of medical assistance and RSN enrollment, statewide, for eligible persons leaving confinement of a jail, prison, or institution for mental diseases.

SHB 1337: REGULATING STORAGE OF SEX OFFENDER RECORDS

Prime Sponsor: Representative O'Brien

- The Washington Association of Sheriffs and Police Chiefs (WASPC) may maintain records electronically, including sealed records, provided that the sealed records must be marked as sealed. The records may be destroyed following the death of the offender.
- WASPC may release sealed records to the End of Sentence Review Committee for the purposes of setting presumptive sex offender notification levels and making referrals to civil commitment.

HB 1338: ADDING KIDNAPPING TO THE STATEWIDE REGISTERED SEX OFFENDER WEB SITE

Prime Sponsor: Representative O'Brien

- The statewide registered sex offender website also includes kidnapping offenders.

SHB 1366: REQUIRING VIDEO GAME RETAILERS TO INFORM CONSUMERS ABOUT VIDEO GAME RATING SYSTEMS

Prime Sponsor: Representative Roberts

- Video game retailers must conspicuously post signs where video games are displayed and at the point of sale, informing consumers that a nationally recognized video game rating system exists.
- The retailer must provide information explaining the rating system to persons who request the information.

ESHB 1402: REGULATING SUPERVISION OF OFFENDERS WHO TRAVEL OR TRANSFER TO OR FROM ANOTHER STATE

Prime Sponsor: Representative O'Brien

(SB 5375 Senator Kline)

- The bill establishes the authority and the process for transferring eligible non-felony offenders into and out of Washington under the Interstate Compact on Adult Offender Supervision.

SHB 1426: ESTABLISHING AN INTERAGENCY PLAN FOR CHILDREN OF INCARCERATED PARENTS

Prime Sponsor: Representative Roberts

(SSB 5407 Senator Delvin)

- The Department of Corrections and the Department of Social and Health Services will partner to develop an interagency plan to provide services to children of incarcerated parents.
- The plan is due by June 30, 2006 with an interim report to the legislature by January 1, 2006.

SHB 1661: SPECIFYING PROCEDURES FOR TRANSFER OF JUVENILE PROCEEDINGS

Prime Sponsor: Representative Moeller

(SB 5500 Senator Hargrove)

- Following the disposition in a juvenile case, a court may transfer the case, along with the relevant legal and social documents, to a juvenile court in a county in which the juvenile offender resides, for purposes of supervision and enforcement of the disposition order.

- If, at the time the originating court prepares to transfer the case, restitution has yet to be determined, then the originating court retains authority over the restitution in order to establish a restitution order.

**Signed by the Governor*

SHB 1681: EXTENDING AND ADDING A MEMBER TO THE JOINT TASK FORCE ON CRIMINAL BACKGROUND CHECK PROCESSES

Prime Sponsor: Representative B. Sullivan

(SB 5554 Senator Kohl-Welles)

- The membership of the Joint Task Force on Criminal Background Check Processes is expanded to include a representative of an organization that primarily serves children, a representative of an organization that primarily serves vulnerable adults, and a representative selected by the state's long-term care ombudsman, and, as an ex officio non-voting member, a representative of an organization that serves as a clearinghouse for other nonprofits.
- The Task Force is authorized to continue its work until December 31, 2005, at which time it will report its findings and recommendations to the legislature.

SHB 2061: REQUIRING DISPOSITION TO BE HELD IN JUVENILE COURT IN CERTAIN CIRCUMSTANCES WHEN A CASE IS AUTOMATICALLY TRANSFERRED TO ADULT COURT

Prime Sponsor: Representative Darneille

- If a case involving a 16 or 17 year old defendant is automatically transferred to adult criminal court because the defendant has committed one of the offenses requiring automatic transfer, and later the juvenile is not found guilty of any charge that would qualify for automatic transfer to the adult criminal court, then the juvenile court must have exclusive jurisdiction over the disposition in that case.
- If the juvenile is not found guilty of a charge that would qualify for automatic transfer to the adult criminal court, and the juvenile turned 18 years of age during the course of the adult criminal court proceedings, then the court must order an extension of the juvenile court's jurisdiction.
- Once the case is returned to juvenile court, the juvenile court may hold a decline hearing to determine whether to retain the case or to return the case to adult criminal court for sentencing.

HB 2064: CLARIFYING PROVISIONS RELATING TO AUTOMATIC TRANSFER OF JURISDICTION FROM JUVENILE COURT

Prime Sponsor: Representative Roberts

- The adult criminal court's exclusive original jurisdiction over certain offenders aged 16 or 17 is based on the age of the offender at the time of the offense, rather than at the time of the proceedings.

SHB 2073: REVISING JUVENILE SENTENCING ALTERNATIVES

Prime Sponsor: Representative Dickerson

(SB 5502 Senator Hargrove)

- The law is amended to expand the class of juvenile offenders who are eligible for the Mental Health Disposition Alternative.
- The requirement that the juvenile offender be subject to a standard range sentence between 15 and 65 weeks is eliminated and replaced with a requirement that the offender be subject to a disposition involving confinement by the Department of Social and Health Services.
- Instead of disqualifying juveniles who have committed "violent" offenses from eligibility to receive the Mental Health Disposition alternative, the act disqualifies juveniles who have committed specific

offenses that are the subject of the current disposition.

- Subject to funds appropriated for this purpose, the juvenile courts must be funded by the Department of Social and Health Services' Juvenile Rehabilitation Administration for doing mental health and psychiatric evaluations, as well as for supervision and treatment costs.

HB 2101: CHANGING PROVISIONS RELATING TO REGISTRATION OF SEX AND KIDNAPPING OFFENDERS WHO ARE STUDENTS

Prime Sponsor: Representative Pearson

- Beginning September 1, 2006, sex offenders who are students must notify the sheriff of their enrollment in a school. The sheriff must notify the principal, who must tell specified staff members. Which staff members must be told depends on the risk posed by the offender.
- By January 1, 2006, the Superintendent of Public Instruction's Safety Center must make recommendations about the types and amounts of training that will be necessary for principals, teachers, and school staff to implement the bill.

SHB 2156: CREATING A JOINT TASK FORCE ON CHILD SAFETY

Prime Sponsor: Representative Hinkle

- A joint task force is established to review and make recommendations to the legislature and the Governor on improving the health, safety, and welfare of children served by Child Protective Services and Child Welfare Services.
- Preliminary findings are due December 31, 2005 and a final report is due September 1, 2006.

SHB 2169: CREATING A PILOT PROJECT AUTHORIZING SMALL COUNTIES TO REGULATE DAY CARE

Prime Sponsor: Representative Walsh

- Counties with a population below 3,000 are allowed to regulate family child care for a period of 12 months.

HB 2189: ESTABLISHING A WORK GROUP TO ADDRESS SAFETY OF CHILD PROTECTIVE SERVICES AND CHILD WELFARE SERVICES STAFF

Prime Sponsor: Representative Kagi

- The Department of Social and Health Services will establish a work group to develop policies and protocols to address employee safety for staff working in Child Protective Services and Child Welfare Services.
- The developed policies and protocols are to be provided to the Governor and the legislature by December 1, 2005.

SHB 2223: PROHIBITING CHARGING CLERK'S FEES TO LAW ENFORCEMENT AGENCIES FOR RECORDS CONCERNING SEX OFFENDERS

Prime Sponsor: Representative O'Brien

- A public agency may not charge a law enforcement agency a fee for preparing, copying, or mailing certified copies of certain sex offender records if the records are necessary for risk assessment, preparing a failure to register case, or maintaining registration records.

INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT

786-7409

SB 5175: DECLARING THAT INTERNATIONAL COMPANIES INVESTING IN WASHINGTON ARE ELIGIBLE FOR TAX INCENTIVES

Prime Sponsor: Senator Shin

- International companies investing in Washington are included within the definition of person for purposes of tax incentives.

**Signed by the Governor*

SSB 5176: REGARDING DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT PROGRAMS

Prime Sponsor: Senator Shin

- Obsolete references regarding distressed areas, employee ownership, and the Development Loan Fund Committee are removed. The Department of Community, Trade, and Economic Development (CTED) is to cooperate with the Economic Development Commission in development and implementation of strategic plans.
- References to foreign trade offices, providing technical assistance in attracting capital, and providing entrepreneurial training to women and minority-owned businesses are eliminated as separate code sections and integrated with CTED's general trade and business responsibilities.
- CTED's authority to solicit and receive gifts and fees for tourism purposes is replicated for film and video production purposes. An obsolete reference to the Business Assistance Center is removed.
- A number of code sections are repealed. Repealed code sections include those requiring CTED to distribute pamphlets, operate the Investment Opportunities Office, run the Marketplace Program, operate rural enterprise zones, implement a small business bonding assistance program, and provide support to the Senior Environmental Council.

**Signed by the Governor*

SB 5180: AUTHORIZING THE ECONOMIC DEVELOPMENT FINANCE AUTHORITY TO CONTINUE ISSUING BONDS

Prime Sponsor: Senator Kastama

(HB 1428 Representative Condatta)

- The Washington Economic Development Finance Authority's limitation on outstanding debt is increased from \$750 million to \$1 billion.
- The current restriction on issuing bonds after June, 30, 2006, is removed.

**Signed by the Governor*

2SSB 5370: CREATING THE ECONOMIC DEVELOPMENT STRATEGIC RESERVE ACCOUNT

Prime Sponsor: Senator Brown

- The Economic Development Strategic Reserve Account is created, to be funded with one-third of all unclaimed lottery prize money. A maximum of \$15 million may be in the account at any time, with any excess being transferred to the Education Construction Account.
- Expenditures from the account may be made by the Governor with the recommendation of the Director of the Department of Community Trade and Economic Development and the Economic Development

Commission (EDC).

- Funds are to be used to support the EDC. Funds may also be used to attract businesses and prevent business closure or relocation. Authorized uses include funding workforce development, public infrastructure, and other assistance provided contractually with an assurance of job creation or retention.
- Funds may not be expended unless the timely procurement of funding from other state sources is not possible and funding is accompanied by, and will not supplant, private investment. Any businesses assisted must produce significant economic benefits, including jobs or higher income, and may not require a continuing state subsidy.

SB 5455: CREATING A PROGRAM TO PROMOTE DOWNTOWN AND NEIGHBORHOOD COMMERCIAL DISTRICT REVITALIZATION

Sponsor: Senator Mulliken

(SHB 1273 Representative Grant)

** The substitute version of SB 5455 is incorporated in its entirety into ESHB 2314.*

2SSB 5782: MODIFYING PROVISIONS OF THE LINKED DEPOSIT PROGRAM

Prime Sponsor: Senator Shin

(HB 1805 Representative Sullivan)

- The amount the Treasurer may deposit in the Linked Deposit Program is increased from \$50 million to \$100 million per year. A qualifying loan is limited to \$1 million or less.
- The preference given to banks, as an incentive to participate in the program, is to be lowered to ensure that the effective rate on a certificate of deposit is not less than 20 percent, and banks may make an equivalent reduction in the interest rate preference given on a loan.
- The responsibility for monitoring the performance of the loans under the program is transferred from the Department of Community, Trade and Economic Development to the Office of Minority and Women's Business Enterprises.
- The current statutory provisions for termination of the program in 2008 are repealed.

SSB 5862: CREATING THE ASSOCIATION OF WASHINGTON GENERALS

Prime Sponsor: Senator Pflug

(HB 1974 Representative Linville)

- The Association of Washington Generals is organized to recognize outstanding service to the state and to bring those individuals so recognized together to serve as ambassadors of trade, tourism, and international goodwill.
- The Governor, Lieutenant Governor, and the Secretary of State are to serve on the association's board of directors as ex officio non-voting members. The Lieutenant Governor's office may provide technical and financial assistance for the association.
- The association may use the image of the Washington State flag and retain any revenue generated by such use.

**Signed by the Governor*

SSB 5902: ESTABLISHING A SMALL BUSINESS INNOVATION RESEARCH PROGRAM PROPOSAL REVIEW PROCESS

Prime Sponsor: Senator Eide

- The Washington Technology Center is to train and assist small businesses to win Phase I Small Business Innovation Research grant awards from the federal Small Business Administration.
- The center is to give priority to first-time applicants, new businesses, and firms with fewer than ten

employees.

- The center may charge a fee for the services provided to applicants.

HB 1092: MODIFYING RURAL WASHINGTON LOAN FUND PROVISIONS

Prime Sponsor: Representative Grant

(SB 5086 Senator Shin)

- The Rural Washington Loan Fund (RWLF) is exempted from the requirement that earnings in the treasury income account are to be credited to the general fund.
- The RWLF is to receive its proportionate share of earnings of investments of its surplus balances.

**Signed by the Governor*

SHB 1408: CREATING AN INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM

Prime Sponsor: Representative Pettigrew

(SSB 5469 Senator Schmidt)

- An Individual Development Account program is created in the Department of Community, Trade and Economic Development. The accounts may be used for: post-secondary education and training; the purchase of a primary residence; the capitalization of a business; the purchase of a computer, automobile, or home improvements; or the purchase of assistive technologies enabling a person of disability to work.
- Withdrawals from the account may also be made for emergencies, including medical expenses, payment of rent to avoid eviction, living expenses if unemployed, and other circumstance determined by the organization.
- A separate Foster Youth Individual Development Account program is created within the Individual Development Account program. It will serve foster youth 15 years or older.

ESHB 1903: PROVIDING FUNDS TO STIMULATE COMMUNITY AND ECONOMIC DEVELOPMENT

Prime Sponsor: Representative Ericks

- The Job Development Fund Program is created to provide grants for public infrastructure projects that will retain or create jobs. The Community Economic Revitalization Board (CERB) will conduct a statewide request for project applications and will apply set criteria to evaluate and rank the applicants. The program expires June 30, 2011.
- Job Development Fund grants may only be awarded to those applicants that have entered into or expect to enter into a contract with a private developer relating to private investment. The maximum grant available from the Job Development Fund for any single project is \$10 million and may not exceed 33 percent of the total cost of the project.
- CERB must develop, as part of the Department of Community, Trade and Economic Development 2007-09 budget request, a prioritized list of proposed projects of up to \$50 million and a list of prioritized alternate projects; the legislature may remove projects and add projects from the lists but not change the order of priority.
- The Joint Legislative Audit and Review Committee (JLARC) is directed to conduct an inventory of all state public infrastructure state programs and funds by December 1, 2006. By September 1, 2010, JLARC is to submit a report to the appropriate legislative committees evaluating the effectiveness of the Job Development Fund Program and including a project by project review.

JUDICIARY

786-7455

SSB 5038: INCREASING PENALTIES FOR FAILURE TO YIELD TO AUTHORIZED EMERGENCY VEHICLES OR POLICE VEHICLES

Prime Sponsor: Senator Honeyford

(HB 1481 Representative Newhouse)

- The traffic infraction of failure to yield the right of way to an emergency vehicle is committed if a person fails to yield the right of way to an approaching authorized emergency vehicle making use of audible and visual signals or a police vehicle properly making use of an audible signal.
- The monetary penalty for such a violation is \$500 for each offense.

SSB 5052: CREATING THE UNIFORM ESTATE TAX APPORTIONMENT ACT

Prime Sponsor: Senator Johnson

- The current version of the Uniform Estate Tax Apportionment Act (UETAA) is adopted.
- If a decedent does not make a valid provision as to how estate taxes are to be apportioned, the statutory apportionment rules of the UETAA apply.
- A decedent's estate tax is apportioned among those interested in the estate, essentially on the basis of their shares in the net estate.

SB 5053: AUTHORIZING SERVICE BY PUBLICATION IN ACTIONS TO ESTABLISH OR MODIFY PARENTING PLANS, FOR LEGAL SEPARATION OR INVALIDITY OF MARRIAGE, AND FOR NONPARENTAL CUSTODY

Prime Sponsor: Senator Kline

(HB 1403 Representative Dickerson)

- Service by publication is authorized in actions for the establishment of a parenting plan or residential schedule, dissolution of marriage, legal separation, declaration of invalidity, or for nonparental custody when the child is in the physical custody of the petitioner.

**Signed by the Governor*

SB 5148: REPEALING THE CRIME OF "SLANDER OF A WOMAN"

Prime Sponsor: Senator Kohl-Welles

- The statute criminalizing slander of woman, and the statute requiring corroboration of the victim's claim for a conviction, are each repealed.

**Signed by the Governor*

ESSB 5173: ENACTING THE UNIFORM MEDIATION ACT

Prime Sponsor: Senator Johnson

(HB 1055 Representative Lantz)

- The Uniform Mediation Act, which establishes when mediation communications are privileged and confidential, is adopted.
- The confidentiality of mediation communications in family law mediations that are postdecree and are required by a parenting plan are not privileged for the purpose of proving: abuse, neglect, abandonment, exploitation, or unlawful harassment of a child; abuse or unlawful harassment of a family or household member; or that a parent used or frustrated the dispute resolution process without good reason.

SB 5433: CHANGING THE MEMBERSHIP OF THE COMMISSION ON JUDICIAL CONDUCT

- The composition of the Commission on Judicial Conduct is modified to allow one member to be selected by and from the judges of all courts of limited jurisdiction rather than only district court judges.
- A constitutional amendment (SJR 8207) must be approved by the voters or this bill is null and void.

**Signed by the Governor*

SB 5453: PROVIDING CIVIL IMMUNITY FOR BROADCASTERS PARTICIPATING IN THE AMBER ALERT

Prime Sponsor: Senator Delvin (HB 1518 Representative Lovick)

- Radio, television, and cable television broadcasting companies are not liable for civil damages based on the broadcast of information under the voluntary broadcast notification system known as the "Amber Alert."
- The immunity applies to the broadcast of the name or description of an abducted child, the name or description of a suspected abductor, and the circumstances of a suspected abduction.

**Signed by the Governor*

E2SSB 5454: REVISING TRIAL COURT FUNDING PROVISIONS

Prime Sponsor: Senator Hargrove

- District and superior court civil filing fees and numerous other filing fees are increased. Revenue to law libraries from district and civil court filing fees is increased.
- An equal justice subaccount is created in the Public Safety and Education Account into which the increases in filing fees will be deposited. Funds in the account are appropriated for the fiscal biennium ending June 30, 2007 for trial-level criminal indigent defense (including a pilot project), representation of parents in dependency and termination proceedings, civil indigent legal representation, and contribution to district and elected municipal court judges' salaries
- The state must appropriate 25 percent of the revenue to the equal justice subaccount, less 1 million dollars, for district and elected municipal court judges' salaries in fiscal biennium 2005-2007, and must appropriate 50 percent of the revenue to the subaccount for these judges' salaries for the fiscal biennium 2007-2009 and subsequent biennia.
- Cities, towns, and counties which receive state contributions for district and elected municipal court judges' salaries must establish trial court improvement accounts and must fund the accounts with 100 percent of the funds contributed by the state for limited jurisdiction judges' salaries.

SB 5477: REVISING SENTENCING PROCEDURES FOR EXCEPTIONAL SENTENCES

Prime Sponsor: Senator Kline

- Court standards and procedures, used to impose exceptional criminal sentences above the standard sentencing range, are adopted.
- The Sentencing Guidelines Commission is directed to study and draft proposed legislation addressing judicial discretion issues under the Sentencing Reform Act.

**Signed by the Governor*

SSB 5644: EXTENDING THE STAY ON DRIVER'S LICENSE SUSPENSIONS PENDING ENTRY OF A DEFERRED PROSECUTION

Prime Sponsor: Senator Kline

- If a person, who has failed a blood alcohol concentration test, petitions or notifies the Department of

Licensing (DOL) of his or her intent to petition, for a deferred prosecution, the DOL must stay any administrative suspension or revocation of the person's driver's license.

- The stay will be for the shorter of 150 days after criminal charges are filed or two years after the arrest.

SB 5733: CONCERNING MANDATORY ARBITRATION

Prime Sponsor: Senator Kline

(HB 1814 Representative Williams)

- The minimum population a county may have before mandatory arbitration is required is lowered from 150,000 to 100,000.
- The monetary threshold for mandatory arbitration is raised from \$35,000 to \$50,000.

SB 5979: PROHIBITING INTERFERENCE WITH SEARCH AND RESCUE DOGS

Prime Sponsor: Senator Benson

- On-duty search and rescue dogs are protected from harmful interference directed at them by people or their dogs.
- A person found guilty of harmful behavior can be subject to criminal penalties and restitution to the victim.

SB 6061: REQUIRING THE DISCLOSURE OF CONTROLLING INTEREST TRANSFERS IN BUSINESS ORGANIZATIONS FOR REAL ESTATE EXCISE TAX PURPOSES

Prime Sponsor: Senator Rockefeller

* *SB 6061 is incorporated in its entirety into HB 1315.*

SJR 8207: CHANGING THE MEMBERSHIP OF THE COMMISSION ON JUDICIAL CONDUCT

Prime Sponsor: Senator Kline

(HJR 4201 Representative Williams)

- A constitutional amendment changing the membership of the Commission on Judicial Conduct to provide that one member will be selected by and from courts of limited jurisdiction instead of district courts is proposed.
- If the amendment is approved, municipal court judges can participate in selection of a judge to serve on the commission and will be eligible to be elected to the commission by all judges of courts of limited jurisdiction.

HB 1024: CHANGING REQUIREMENTS FOR ISSUING SALARY WARRANTS FOR JUDGES

Prime Sponsor: Representative Kirby

- Judges no longer have to prepare an affidavit of compliance with assignment orders before receiving their salary checks.

SHB 1054: ENACTING THE REVISED UNIFORM ARBITRATION ACT

Prime Sponsor: Representative Lantz

(SB 5172 Senator Johnson)

- New arbitration procedures are consolidated in a new chapter in Title 7 RCW.
- With a few exceptions, the provisions of the current Chapter 7.04 RCW are reorganized and retained.
- The court must recognize how other states have interpreted the act.
- The new chapter applies to arbitration proceedings before July 1, 2006, by agreement of parties; on or after July 1, 2006, to all arbitration agreements; and after July 1, 2003, to all agreements to arbitrate whenever they were entered into.

HB 1072: INCLUDING SALTS, ISOMERS, AND SALTS OF ISOMERS IN CONTROLLED SUBSTANCES PROVISIONS

Prime Sponsor: Representative Lovick

- Possession of "salts, isomers, and salts of isomers" of Schedule I or II narcotic drugs, Schedule IV drugs, amphetamine, methamphetamine, ephedrine, pseudoephedrine, or pressurized ammonia gas is prohibited.
- Endangerment with a controlled substance includes knowingly or intentionally exposing a child or dependent adult to the salts, isomers, or salts of isomers of methamphetamine, or its precursors, during the manufacture of methamphetamine.

HB 1081: REQUIRING PREHIRE SCREENING FOR LAW ENFORCEMENT APPLICANTS

Prime Sponsor: Representative McDonald

- All new law enforcement officers and officers who have had a break in law enforcement employment of 24 months must take and successfully pass a psychological test and a polygraph or similar test as a condition of continuing employment.
- Minimum test requirements and qualifications of persons administering the tests are specified.
- The Criminal Justice Training Commission must deny peace officer certification to any applicant who has failed the required tests.

HB 1112: CREATING AN ADDITIONAL SUPERIOR COURT POSITION

Prime Sponsor: Representative Quall

(SB 5070 Senator Spanel)

- An additional superior court judge position is authorized for Skagit County.
- The position becomes effective if the county approves of the position by January 1, 2007, and agrees to fund the expenses of the position including one-half of the judicial officer's salary.

**Signed by the Governor*

HB 1125: MANAGING TRUSTS AND ESTATES

Prime Sponsor: Representative Serben

(SB 5055 Senator Johnson)

- Laws regarding probate and the management of trusts and estates are updated, procedures are modernized, and some problems in probate and trust practice are resolved.
- Parents can use powers of attorney to nominate guardians for minor children and to name persons to make health care decisions for minor children.
- Additional changes affect inheritance by adopted children, the anti-lapse statute, notice to creditors, creditor's claim requirements, changing trustees, security accounts transferrable upon death, and other provisions.

**Signed by the Governor*

SHB 1171: LIMITING THE COURT'S DISCRETION CONCERNING DENIAL OF DISSOLUTION DECREES

Prime Sponsor: Representative Dickerson

- The court is prohibited from using a party's pregnancy as the sole basis for denying or delaying entry of a decree of dissolution of marriage.
- Further proceedings under the Uniform Parentage Act are not prohibited.

**Signed by the Governor*

HB 1183: RENAMING THE COMMISSION ON SUPREME COURT REPORTS

Prime Sponsor: Representative Williams

- The commission that publishes the reports of the supreme court and court of appeals is renamed the Washington Court Reports Commission.

HB 1202: CREATING ADDITIONAL DISTRICT COURT JUDGE POSITIONS

Prime Sponsor: Representative Williams

(SB 5241 Senator Fraser)

- Kitsap and Thurston counties are each authorized to have one additional district court judge position. The counties have two years to implement the positions.
- Clark county's additional district court judge position authorized in 2003 is recreated. Clark County has two years to implement the position.

**Signed by the Governor*

SHB 1236: CHANGING DUTIES FOR AIDING INJURED PERSONS

Prime Sponsor: Representative O'Brien (SSB 5077 Senator Eide)

- A person commits the misdemeanor offense of failure to summon assistance if the person is present when a crime is committed against a victim, knows that the victim has suffered substantial bodily harm, and the person could summon assistance without danger to himself or herself.

HB 1262: LIMITING COMPENSATION FOR PART-TIME JUDGES

Prime Sponsor: Representative Takko

- An active part-time judge is authorized to receive compensation for time spent serving as a pro tem judge when the judge is not being compensated for part-time judicial duties.
- Active full-time judges are still prohibited from receiving additional compensation for pro tem duties.

**Signed by the Governor*

HB 1294: REVISING STANDARDS FOR ANTIHARASSMENT PROTECTION ORDER HEARINGS

Prime Sponsor: Representative Williams

(SB 5434 Senator Kline)

- A petitioner must file an affidavit alleging specific facts and circumstances along with the petition for a protection order.
- An affidavit is not required if the alleged acts are sex offenses.
- In non-sex offense cases, if the petitioner's affidavit and petition meet sufficiency, a full hearing is set.

**Signed by the Governor*

HB 1296: GRANTING THE MUNICIPAL COURTS JURISDICTION FOR ANTIHARASSMENT PROTECTION ORDERS

Prime Sponsor: Representative Lovick

(SB 5435 Senator Kline)

- Municipal courts are granted jurisdiction over actions for civil anti-harassment protection orders.
- The action may be brought in the municipality where the harassment occurred, where any respondent resides, or where a respondent may be served if it is the same county or judicial district.

SHB 1304: REVISING PROVISIONS RELATING TO ANIMAL CRUELTY

Prime Sponsor: Representative Kessler

(SB 5352 Senator Esser)

- A person commits the crime of first-degree animal cruelty if the person, with criminal negligence, starves,

dehydrates, or suffocates an animal, and causes the animal to suffer substantial and unjustifiable physical pain that extends for a period sufficient to cause considerable suffering or death.

- The crime of animal fighting is elevated to a Class C felony and expanded to include a person who knowingly: (1) breeds, buys, sells, or offers for sale any animal with the intent that the animal will be used for fighting; (2) participates in, advertises, or performs a service in the furtherance of an animal fight; (3) transports spectators to an animal fight or accepts payment for admission to an animal fight; (5) uses a place, or allows a place to be used, for animal fighting; (6) serves as a stakeholder for money wagered on an animal fight; and (7) takes or receives a stray or pet animal with the intent of using the stray animal or pet animal for animal fighting or for training or baiting for animal fighting.
- For the purposes of the crime of animal fighting, "animal" is defined to mean a dog or male chicken.

ESHB 1314: CREATING THE DOMESTIC VIOLENCE PREVENTION ACCOUNT

Prime Sponsor: Representative Dickerson

- An additional \$30 is charged for filing a petition for dissolution of marriage, legal separation, or declaration concerning the validity of marriage.
- \$24 of the increase must be transferred to the state Domestic Violence Prevention Account, which will be used for nonshelter community-based services for victims of domestic violence. The remaining \$6 of the increase will be retained by the county and will be used primarily for community-based services for victims of domestic violence.

SHB 1478: INCREASING PENALTIES FOR FAILURE TO SECURE A VEHICLE LOAD ON A PUBLIC HIGHWAY

Prime Sponsor: Representative Kagi

(SSB 5457 Senator Esser)

- Three levels of failure to secure a load to a vehicle are created, and those acts that rise to the level of first and second degree are made gross misdemeanors and misdemeanors respectively.
- Failure to secure a load in the first degree occurs when a person negligently fails to secure all or part of a load to his or her vehicle and, as a result, causes substantial bodily injury to another.
- Failure to secure a load in the second degree occurs when a person negligently fails to secure all or part of a load to his or her vehicle and, as a result, causes damage to the property of another. Other failures to secure a load to a vehicle, that do not rise to the level of first or second degree, continue to be designated as traffic infractions and are subject to monetary penalties.

2SHB 1542: PROVIDING INDIGENT DEFENSE SERVICES

Prime Sponsor: Representative Lantz

(SB 5531 Senator Kline)

- The Office of Public Defense is authorized to disburse appropriated funds to counties and cities for public defense services. 90 percent of the appropriated funds will go to eligible counties on a formula basis, and 10 percent will go to no more than five eligible cities on a grant basis.
- Standards for the delivery of public defense services are established.

**Signed by the Governor*

HB 1668: CHANGING PROVISIONS RELATING TO THE ADMINISTRATIVE OFFICE OF THE COURTS

Prime Sponsor: Representative Lantz

- The name of the Office of the Administrator for the Courts is changed to the Administrative Office of the Courts.

- The administrator of the courts is appointed directly by the supreme court.
- The duties of the administrator are amended to include using state funds to improve the operation of the courts and providing support for court coordinating councils.
- The objective workload analysis is used to determine the need for new superior court judicial positions.

SHB 1687: REVISING PROVISIONS CONCERNING POSSESSION OF FIREARMS BY PERSONS FOUND NOT GUILTY BY REASON OF INSANITY

Prime Sponsor: Representative Moeller

- A verdict of not guilty by reason of insanity is considered the same as a verdict of guilty for purposes of a person's right to possess a firearm or a concealed pistol license.
- A person who has been involuntarily committed for mental health treatment and is applying for restoration of his or her right to possess a firearm must show by clear, cogent, and convincing evidence that he or she does not present a substantial danger to the safety of others.

SHB 1699: REGULATING AGREEMENTS FOR THE PURCHASE AND SALE OF REAL ESTATE

Prime Sponsor: Representative Lantz

- The statute guaranteeing enforcement of liquidated damages clauses is expanded to include all liquidated damages provisions in both residential and commercial real estate transactions.
- The statutory requirements that liquidated damages clauses in earnest money agreements be initialed by the parties and contain specific language in typeface no smaller than other text provisions are eliminated.

SHB 1747: ADMINISTERING THE STATE-FUNDED CIVIL REPRESENTATION OF INDIGENT PERSONS

Prime Sponsor: Representative Wood

(SB 5685 Senator Kline)

- The administration and oversight of state-funded civil legal services is moved from the Department of Community, Trade, and Economic Development to a newly created independent agency of the judicial branch called the Office of Civil Legal Aid.
- The Civil Legal Aid Oversight Committee is created and consists of four legislators and other appointed members.

**Signed by the Governor*

HB 1769: AUTHORIZING JURY SOURCE LISTS TO BE DIVIDED BY JURY ASSIGNMENT AREA

Prime Sponsor: Representative P. Sullivan

(SB 5691 Senator Esser)

- Counties with more than one superior court facility, and separate case assignments for each facility, may have a jury source list divided into assignment areas.
- The boundaries of the jury assignment areas will be designated by the Administrative Office of the Courts.

HB 1837: PROVIDING FOR CHILD WITNESSES

Prime Sponsor: Representative Rodne

- The statute authorizing testimony by a child victim to be given via closed-circuit television outside of the presence of the defendant is expanded to include testimony by a child witness who is not the victim of the crime.
- The testimony must describe sexual or physical abuse of another child by another person or a violent

offense committed by, or against, a person known by, or familiar to, the child witness.

EHB 1848: ADDRESSING CONSTRUCTION DEFECT DISPUTES INVOLVING MULTIUNIT RESIDENTIAL BUILDINGS

Prime Sponsor: Representative Springer

- Building enclosure design documents must be submitted with any application for a building permit for the construction of a multiunit residential building.
- Inspection provisions apply to construction for which an initial or rehabilitative building permit is issued on or after August 1, 2005.
- Every condominium conversion requires an intrusive inspection of the building envelope with testing for construction quality and for water penetration. Any recommended repairs must be completed before the condominium units are sold.
- New dispute resolution provisions of the Washington Condominium Act apply to lawsuits filed and served on or after August 1, 2005.

HB 1872: REVISING PROVISIONS RELATING TO IGNITION INTERLOCK DEVICES

Prime Sponsor: Representative Ericks

- It is a gross misdemeanor for a person, who is required to use an ignition interlock, to tamper with the device or request or direct another person to tamper with the device.

SHB 1934: INCREASING PENALTIES FOR ASSAULTING A PEACE OFFICER WITH A STUN GUN

Prime Sponsor: Representative Lovick

- The crime of assault in the third degree includes assault of a peace officer with a projectile stun gun.
- A committee is created to review the sale and use of projectile stun guns in Washington. The committee report is to be delivered to the legislature no later than December 31, 2005.

E2SHB 2015: REVISING THE SPECIAL DRUG OFFENDER SENTENCING ALTERNATIVE

Prime Sponsor: Representative Kagi

- Courts have the option of sentencing a nonviolent offender with a substance abuse addiction to either the current Drug Offender Sentencing Alternative (DOSA) or a new community-based DOSA.
- An offender must not have been convicted of a violent offense in the last 10 years to be eligible for either DOSA sentence.
- A motion for either DOSA sentence may be made by the court, the offender, or the state.
- If a community-based DOSA sentence is ordered, the court imposes a term of community custody equal to one-half of the midpoint of the standard sentence or two years, whichever is greater.

HB 2028: REGARDING THE ADVISORY COMMITTEE OF THE OFFICE OF PUBLIC DEFENSE

Prime Sponsor: Representative Kagi

(SB 5928 Senator Haugen)

- The appellate judge appointed to the advisory committee of the Office of Public Defense may, during the term of his or her appointment, serve as an appellate judge on a pro tem basis.

**Signed by the Governor*

ESHB 2126: PROVIDING A STATEMENT OF RIGHTS FOR DEPENDENT PERSONS WHO ARE VICTIMS OR WITNESSES

Prime Sponsor: Representative Lantz

- Rights are enumerated for dependent persons who are victims or witnesses of crimes.
- Prior to trial, the court may allow the prosecutor or defense to take a videotape deposition of the dependent person if it is likely that the person will be unavailable to testify at trial.

SHB 2173: ADOPTING THE SERVICE MEMBERS' CIVIL RELIEF ACT

Prime Sponsor: Representative Serben

(SB 6028 Senator Benson)

- The Washington Service Members' Civil Relief Act is created.
- The provisions apply to all Washington civil court or agency proceedings in which the service member, or a service member's dependant, is the defendant.
- The Act provides rights and procedures for default judgments, stays of proceedings, and the enforcement of contract rights.

ESHB 2266: CONCERNING ACCESS TO CERTAIN PRECURSOR DRUGS

Prime Sponsor: Representative Campbell

- Products containing ephedrine, pseudoephedrine, or phenylpropanolamine must be kept in a central location accessible only to store employees.
- Purchasers must show picture identification and must be over eighteen years of age.
- Purchasers may only buy two packages in a single transaction and in any twenty four hour period.
- The Board of Pharmacy conducts a statewide pilot project regarding the use of logs or other means of recording transactions.

LABOR, COMMERCE, RESEARCH & DEVELOPMENT

786-7426

ESSB 5002: MARKETING, OFFERING, OR SELLING CAMPING RESORT CONTRACTS

Prime Sponsor: Senator Regala

- A camping resort contract can only be marketed, offered, or sold in this state, or to a resident of this state, if the contract is registered with the Department of Licencing (DOL).
- The sale of resale camp resort contracts requires that the contract be registered with the DOL. However, the sale of up to three resale private party camping resort contracts are not required to be registered.

**Signed by the Governor*

ESB 5087: PROVIDING FOR A REVIEW AND UPDATE OF THE BEST PRACTICES AUDIT OF COMPENSATION AND EMPLOYMENT FOR PART-TIME FACULTY IN TECHNICAL AND COMMUNITY COLLEGES

Prime Sponsor: Senator Kohl-Welles

- The Best Practices Task Force is reconvened by the State Board for Community and Technical Colleges (SBCTC) to review and update the 1996 best practices audit of compensation and conditions of employment for part-time faculty.
- The task force must report its findings to the SBCTC by December 1, 2005.
- The SBCTC must use the best practices principles in developing its biennial budget requests.

**Signed by the Governor*

SSB 5097: PROVIDING FOR APPRENTICESHIP UTILIZATION REQUIREMENTS ON PUBLIC WORKS PROJECTS

Prime Sponsor: Senator Kohl-Welles

(HB 1028 Representative Conway)

- Apprentices must perform at least 15 percent of the labor hours on certain public projects.
- The 15 percent requirement does not apply to contracts awarded by four-year higher education institutions, the Department of Transportation, or agencies headed by a separately-elected state-wide public official other than the Governor.

**Signed by the Governor*

SSB 5182: REQUIRING DISCLOSURES FOR SINGLE BURIAL USE OF MULTIPLE INTERMENT SPACE

Prime Sponsor: Senator Franklin

- A written disclosure requirement must be used for all purchases of property, merchandise, and services from a cemetery, as well as a disclosure of multiple interment burial spaces where applicable.

ESB 5194: INCLUDING THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACCOUNT WITHIN THE WASHINGTON INSURANCE GUARANTY ASSOCIATION

Prime Sponsor: Senator Franklin

(SHB 1196 Representative Kirby)

- A new account is added to the Washington Insurance Guaranty Association for Longshore and Harborworkers' Compensation Act Insurance (USL&H).
- The collection of a pre-insolvency assessment continues post-insolvency. Beginning July 1, 2005, and following an insolvency, USL&H insurers are assessed an amount determined by the board of directors,

but not to exceed 3 percent of net direct written premiums.

- Assessments paid by insurers prior to an insolvency continues until a net fund balance is established that equals 4 percent of the aggregate net direct premium for the calendar year preceding the assessment on all insurers authorized to write such policies.

**Vetoed because HB 1196, the companion bill was signed by the Governor.*

SB 5274: ESTABLISHING A TRAINEE REAL ESTATE APPRAISER CLASSIFICATION

Prime Sponsor: Senator Keiser

(SHB 1375 Representative Kenney)

- Creates a registration program for real estate appraiser trainees, and provides for supervision of new entrants in the appraiser profession.

ESB 5381: AUTHORIZING AN INDEPENDENT, NONPROFIT WASHINGTON ACADEMY OF SCIENCES

Prime Sponsor: Senator Kohl-Welles

(HB 1662 Representative Kenney)

- Directs the presidents of the University of Washington and Washington State University to serve as co-chairs of an organizing committee to create a Washington Academy of Sciences (Academy) and file articles of incorporation by April 30, 2007.
- Establishes the purpose of the Academy as an independent organization that serves as the principal source of scientific investigation, examination, and reporting on scientific questions referred to it by the Governor and the legislature.

E2SSB 5581: ESTABLISHING THE LIFE SCIENCES DISCOVERY FUND AUTHORITY

Prime Sponsor: Senator Brown

(2SHB 1623 Representative Sommers)

- Creates the Life Sciences Discovery Fund Authority (Authority) as an agency of the state. Vests the powers of the Authority in a board of trustees, consisting of seven gubernatorial appointees and four legislative appointees.
- Directs the legislature to transfer amounts received as Strategic Contribution Payments under the tobacco settlement to the Life Sciences Discovery Fund. Empowers the Authority to leverage public moneys in the Life Sciences Discovery Fund with amounts received from other public and private sources, in order to promote life sciences research.
- Authorizes the Authority to make grants from the non-appropriated Life Sciences Discovery Fund for the promotion of life sciences research to be conducted in the state.

ESSB 5720: PLACING LIMITATIONS ON EMPLOYEE NONCOMPETITION AGREEMENTS IN THE BROADCASTING INDUSTRY

Prime Sponsor: Senator Keiser

- If a broadcasting industry employee, subject to an employee noncompetition agreement, is terminated without just cause or is laid off, the noncompetition agreement is null and void.

**Signed by the Governor*

SSB 5752: CONCERNING FUNERAL SERVICES

Prime Sponsor: Senator Prentice

- Makes technical, clarifying, and substantive changes to the funeral, cemetery, and vital records statutes.
- Creates an academic internship at funeral establishments and terminates apprenticeships, and creates

application requirements for examinations.

- Changes the makeup of the Cemetery Board, creates investment requirements, and changes the rights to unoccupied cemetery spaces.
- Consolidates the right to control the disposition of human remains, creates a Cemetery Account in the State Treasury, and alters the vital records and filing requirements of the existing law.

SSB 5850: CLARIFYING THE DEFINITION OF "SICK LEAVE" FOR FAMILY LEAVE

Prime Sponsor: Senator Spanel

- For an employee who does not have paid time off for illness, the term "sick leave or other paid time off" in the Family Care Act also means time allowed to an employee under a disability policy as long as the policy is not covered by the Employee Retirement Income Security Act of 1974 and the disability policy is not established or maintained through the purchase of insurance.

SSB 5951: AFFORDING CERTAIN INFORMATION HELD BY THE HORSE RACING COMMISSION THE SAME PROTECTION FROM PUBLIC INSPECTION AS OTHER REGULATED ENTITIES

Prime Sponsor: Senator Rasmussen

(SHB 2071 Representative Cody)

- Financial information relating to an application to be licensed by the Horse Racing Commission as an advance deposit wagering service provider is exempted from public inspection.
- The exemption is the same as an existing exemption for liquor, gambling, and lottery retail license.

ESSB 5952: EXEMPTING TRANSPORT OF PERSONS AT HORSE RACES FROM LICENSING

Prime Sponsor: Senator Jacobsen

(HB 2072 Representative Simpson)

- Trams used for transporting people to and from the parking lots to horse race facilities are exempt from vehicle licensing requirements.
- This exemption must be in conformance with federal law and the tram operator must be an appropriately licensed driver and at least 18 years old.

SSB 5953: AUTHORIZING CLASS 1 RACING ASSOCIATIONS TO CONDUCT HANDICAPPING CONTESTS

Prime Sponsor: Senator Jacobsen

(SHB 2070 Representative Cody)

- The Horse Racing Commission (HRC) is authorized to establish rules for the conduct of handicapping contests by a Class 1 racing association.
- Emerald Downs in Auburn is currently the only Class 1 racing association in Washington.
- Handicapping contests complying with HRC rules are not regulated by the Gambling Act.

SSB 5992: MODIFYING SELF-INSURER ASSESSMENTS UNDER THE SECOND INJURY FUND

Prime Sponsor: Senator Kohl-Welles

(HB 2109 Representative Conway)

- Requires experience rating of industrial insurance Second Injury Fund assessments for self-insurers beginning on July 1, 2009, with a contingent expiration date, depending on the outcome of a study.
- Requires the Department of Labor and Industries to study the outcomes of injured workers potentially impacted by the experience rating requirement, and if certain outcomes show a negative impact of 15 percent or more, the experience rating requirement expires June 30, 2013.

SSB 6014: CONCERNING INDUSTRIAL INSURANCE CLAIMS MADE DUE TO DISASTER RESPONSE

Prime Sponsor: Senator Kline

- Specifies that the costs of industrial insurance benefits paid to non-government workers injured while assisting in the life and rescue phase of emergencies are: (1) reimbursed from the Disaster Response Account to the appropriate state workers' compensation fund or self-insured employer; and (2) not charged to the state fund employers' experience rating.

SCR 8407: ESTABLISHING A JOINT TASK FORCE TO STUDY THE PERFORMANCE OF STATE CONTRACTS OUTSIDE THE UNITED STATES.

Prime Sponsor: Senator Shin

- An 8-member joint legislative task force is created to study the performance of state contracts outside the United States.
- Some of the issues the task force is to evaluate include: The extent to which the performance of state contracts outside the United States results in the creation or loss of family-wage or other jobs; the degree to which the performance of contracts inside and outside the United States helps Washington's economy and its companies remain competitive globally; and the extent to which the performance of state agency contracts in whole or in part outside the United States creates a need for adjustment assistance and retraining programs to ensure that Washington's business climate, its employers, and its workers remain competitive globally.
- The task force is to consult with, be monitored and advised by an eight member advisory committee consisting of three members representing labor, three members representing business, one member representing the office of the Washington State trade representative, and one member representing the public.
- The findings and recommendations of the joint task force must be reported to the legislature by January 1, 2006.

ESHB 1031: PROVIDING LONG-TERM FUNDING FOR PROBLEM GAMBLING

Prime Sponsor: Representative Conway

(2SSB 5037 Senator Prentice)

- A business and occupation (B&O) tax is imposed on the "net win" (total wagers less prizes paid) received by licensed gambling entities and parimutuel horse racing. A transfer of funds from the state lottery at the same rate is also mandated.
- The tax goes into effect on July 1, 2005, at the rate of 0.10 percent of the net win. After June 30, 2006, the rate is 0.13 percent.
- The amount raised by the B&O tax, and the transfer from the state lottery, must be used to fund a treatment program, administered by the Department of Social and Health Services, for problem and pathological gamblers.
- The Gambling Commission is prohibited from imposing a fee for the same purpose while the tax is in effect.

HB 1141: CHANGING THE EXPIRATION DATE OF THE WASHINGTON REAL ESTATE RESEARCH ACCOUNT

Prime Sponsor: Representative Conway

- Extends the Department of Licensing's authority to collect a \$10 fee from real estate licensees to fund the Washington Center on Real Estate Research's activities for five additional years.

SHB 1196: INCLUDING THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACCOUNT WITHIN THE WASHINGTON INSURANCE GUARANTY ASSOCIATION

Prime Sponsor: Representative Kirby

(ESB 5194 Senator Franklin)

- Creates a new account for United States Longshore and Harbor Workers (USL&H) workers compensation claims in the Washington Insurance Guaranty Association (WIGA).
- Assesses USL&H insurers beginning July 1, 2005, to begin funding the account. Assesses the USL&H insurers if there is an insolvency.
- Allows WIGA to seek a loan from the USL&H Assigned Risk Plan or other parties.

**Signed by the Governor*

SHB 1310: REQUIRING MANDATORY ELECTRONIC DATA REPORTING UNDER TITLE 51 RCW FOR WORKERS' COMPENSATION SELF-INSURERS

Prime Sponsor: Representative Hudgins

(SSB 5237 Senator Keiser)

- Requires the Department of Labor and Industries to establish an electronic system for reporting self-insurance claim data, which self-insurers will be required to use beginning July 1, 2008.

**Signed by the Governor*

HB 1312: MODIFYING THE BOILERS AND UNFIRED PRESSURE VESSEL LAW

Prime Sponsor: Representative Wood

(SB 5238 Senator Kohl-Welles)

- In accordance with nationally-recognized standards, certain types of boilers and unfired pressure vessels are exempted from regulation and/or inspection by the Department of Labor and Industries.
- Provisions relating to reports filed by, and examinations taken by, inspectors are modified.
- Procedures for appealing decisions of the Board of Boiler Rules are modified.

**Signed by the Governor*

SHB 1379: REQUIRING THE LIQUOR CONTROL BOARD TO IMPLEMENT A RETAIL BUSINESS PLAN TO IMPROVE EFFICIENCY AND INCREASE REVENUE

Prime Sponsor: Representative Grant

(SSB 5487 Senator Keiser)

- By September 1, 2005, the Liquor Control Board (LCB) is to select 20 retail liquor stores to open for at least five hours on Sundays. The stores chosen must be those expected to gross the most sales on Sundays.
- In choosing the 20 liquor stores to open on Sunday, the LCB must consider, among other factors, the location of the liquor store in proximity to places of worship, schools, and public institutions.

HB 1396: REQUIRING CONTINUING EDUCATION FOR LAND SURVEYORS

Prime Sponsor: Representative Williams

(SB 5117 Senator Parlette)

- Requires registered land surveyors to obtain at least 15 hours of continuing professional development per year.

**Signed by the Governor*

ESHB 1401: REGULATING FIRE SAFETY

Prime Sponsor: Representative Simpson

- Nightclubs are required to be equipped with automatic sprinkler systems by December 1, 2007.
- A nightclub is a facility, other than a fixed-seat theater, that has an occupancy load of more than 100 people; receives its revenue primarily from cover charges and sales of beverages consumed on the premises; and provides live entertainment by paid performing artists or a disc jockey who conducts recorded music.
- Owners of buildings required to install automatic sprinkler systems in nightclubs are eligible for a 10-year property tax exemption on the increased value resulting from the installation of the sprinkler system.

**Signed by the Governor*

HB 1409: REVISING PROVISIONS RELATING TO CONTRACT LIQUOR STORES

Prime Sponsor: Representative Condotta

(SB 5379 Senator Kohl-Welles)

- Changes references in state liquor laws from "agencies and vendors" to "contract liquor stores and contract liquor store managers."

**Signed by the Governor*

SHB 1431: AUTHORIZING LICENSEES AND MANAGERS TO CONDUCT COURSES OF INSTRUCTION ON BEER AND WINE AND FURNISH BEER AND WINE SAMPLES

Prime Sponsor: Representative Wood

- Permits the holders of beer and wine restaurant liquor licenses and spirits, beer, and wine restaurant liquor licenses or their managers to conduct courses of instruction regarding beer, wine, and spirits, as applicable, for their employees, and provide samples of beer, wine, and spirits, as applicable, as part of the course of instruction.

**Signed by the Governor*

SHB 1496: AUTHORIZING THE USE OF ENROLLMENT CARDS ISSUED BY FEDERALLY RECOGNIZED INDIAN TRIBES

Prime Sponsor: Representative Simpson

(SSB 5566 Senator Hargrove)

- Enrollment cards from federally recognized Indian tribes in Washington are added to the list of identification documents that a person can use to buy liquor and tobacco, provided the card incorporates security features comparable to those implemented by the Department of Licensing for driver's licenses.

HB 1557: EXPANDING MEMBERSHIP OF THE ELECTRICAL BOARD BY APPOINTMENT OF ONE OUTSIDE LINE WORKER

Prime Sponsor: Representative Conway

(SB 5550 Senator Hargrove)

- Adds an outside line worker to the electrical board as a voting member.
- An outside line worker is typically an employee of either an electric utility, or an electrical contractor

retained by a private owner-customer of the utility, who works on electrical transmission and distribution equipment outside of a building.

HB 1621: MODIFYING IDENTIFICATION REQUIREMENTS FOR LIQUOR PURCHASES

Prime Sponsor: Representative McDonald

- "Liquor control authority cards," which have not been issued by the Liquor Control Board since 1971, are deleted from the list of acceptable types of identification that may be used as proof of age when purchasing liquor.

**Signed by the Governor*

HB 1625: MODIFYING EMPLOYER DISCLOSURE OF EMPLOYEE INFORMATION

Prime Sponsor: Representative Clibborn

- An employer who, at the request of a prospective employer or employment agency, discloses information about a former or current employee, is presumed to be acting in good faith and is immune from civil liability for the disclosure if the information relates to: the employee's ability to perform his or her job; the employee's diligence, skill, or reliability in carrying out job duties; or illegal or wrongful acts committed by the employee when related to job duties.
- The presumption of good faith may be rebutted by clear and convincing evidence that the information disclosed was knowingly false, deliberately misleading, or made with reckless disregard for the truth.

**Signed by the Governor*

SHB 1636: ADOPTING A WAGE LADDER FOR CHILD CARE WORKERS

Prime Sponsor: Representative Pettigrew

(SSB 5684 Senator Kohl-Welles)

- Subject to the availability of funds appropriated for this specific purpose, the Department of Social and Health Services must establish a child care career and wage ladder in licensed child care centers that meet certain criteria.

SHB 1732: ALLOWING ADDITIONAL INDUSTRIAL INSURANCE BENEFITS WHEN SOCIAL SECURITY BENEFITS ARE REDUCED

Prime Sponsor: Representative Conway

- Requires the Department of Labor and Industries or self insurer, after a request and where appropriate, to recalculate an injured worker's compensation benefits and pay additional benefits to the worker if a reduction in federal social security disability benefits is made retroactively for a time period during which benefits were also reduced under Washington's industrial insurance law.

HB 1806: ENCOURAGING THE ETHICAL TRANSFER OF TECHNOLOGY FOR THE ECONOMIC BENEFIT OF THE STATE

Prime Sponsor: Representative Kenney

SSB 5811 Senator Kohl-Welles

- State universities, regional universities, the Spokane Intercollegiate Research and Technology Institute, the Washington Technology Center, and any other affiliated research or technology institutes may develop, adopt, and implement administrative processes that apply to the universities and their research employees in place of certain ethics laws for the purpose of technology transfer.

**Signed by the Governor*

SHB 1856: REQUIRING INDUSTRIAL INSURANCE FUND AUDITS

Prime Sponsor: Representative Conway

- Requires the Department of Labor and Industries (L&I) to prepare financial statements and financial information on the workers' compensation funds using specified standards.
- Requires the state auditor to conduct annual audits of the funds with regard to specified issues and make a report to the Governor, the legislature, the Office of Financial Management, and the director of L&I.
- Requires the director to respond to the state auditor report within 90 days.

EHB 1917: IMPROVING STABILITY IN INDUSTRIAL INSURANCE PREMIUM RATES

Prime Sponsor: Representative Conway

- Requires the Department of Labor and Industries (L&I), in setting workers' compensation premium rates, to set rates designed to attempt to limit premium fluctuations.
- After the state auditor issues an audit report (as provided in SHB 1856), the Workers' Compensation Advisory Committee is authorized to make recommendations to L&I concerning the contingency reserve level and, when surplus funds exist, the circumstances under which premium dividends or temporary rate reductions may be implemented.

SHB 1918: IMPLEMENTING A RECOMMENDATION OF THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE WITH REGARD TO INDUSTRIAL INSURANCE

Prime Sponsor: Representative Conway

- The Department of Labor and Industries (L&I) is required to develop an educational initiative to encourage prompt reporting of industrial insurance injuries by the worker to the employer and by the employer to the L&I, and to develop statutory recommendations for an alternative system of reporting by December 1, 2006.
- Health services providers are allowed to fax a worker's industrial insurance claim application to the L&I.
- Requires the L&I to notify the employer when it receives a claim application and to instruct a state fund employer to submit a report of accident.

**Signed by the Governor*

SHB 1945: PROVIDING ASSISTANCE IN IDENTIFYING RECALLED SPRINKLER SYSTEM PARTS

Prime Sponsor: Representative Holmquist

- Funds in the Fire Protection Contractor License Fund may be used to assist in publicizing and identifying fire sprinkler components that are subject to recall or voluntary replacement by the federal Consumer Product Safety Commission, a nationally recognized testing laboratory, or a fire sprinkler product manufacturer.

**Signed by the Governor*

EHB 2185: ESTABLISHING RESIDENCE MODIFICATIONS STANDARDS

Prime Sponsor: Representative Newhouse

- The director of the Department of Labor and Industries must adopt rules to establish standards for residence modification for catastrophically injured workers under the Industrial Insurance Act.
- The rules must at least use, as guidelines, the standards on adaptive residential housing adopted by the federal Department of Veterans Affairs.
- In determining the injured worker's needs, or whether a modification is medically necessary, substantial

weight must be given to the opinion of the worker's attending health services provider.

EHB 2255: MAKING ADJUSTMENTS TO IMPROVE BENEFIT EQUITY IN THE UNEMPLOYMENT INSURANCE SYSTEM

Prime Sponsor: Representative Conway

- Until July 1, 2007, weekly unemployment benefits for new claims are calculated using 3.85 percent of the claimant's average wages during the two quarters in the base year in which the wages were highest, and the requirement for liberal construction of the unemployment insurance system is restored.
- Through calendar year 2007, several adjustments are made in the social cost factor, including making the social cost factor rate zero for employers in certain agricultural, fishing, and food processing industries.
- The Joint Legislative Task Force in Unemployment Insurance Benefit Equity is established to review the unemployment insurance system, including whether: (1) the benefit structure is equitable; (2) the structure fairly accounts for changes in workforce and industry work patterns, including seasonality and claimant work patterns; (3) the tax structure equitably distributes taxes; and (4) the trust fund is adequate in the long-term.

**Signed by the Governor*

HB 2271: EXTENDING EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

Prime Sponsor: Representative Miloscia

- Extends the expiration date of the program that enhances employment opportunities for disadvantaged persons and persons with disabilities to December 31, 2009.

EHCR 4404: APPROVING THE 2004 UPDATE TO THE STATE COMPREHENSIVE PLAN FOR WORK FORCE TRAINING

Prime Sponsor: Representative Kenney

(SCR 8406 Senator Kohl-Welles)

- The legislature approves a report of the Workforce Training and Education Coordinating Board, identifying strategies to address the challenges the state faces in managing workforce programs, intended to: (1) match the needs of employers for skilled workers and the supply of state residents able to meet those needs; (2) enable workers to make transitions to opportunities in a changing economy; and (3) assist target populations in moving up the job ladder.

NATURAL RESOURCES, OCEAN & RECREATION

786-7419

**SB 5006: CONCERNING THE SALE OF AQUACULTURE PRODUCTS PRODUCED ON
LEASED STATE-OWNED AQUATIC LAND**

Prime Sponsor: Senator Jacobsen

- Aquaculture products, such as geoducks, grown on leased state lands may be sold by the leaseholder rather than having to be sold at public auction.

**Signed by the Governor*

SB 5227: CONCERNING WILDLIFE REPORTING REQUIREMENTS

Prime Sponsor: Senator Jacobsen

(HB 1212 Representative Uptegrove)

- The Washington Department of Fish and Wildlife (WDFW) may require persons to report the results of their efforts to harvest fish, shellfish, and wildlife.
- The WDFW may set an administrative penalty of up to \$10 for the failure to report the results of wildlife hunting activities. The WDFW may require hunters to pay this penalty before receiving a new hunting license.

**ESB 5355: MODIFYING PROVISIONS FOR SALMON AND STEELHEAD RECOVERY IN THE
LOWER COLUMBIA REGION**

Prime Sponsor: Senator Doumit

- The lower Columbia recovery group is authorized to oversee the habitat recovery effort for both salmon and steelhead.
- The group is extended to July 1, 2010.

ESSB 5396: EXPANDING THE CRITERIA FOR HABITAT CONSERVATION PROGRAMS

Prime Sponsor: Senator Fraser

(HB 1413 Representative Dunshee)

- Two new accounts are created within the Washington Wildlife and Recreation Program (WWRP) to provide funds for the protection of riparian areas and the preservation of farmlands. Within the existing WWRP accounts, which provide funds for habitat conservation and outdoor recreation areas, funding priorities are altered to provide additional moneys for projects on state owned lands.
- The criteria that the Interagency Committee for Outdoor Recreation must consider when choosing between grant applications is expanded to include a project's consistency with local land use planning requirements.
- Lands acquired by state agencies under the WWRP are subject to payments in lieu of local property taxes.

SSB 5539: ESTABLISHING THE VETERANS CONSERVATION CORPS

Prime Sponsor: Senator Jacobsen

- A veteran conservation corp is created to help veterans with posttraumatic stress disorder.
- The Department of Veteran Affairs (VA) and the Salmon Recovery Funding Board will work with veterans interested in working on salmon habitat recovery projects.
- The VA will prepare a report to the legislature on the program in December 2009.

SSB 5610: PROMOTING SALMON RECOVERY ON A REGIONWIDE BASIS

Prime Sponsor: Senator Jacobsen

- Salmon recovery regions are defined based on watershed areas and common salmon stocks.
- The Governor's Salmon Recovery Office must report to the legislature in 2006, 2008, 2010, and 2012.
- The Governor's Salmon Recovery Office is extended through 2007 and its duties are clarified.
- The Salmon Recovery Funding Board can use block grants with reporting on the grant use required on each grant.

ESSB 5699: PREVENTING AND CONTROLLING AQUATIC INVASIVE SPECIES AND ALGAE

Prime Sponsor: Senator Oke

(HB 1730 Representative Buck)

- An additional \$3 must be collected from every vessel, or watercraft, registration application to fund an aquatic invasive species prevention program in the Department of Fish and Wildlife, a freshwater algae control program in the Department of Ecology, and an aquatic invasive species enforcement program in the Washington State Patrol. The collection of the additional \$3 is set to end June 30, 2012.

SSB 5765: CONCERNING DUNGENESS CRAB PUGET SOUND FISHERY LICENSES

Prime Sponsor: Senator Spanel

- The number of Puget Sound Dungeness Crab license holders that can fish from one vessel is increased from one to two individuals.

**Signed by the Governor*

SB 5869: CONCERNING PLANTING OF CERTAIN TROUT

Prime Sponsor: Senator Swecker

- The Washington Department of Fish and Wildlife (WDFW) may purchase triploid trout to plant in the state's water bodies regardless of whether the costs of the program are recovered by the revenues generated from the program.
- The WDFW is provided permanent authority to determine which waters of the state are appropriate for the planting of triploid trout.

**Signed by the Governor*

SSB 5914: CONCERNING THE CONDITIONING OF GRANTS AND LOANS BY THE SALMON RECOVERY FUNDING BOARD

Prime Sponsor: Senator Parlette

- In order to transfer salmon restoration project lands between government agencies, the Salmon Recovery Funding Board may make changes in grant conditions if habitat protection is not negatively affected.

SB 6033: CREATING A WASHINGTON COASTAL DUNGENESS CRAB POT BUOY TAG PROGRAM

Prime Sponsor: Senator Doumit

- In order to provide a more orderly fishery, the Washington Department of Fish and Wildlife (WDFW) may charge fishers for buoy pot identification tags.
- The costs will be reviewed each year and the WDFW will pass on savings to the fishers.

SJM 8000: SUPPORTING THE ESTABLISHMENT OF THE ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL

Prime Sponsor: Senator Parlette

- The President of the United States and the United States Congress are asked to support and fund the Ice Age Floods National Geologic Trail proposed by the National Parks Service.

EHB 1003: ALLOWING OFF-ROAD VEHICLES ON NONHIGHWAY ROADS

Prime Sponsor: Representative Hinkle

- The operation of an off-road recreational vehicle (ORV) on a non-highway road is lawful where the relevant land manager authorizes such use. A non-highway road is a road built and maintained without the use of moneys from the motor vehicle fund.
- Operators of ORVs on non-highway roads are generally subject to minimum age and helmet requirements.
* *ESB 5089 is incorporated in its entirety into EHB 1003, as described below.*
- The Task Force on Off-Road Vehicle Noise Management is established to examine issues relating to off-road vehicle noise and to provide its findings and recommendations to the legislature by December 1, 2005.

HB 1128: CONCERNING THE REVOCATION AND SUSPENSION OF HUNTING AND FISHING PRIVILEGES

Prime Sponsor: Representative Nixon

(SB 5231 Senator Jacobsen)

- Certain infractions count towards the three violations in a ten-year period a person may incur before the Department of Fish and Wildlife must revoke and suspend their hunting and fishing privileges. Under prior law, only criminal convictions counted towards the suspension of hunting and fishing privileges.

SHB 1210: PROVIDING FOR TEMPORARY COMBINATION FISHING LICENSES

Prime Sponsor: Representative B. Sullivan

(SB 5226 Senator Jacobsen)

- Temporary combination fishing licenses are established, allowing residents and non-residents to purchase a license to fish for or possess fish, shellfish, and seaweed for between one and five days.

HB 1211: CONCERNING A MULTIPLE SEASON BIG GAME PERMIT

Prime Sponsor: Representative Blake

(SB 5225 Senator Jacobsen)

- The Department of Fish and Wildlife may hold drawings for the right to purchase a license to hunt deer or elk during multiple hunting seasons, such as archery, muzzleloader, and modern-firearms season. A multiple season big game permit costs \$150 for residents and \$1,500 for nonresidents.

**Signed by the Governor*

SHB 1214: CONCERNING FOOD FISH AND SHELLFISH COMMERCIAL LICENSE REQUIREMENTS

Prime Sponsor: Representative Blake

(SB 5233 Senator Doumit)

- The term "delivery," as it relates to the requirement to obtain certain food fish and shellfish commercial delivery licenses from the Department of Fish and Wildlife, is defined as "arrival at a place or port, and

includes arrivals from offshore waters to waters within the state and arrivals from state or offshore

waters."

**Signed by the Governor*

SHB 1313: CONCERNING BACKGROUND CHECKS AND FINGERPRINT IDENTIFICATION

Prime Sponsor: Representative O'Brien

(SB 5389 Senator Kohl-Welles)

- The Parks and Recreation Commission is required to establish background checks for job applicants, volunteers, and contractors who will have unsupervised contact with vulnerable populations and process monetary transactions.
** All but the intent section of SSB 5157 is incorporated into SHB 1313, as described below.*
- The automatic fingerprint identification systems used by local law enforcement agencies need no longer be compatible with the Washington State Patrol's system so long as local systems can interface with the state system using protocol accepted by the industry.

2SHB 1346: IMPROVING THE EFFICIENCY AND PREDICTABILITY OF THE HYDRAULIC PROJECT APPROVAL PROGRAM

Prime Sponsor: Representative Buck

- The laws relating to construction in state waters, which require a hydraulic project permit from the Department of Fish and Wildlife, are reorganized and all of the definitions are put in one place.

**Signed by the Governor*

HB 1405: EXTENDING THE TERM OF THE DISABLED HUNTER AND FISHERS ADVISORY COMMITTEE

Prime Sponsor: Representative Kretz

- The disabled hunter and fisher advisory committee is extended to July 1, 2008.

**Signed by the Governor*

SHB 1406: CONCERNING SPECIALIZED FOREST PRODUCTS

Prime Sponsor: Representative Buck

- "Specialty wood" is species of wood with special characteristics that may be used for making musical instruments or ornamental boxes.
- A specialized forest products permit is needed to harvest, possess, or transport this wood product.
- Specialty wood processors must make records of purchase and a bill of lading must accompany all cedar and specialty wood products after they are received by a processor.
- Law enforcement officers may seize equipment, vehicles, tools and paperwork at the time of an arrest. Such seized items will be returned if a conviction is not obtained.

SHB 1491: REORGANIZING AQUATIC LANDS STATUTES

Prime Sponsor: Representative B. Sullivan

(SB 5272 Senator Jacobsen)

- The aquatic land laws are reorganized and language is updated with no policy changes.

Partial Veto

ESHB 1631: USING REVENUES UNDER THE COUNTY CONSERVATION FUTURES LEVY

Prime Sponsor: Representative Clibborn

- Counties may use revenues from the conservation futures levy to acquire property, as well as for the maintenance and operation of any property acquired with funds from the levy.
- Counties may use up to 15 percent of conservation futures revenues for the maintenance and operation of parks and recreational land.
- Ferry County may offer a ballot proposal to determine whether the county may make a one-time reallocation of unspent conservation futures revenues for other government purposes.

HB 1657: CONCERNING THE CONSTRUCTION OF BRIDGES AND TRESTLES

Prime Sponsor: Representative Takko

(SB 5437 Senator Doumit)

- Municipalities may construct bridges across state owned aquatic lands without paying the Department of Natural Resources (DNR) for an easement.
- Municipalities are responsible for any natural resources damages to state owned aquatic lands and for the DNR's administrative costs in processing and approving an easement.

**Signed by the Governor*

HB 1695: MODIFYING THE DEFINITION OF "RESIDENT" FOR THE PURPOSES OF TITLE 77 RCW

Prime Sponsor: Representative Buri

- A person 18 years old or younger who lives outside of Washington State qualifies for the lower resident hunting and fishing license rates if they have a parent who is a Washington State resident.

**Signed by the Governor*

ESHB 1696: INCREASING PENALTIES FOR THE VIOLATION OF CERTAIN FISH AND WILDLIFE PROVISIONS

Prime Sponsor: Representative Blake

(SB 5683 Senator Oke)

- Penalties for big game hunting offenses and for spotlighting big game are increased.
- The Fish and Wildlife Enforcement Reward Account is created to fund the investigation of fish and wildlife violations and to reward persons who provide information in furtherance of these investigations.
- The maximum amount of security the Department of Fish and Wildlife (WDFW) may require a person to provide, in order to recover property seized by the WDFW, is increased from \$25,000 to \$100,000.

ESHB 1799: CREATING A TASK FORCE ON STATE PUBLIC RECREATIONAL LANDS AND PUBLIC SAFETY

Prime Sponsor: Representative B. Sullivan

(SB 5336 Senator Jacobsen)

- The Task Force on State Public Recreational Lands and Public Safety is created to review law enforcement issues in and around state parks and lands. The task force, which consists of 12 members, is temporary and must provide its recommendations to the legislature by December 15, 2005.

HB 1832: REQUIRING THE POSTING OF COUGAR INTERACTIONS WITH PETS, LIVESTOCK, OR HUMANS

Prime Sponsor: Representative Kretz

- Cougar interactions with humans, pets, or livestock will be posted on the Department of Fish and Wildlife's internet web site.

**Signed by the Governor*

E2SHB 1896: STUDYING GEODUCKS IN HOOD CANAL

Prime Sponsor: Representative Appleton

- The Department of Natural Resources is directed to conduct three studies of geoducks in Hood Canal to assist in finding solutions to declining water quality in parts of the canal.

HB 1958: EXTENDING CERTAIN LIMITED FISHERIES BUYBACK PROGRAMS

Prime Sponsor: Representative Buck

- The license buy back program for the sea urchin and sea cucumber fishery is extended to December 31, 2010.

**Signed by the Governor*

SHB 2081: CREATING AN AQUATIC REHABILITATION ZONE DESIGNATION AS A FRAMEWORK FOR HOOD CANAL RECOVERY PROGRAMS

Prime Sponsor: Representative Eickmeyer

- The aquatic rehabilitation zone designation is created for areas whose surrounding marine water bodies pose serious environmental or public health concerns.
- The watersheds that drain into Hood Canal are designated as an aquatic rehabilitation zone. This designation creates a statutory framework for future laws and programs to address the recovery of Hood Canal.
- The aquatic rehabilitation zone designation does not diminish or expand the effect of other statutes or programs.

ESHB 2097: ESTABLISHING A MANAGEMENT PROGRAM FOR HOOD CANAL REHABILITATION

Prime Sponsor: Representative Eickmeyer

- The development of a program for the rehabilitation of Hood Canal within the aquatic rehabilitation zone created in SHB 2081 is authorized.
- In developing the rehabilitation program, the Puget Sound Action Team (PSAT) and Hood Canal Coordinating Council (HCCC) must seek participation from other agencies and organizations with interests and expertise on the issues facing Hood Canal, including federal, tribal, and local governments.
- The PSAT and HCCC will co-manage the Hood Canal rehabilitation program developed.

TRANSPORTATION

786-7300

SB 5013: AUTHORIZING RV LOGOS ON HIGHWAY SIGN PANELS

Prime Sponsor: Senator Honeyford

** SSB 5013 is incorporated in its entirety into HB 1798.*

SSB 5058: MODIFYING FUEL TAX PAYMENT REQUIREMENTS

Prime Sponsor: Senator Haugen

- Requires fuel suppliers to remit state fuel tax payments to the state approximately two weeks sooner than they do under current law.
- Includes a provision allowing fuel distributors to pay fuel taxes to suppliers not later than seven business days before the new state due date.

ESSB 5060: REGULATING THE USE OF AUTOMATED TRAFFIC SAFETY CAMERAS

Prime Sponsor: Senator Haugen

- Grants specific authority to local governments to establish automated traffic safety camera systems to detect stoplight, railroad crossing, and school speed zone violations.

**Signed by the Governor*

SSB 5085: HOLDING CHILD CAR SEAT INSTALLERS HARMLESS FOR DAMAGES

Prime Sponsor: Senator Weinstein

- Provides limited liability protection to nationally certified child passenger safety technicians who, in good faith, provide inspection, adjustment, or educational services regarding child passenger restraint systems.

** A similar version of SSB 5085 is incorporated into ESHB 1475.*

SSB 5105: REGARDING CERTIFICATION OF ENTITIES REGULATED BY THE UTILITIES AND TRANSPORTATION COMMISSION

Prime Sponsor: Senator Swecker

- Allows the Utilities and Transportation Commission (UTC) to take action on certain transportation and solid waste industry certificates without a hearing, if the parties agree to waive the hearing.
- Allows the UTC to issue certificates to new applicants without a hearing if the existing certificate holder does not object.
- Allows the UTC to issue temporary certificates for up to 180 days to bus service or airporter service providers.

**Signed by the Governor*

ESB 5110: INCLUDING FOUR PUBLIC PORT DISTRICTS ON THE EXECUTIVE BOARD OF REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS

Prime Sponsor: Senator Rockefeller

(HB 1248 Representative Woods)

- Adds the four (rather than three) largest port districts as executive board voting members of certain regional transportation planning organizations.

ESSB 5121: ASSESSING LONG-TERM AIR TRANSPORTATION NEEDS

Prime Sponsor: Senator Keiser

(HB 1390 Representative Uptegrove)

- Requires the Washington State Department of Transportation (WSDOT) Aviation Division to conduct a statewide airport capacity and facilities assessment of existing airport facilities and passenger and air cargo transportation capacity, by July 1, 2006.
- Requires the WSDOT Aviation Division to conduct a statewide airport capacity and facilities market analysis to determine the state's aviation capacity needs for the next 25 years, by July 1, 2007.
- Establishes the Aviation Planning Council, composed of aviation stakeholders, to make recommendations regarding how best to meet the state's identified commercial and general aviation airport capacity needs.

SSB 5139: MODIFYING HIGHWAY AND BRIDGE TOLLING AUTHORITY

Prime Sponsor: Senator Haugen

- Statutes are modified to state more clearly that the Transportation Commission is the state toll authority and retains the ability to impose tolls and authorize the construction of toll roads except in the case where a regional transportation authority authorizes tolls by a majority of voters in the region.
- New tolls and tolled facilities must be specifically authorized by the legislature.
- Restrictions prohibiting tolling on several state bridges are repealed. Statutory provisions that relate to expired toll bond authorization are repealed.

SSB 5145: CREATING A BOATER SAFETY EDUCATION PROGRAM

Prime Sponsor: Senator Jacobsen

(HB 1852 Representative B. Sullivan)

- Requires the Parks and Recreation Commission to establish a phased-in boating safety education program so that all non-exempt boaters are required to obtain a boater card by January 1, 2016.
- Allows individuals who, prior to the effective date of the act, successfully completed a course substantially equivalent to the Commission-adopted standards to obtain a card without taking a new course or equivalency exam.
- Requires that, in order to operate a power boat with 15hp or greater, the operator must at least: (1) be 12 years old; and (2) possess a boater education card, or be supervised by someone 16 or older who has a card or who is not yet required to have a card under the phased-in program.

SSB 5150: CHANGING PROVISIONS CONCERNING MARINE PILOT LICENSING QUALIFICATIONS AND PROCEDURES

Prime Sponsor: Senator Haugen

- Requires the Board of Pilotage Commissioners to establish a comprehensive marine pilot training program to assist in the training and evaluation of pilot applicants before final licensing.
- Beginning July 1, 2008, pilot applicants may participate in the training program while at the same time seeking their federal pilotage endorsement.
- Provides certain liability protection to pilot trainees that is currently available to fully licensed pilots.

**Signed by the Governor*

SSB 5161: INCLUDING REPORTS OF DRIVING DISTRACTIONS IN ACCIDENT REPORTS

Prime Sponsor: Senator Eide

- The Washington State Patrol (WSP) must expand its traffic accident form, that is completed by an investigating officer, to include information disclosing whether any driver involved in an accident was

distracted at the time of the accident.

- Additionally, the WSP must include related statistical information in its yearly and monthly reports.

**Signed by the Governor*

SSB 5177: MODIFYING TRANSPORTATION BENEFIT DISTRICT PROVISIONS

Prime Sponsor: Senator Swecker

- Expands the authority of transportation benefit districts, which are special taxing districts established to finance certain transportation improvement projects.

SB 5181: ENSURING PROPER OWNERSHIP TO VEHICLE PARTS USED IN RECONSTRUCTION

Prime Sponsor: Senator Rasmussen

- The invoices shown at vehicle identification number inspections, used to establish the legality of the used replaced component parts used, must be from a Washington licensed vehicle wrecker or comparable business in a jurisdiction outside of Washington.
- Private individuals who sell used components or parts for rebuilt vehicles must have title to the vehicles from which the parts are taken.

**Signed by the Governor*

SSB 5207: LIMITING LIABILITY OF PORTS PROVIDING PILOTS

Prime Sponsor: Senator Doumit

- Provides that certain port districts located within the Grays Harbor pilotage district, authorized to provide pilotage services, are immune from liability for damages in excess of \$5,000 due to a pilot's actions.

**Signed by the Governor*

SSB 5230: ESTABLISHING THE WASHINGTON'S WILDLIFE LICENSE PLATE COLLECTION

Prime Sponsor: Senator Swecker

(HB 1217 Representative Ericksen)

- The Department of Licensing must issue a special license plate collection for vehicles displaying a symbol or artwork recognizing Washington's wildlife to include bear, deer, and elk.
- After reimbursement of implementation costs, the revenue must be deposited into the state wildlife account and may only be used for the Department of Fish and Wildlife's game species management activities.

**Signed by the Governor*

SB 5267: CLARIFYING THE ABILITY OF WASHINGTON STATE PATROL OFFICERS TO ENGAGE IN PRIVATE LAW ENFORCEMENT OFF-DUTY EMPLOYMENT IN PLAINCLOTHES FOR PRIVATE BENEFIT

Prime Sponsor: Senator Haugen

(HB 1232 Representative O'Brien)

- Washington State Patrol officers may engage in private law enforcement off-duty employment in plain clothes, under guidelines adopted by the chief of the state patrol.

**Signed by the Governor*

SSB 5316: AUTHORIZING STATE PARKS AND RECREATION COMMISSION LICENSE PLATES.

Prime Sponsor: Senator Jacobsen

(HB 1339 Representative Hudgins)

- The Department of Licensing must issue a special license plate for vehicles displaying a symbol or artwork recognizing the efforts of state parks and recreation in Washington State.
- After reimbursement of implementation costs, the revenue must be deposited into the State Parks Education and Enhancement Account and may only be used to provide public educational opportunities and enhancement of Washington State parks.

**Signed by the Governor*

SB 5321: REGULATING DISCLOSURE OF ADDRESSES OF VEHICLE OWNERS

Prime Sponsor: Senator Haugen

(HB 1298 Representative O'Brien)

- When both a residential and mailing address are on file for vehicle registrations with the Department of Licensing, only the mailing address may be disclosed unless the request for information is from the courts, a law enforcement agency, or a government entity with enforcement, investigative, or taxing authority.

SB 5356: MODIFYING THE ALIGNMENT OF STATE ROUTE NUMBER 290

Prime Sponsor: Senator Brown

(HB 1342 Representative Wood)

- Realigns SR 290. SR 290 would begin at I-90 instead of SR 2. That portion of the road that is no longer part of SR 290 can be transferred to the City of Spokane.

**Signed by the Governor*

SSB 5414: ADJUSTING AVIATION FEES AND TAXES

Prime Sponsor: Senator Haugen

- Increases the aviation fuel tax by 1 cent to 11 cents per gallon.
- Repeals the pilot and airman/airwoman registration requirement.
- Repeals the dedicated Aircraft Search and Rescue, Safety, and Education Account.
- Defines "air carrier" for the purpose of clarifying which commercial aircraft are subject to the aviation fuel tax exemption.

ESB 5423: REGULATING SPECIAL LICENSE PLATES

Prime Sponsor: Senator Haugen

- The Department of Licensing (DOL) must offer accessible parking emblem versions of special license plates to persons with disabilities for both personalized license plates and special plates that are personalized.
- DOL must offer personalized special license plates.
- The special license plate application requirements for an organization are changed to require that an applicant must provide 3,500 signatures with prepayment to the Special License Plate Review Board (SLPRB).
- The SLPRB is prohibited from accepting or approving any applications until June 1, 2007, and the legislature may not enact a special plate during this time unless the plate has been approved by the SLPRB before February 15, 2005.

SB 5424: AUTHORIZING THE "WASHINGTON LIGHTHOUSES" SPECIAL PLATE

Prime Sponsor: Senator Haugen

(HB 2001 Representative Bailey)

- The Department of Licensing (DOL) must issue a special license plate for motor vehicles displaying a symbol or artwork recognizing an organization which supports selected Washington State lighthouses and environmental education programs.
- After reimbursement of the implementation costs, the revenue must be deposited into the Lighthouse Environmental Programs Account established under this bill.

**Signed by the Governor*

SSB 5463: ALLOWING SMALL APPURTENANCES ON RECREATIONAL VEHICLES

Prime Sponsor: Senator Doumit

- Motor homes, travel trailers, and campers may have appurtenances up to four inches beyond the vehicle body, unless it is an awning in which case it may extend up to six inches beyond the vehicle body.
- An appurtenance is an appendage installed by a factory or vehicle dealer and intended to be an integral part of the vehicle. An appurtenance is not a temporarily fixed item, an item for the purpose of transporting another item, or any item that obstructs the driver's rearward vision.

ESB 5513: RESTRUCTURING CERTAIN TRANSPORTATION AGENCIES

Prime Sponsor: Senator Haugen

(HB 1642 Representative Murray)

- Restructures various state transportation agencies as follows: (1) requires the Governor to appoint the Secretary of Transportation; (2) dissolves the Legislative Transportation Committee; (3) revises the composition of the Transportation Performance Audit Board; and (4) establishes the Joint Transportation Committee.

SB 5518: INCREASING CERTAIN FEES OF LICENSING SUBAGENTS

Prime Sponsor: Senator Eide

(HB 1582 Representative O'Brien)

- The subagent service fee for changes in certificate of ownership, verification of record and preparation of an affidavit of lost title is increased from \$8.50 to \$10.00.
- The subagent service fee for renewing a registration, issuing a transit permit, or other services is raised from \$3.50 to \$4.00.

SSB 5584: AUTHORIZING A CUSTOMER FACILITY CHARGE ON RENTAL CAR CUSTOMERS TO FINANCE CONSOLIDATED RENTAL CAR FACILITIES

Prime Sponsor: Senator Jacobsen

(HB 1596 Representative O'Brien)

- Municipal airports are authorized to levy a user fee on rental car patrons at the airport for the purpose of building and operating a consolidated rental car facility and common use busing system.

**Signed by the Governor*

SSB 5709: EXEMPTING VEHICLES IN INACCESSIBLE NATIONAL RECREATION AREAS FROM LICENSE RENEWAL FEES

Prime Sponsor: Senator Parlette

- If a motor vehicle is operated solely within a national recreation area that is not accessible by a state highway, it is exempt from the annual registration renewal and associated fees after it has been initially registered.

**Signed by the Governor*

SSB 5729: EXPANDING CONSIDERATIONS IN SETTING FERRY FARES

Prime Sponsor: Senator Rockefeller

(SHB 1824 Representative Kilmer)

- Two factors are added that the Washington State Department of Transportation and the Transportation Commission may consider in formulating and adopting fare schedules: (1) the pre-purchase of multiple fares, whether for a single rider or multiple riders; and (2) frequent ferry users who live in ferry dependent communities.

SSB 5775: AUTHORIZING THE CREATION OF A SMALL CITY OR TOWN STREET AND SIDEWALK IMPROVEMENT PROGRAM

Prime Sponsor: Senator Mulliken

- Authorizes creation of the Small City Preservation and Sidewalk Account. The account would retain its own interest.
- State funds appropriated from the account must be used for small city or town pavement or sidewalk projects selected by the Transportation Improvement Board.
- Eligibility is restricted to cities and towns with populations of 5,000 or fewer residents.

**Signed by the Governor*

SSB 5832: AUTHORIZING THE "WASHINGTON'S NATIONAL PARK FUND" SPECIAL LICENSE PLATE

Prime Sponsor: Senator Jacobsen

(HB 1449 Representative Anderson)

- The Department of Licensing must issue a special license plate for vehicles displaying a symbol or artwork recognizing the efforts of Washington's national parks for future generations in Washington State.
- After implementation costs are reimbursed, the revenue must be deposited into the Washington National Park Fund established under this bill.

**Signed by the Governor*

SB 5833: AUTHORIZING SPECIAL LICENSE PLATES TO RECOGNIZE THE GONZAGA UNIVERSITY ALUMNI ASSOCIATION

Prime Sponsor: Senator Brown

(HB 1506 Representative Holmquist)

- The Department of Licensing (DOL) must issue a special license plate for vehicles displaying a symbol or artwork approved by the Special License Plate Review Board and the legislature, recognizing the efforts of Gonzaga University alumni association in Washington State.
- After implementation costs are reimbursed, the revenue must be deposited into the Gonzaga University Alumni Association Account established under this bill.

**Signed by the Governor*

ESB 5966: PROHIBITING VEHICLE IMMOBILIZATION

Prime Sponsor: Senator McCaslin

- "Immobilization" is defined as the use of a locking wheel boot that when attached to the wheel of a vehicle prevents the vehicle from moving without damage to the tire to which the locking wheel boot is attached.
- Property owners are prohibited from immobilizing any vehicles on their property unless they own the

vehicle. Exempted from this prohibition is local and state government.

- A violation of this act is a gross misdemeanor.

**Signed by the Governor*

SSB 5969: MODIFYING CITY AND TOWN USE OF STATE FUEL TAX DISTRIBUTIONS

Prime Sponsor: Senator Swecker

(HB 2035 Representative Wallace)

- Removes restrictions on the use of state fuel tax revenues distributed to cities and towns. Currently, cities with a population of less than 15,000 people are only allowed to use the funds for maintenance; not construction or preservation purposes.

**Signed by the Governor*

SB 5977: AUTHORIZING THE "WE LOVE OUR PETS" LICENSE PLATE

Prime Sponsor: Senator Oke

(HB 2091 Representative Lantz)

- The Department of Licensing (DOL) must issue a special license plate for vehicles displaying a symbol or artwork approved by the Special License Plate Review Board and the legislature recognizing the efforts of the Washington State federation of animal care and control agencies.
- After implementation costs are reimbursed, the revenue must be deposited into the We Love Our Pets Account established under this bill.

**Signed by the Governor*

ESB 6003: MODIFYING THE COMMUTE TRIP REDUCTION TAX CREDIT

Prime Sponsor: Senator Jacobsen

(HB 2258 Representative Murray)

- An application for the Commute Trip Reduction (CTR) tax credit must be submitted in January following the calendar year in which the company provided the CTR incentive.
- If the total amount of approved credits exceeds the total state limit, the Department of Revenue must proportionally reduce the credits for all applicants.
- After July 1, 2005, a tax credit may be carried over until it is used. Credits used in subsequent years are subject to the total state limit for the fiscal year for which the credit was originally approved.

SB 6012: MAKING TRANSPORTATION SERVICES AN AUTHORIZED PURPOSE FOR PARKING AND BUSINESS IMPROVEMENT AREAS

Prime Sponsor: Senator Spanel

(HB 2242 Representative Murray)

- The purposes for which a parking and business improvement area may be established are expanded to include the provision of transportation services for the benefit of the area.

**Signed by the Governor*

ESSB 6091: MAKING 2005-07 AND 2003-05 TRANSPORTATION APPROPRIATIONS

Prime Sponsor: Senator Haugen

(HB 2301 Representative Murray)

- Appropriations are made for state transportation agencies and programs for the 2005-07 fiscal biennium.
- Appropriations for various transportation agencies and programs are modified for the 2003-05 biennium.

ESSB 6103: FUNDING TRANSPORTATION PROJECTS

Prime Sponsor: Senator Haugen

- The state fuel tax rate is raised 3 cents July 1, 2005, 3 cents July 1, 2006, 2 cents July 1, 2007, and 1.5 cents July 1, 2008 for a total increase over four years of 9.5 cents.

- A weight fee is levied on vehicles that do not currently pay a weight fee to account for their impact on roadways. Affected vehicles include passenger vehicles, sport utility vehicles, light trucks, and motor homes. Annual vehicle weight fees for passenger vehicles are set at \$10 for vehicles up to 4,000 pounds, \$20 for vehicles between 4,000 and 6,000 pounds, and \$30 dollars for vehicles weighing between 6,000 and 8,000 pounds. Light trucks used for farm purposes are exempted from the weight fee. Motor homes are charged an annual flat weight fee of \$75.
- Certain Department of Licensing fees are adjusted to recover the cost of issuing various licenses and permits. Revenues that currently subsidize those costs are reallocated in the new expenditure package.
- License fees on small, personal use trailers are lowered from \$30 to \$15 annually.
- A new class of more flexible farm trip permit is also created.

HB 1002: RESTRICTING THE USE OF COMPRESSION BRAKES

Prime Sponsor: Representative Fromhold

- A vehicle equipped with compression brakes must have an operational muffler and exhaust system that limits compression brake noise. Compression brakes may still be used in an emergency without an operational muffler or exhaust system. Local jurisdictions may still impose additional limitations on the use of compression brakes.

SHB 1065: AUTHORIZING THE ARMED FORCES LICENSE PLATE COLLECTION

Prime Sponsor: Representative Hudgins

(SB 5096 Senator Jacobsen)

- Authorizes the Department of Licensing (DOL) to issue six special license plates displaying a design for each branch of service and the national guard. Only veterans, active duty military, and reservists may purchase the plates.
- DOL must also offer a decal indicating the military status of the person purchasing the license plate.
- Once DOL is reimbursed for implementation costs, the revenue generated from the sale of the plates is to be deposited into the Veterans Stewardship Account created under this bill.

SHB 1090: USING PICTOGRAMS IN TRANSPORTATION SIGNS

Prime Sponsor: Representative Hudgins

(SB 5394 Senator Prentice)

- Regional Transit Authorities (Sound Transit) and City Transportation Authorities (Seattle Monorail Authority) are to incorporate signs that are easily understood by the traveling public, including non-English speaking persons.
- The signage must employ graphics consistent with international guidelines and programs and must also employ pictograms as a means to identify stations.

**Signed by the Governor*

SHB 1097: CREATING THE "KEEP KIDS SAFE" LICENSE PLATE SERIES.

Prime Sponsor: Representative Schual-Berke

(SB 5104 Senator Regala)

- The Department of Licensing must issue a special license plate displaying a symbol or artwork recognizing efforts to prevent child abuse and neglect.
- An applicant for a "Keep Kids Safe" license plate must pay an initial fee of \$45 and a renewal fee each year thereafter of \$30. After the state has been reimbursed for the implementation costs, revenue must be deposited into the Children's Trust Fund.

**Signed by the Governor*

HB 1108: PROVIDING ADDITIONAL LIMITATIONS FOR VEHICLES PASSING PEDESTRIANS OR BICYCLISTS

Prime Sponsor: Representative Grant

- Requires a driver of a vehicle, approaching a pedestrian or bicycle from behind, to pass at a safe distance to the left to clearly avoid coming into contact with the pedestrian or bicyclist.
- Requires the driver to be safely clear of the overtaken pedestrian or bicyclist before returning to the driver's original position on the roadway.
- Prohibits a driver of a vehicle from driving on the left side of the roadway when a pedestrian or bicycle is within view of the driver and is approaching from the opposite direction, or is present, in the roadway, shoulder, or bicycle lane within a distance unsafe to the pedestrian or bicyclist.

SHB 1113: REGULATING TRAFFIC SIGNAL PREEMPTION DEVICES

Prime Sponsor: Representative Wallace

(SB 5115 Senator Shin)

- Criminalizes the unlawful possession, use, sale, or purchase of traffic signal preemption devices.
- Establishes the penalties based on whether the unlawful activity results in a traffic accident, "substantial bodily harm," or death.
- Provides exemptions for law enforcement and emergency personnel, maintenance personnel, public transit personnel, delivery personnel, and device manufacturers or retailers.

SHB 1116: AUTHORIZING A "SKI & RIDE WASHINGTON" LICENSE PLATE

Prime Sponsor: Representative Wallace

(SB 5143 Senator Weinstein)

- The Department of Licensing (DOL) must issue a special license plate for vehicles displaying a symbol or artwork recognizing the Washington snowsports industry.
- After the implementation costs are reimbursed, revenue must be deposited into the "Ski & Ride Washington" account established under this bill.

HB 1117: MODIFYING PROVISIONS FOR THE TRANSPORT OF FARM IMPLEMENTS ON HIGHWAYS

Prime Sponsor: Representative Ericksen

- The Washington State Department of Transportation is directed to work with other agencies to study the issue of overweight farming vehicles used for dairy nutrient management.
- Until the study is complete, certain farm implements that weigh up to 105,500 pounds, and are being used to comply with the Dairy Nutrient Management Act, may travel on city or county roads under certain conditions.
- A city or county may still restrict the movement of such vehicles.

** Partial Veto*

HB 1124: AUTHORIZING THE USE OF SIGNS, BANNERS, OR DECORATIONS OVER HIGHWAYS UNDER LIMITED CIRCUMSTANCES

Prime Sponsor: Representative Eickmeyer

- Allows signs, banners, or decorations over a highway, in an unincorporated area, that are at least 20 feet above the roadway, and do not interfere with any traffic control devices.
- The Department of Transportation must adopt rules to implement this change.

SHB 1179: AUTHORIZING A PILOT PROJECT FOR HIGH-OCCUPANCY TOLL LANES

Prime Sponsor: Representative Murray

(SB 5201 Senator Haugen)

- The Department of Transportation (DOT) is authorized to establish and operate a High-Occupancy Toll lane pilot project in the existing High-Occupancy Vehicle (HOV) lanes on State Route 167.
- Single occupancy vehicles would be allowed to buy access to the HOV lane through transponder based tolling technology thereby maximizing the capacity of existing lanes.
- Allows the DOT to move the project forward using a \$1.2 Million federal grant they've already received and, to pursue additional federal grant funds in an upcoming round of funding.

HB 1180: HARMONIZING VEHICLE SIZE LIMITS WITH FEDERAL RULES

Prime Sponsor: Representative Kilmer

(SB 5199 Senator Poulsen)

- Brings state regulations into compliance with federal regulations and gives the Washington State Department of Transportation rule-making authority to keep certain state regulations in compliance with federal regulations.

SHB 1181: FACILITATING SEALED OCEAN-GOING CONTAINER MOVEMENT

Prime Sponsor: Representative Flannigan

(SSB 5200 Senator Kastama)

- The Washington State Department of Transportation may enter into an agreement with a port authority to create a heavy haul corridor.
- In a heavy haul corridor international shipping containers are considered non-divisible, and therefore eligible for an overweight permit. Any heavy haul corridor created adjacent to Puget Sound in Pierce county (Port of Tacoma) must be limited to SR 509.

2SHB 1188: NEGOTIATING STATE PATROL OFFICER WAGES, WAGE-RELATED MATTERS, AND NONWAGE MATTERS

Prime Sponsor: Representative Murray

(SB 5208 Senator Haugen)

- The Washington State Patrol (WSP) may negotiate in matters of pay and wage level. For purposes of negotiating, the state must be represented by the Governor or the Governor's designee.
- Requests for funds necessary to implement the provisions of the bargaining agreement must be submitted to the Office of Financial Management (OFM) by October 1 and be certified by the director of OFM as being financially feasible or reflecting the decision of an arbitration panel in order for the Governor to include the request to the legislature.
- Provisions that are entered into before the legislature approves the funds necessary to implement the provisions must be conditioned upon the approval of such funds.

SHB 1216: PROVIDING FUNDING FOR WATCHABLE WILDLIFE ACTIVITIES BY CREATING THE "WILD ON WASHINGTON" LICENSE PLATES

Prime Sponsor: Representative Lovick

(SB 5228 Senator Jacobsen)

- The Department of Licensing must issue a special license plate displaying a symbol or artwork symbolizing wildlife viewing in Washington State.
- After the implementation costs are reimbursed, revenue must be deposited into the State Wildlife Account and proceeds credited to this fund must be dedicated to watchable wildlife activities.

SHB 1218: AUTHORIZING ENDANGERED WILDLIFE LICENSE PLATES.

Prime Sponsor: Representative B. Sullivan

(SB 5229 Senator Swecker)

- The Department of Licensing must issue a special license plate displaying a symbol or artwork for symbolizing endangered wildlife in Washington State.
- After the implementation costs are reimbursed, revenue must be deposited into the State Wildlife Account and may only be used for endangered wildlife activities.

HB 1232: CLARIFYING THE ABILITY OF WASHINGTON STATE PATROL OFFICERS TO ENGAGE IN PRIVATE LAW ENFORCEMENT OFF-DUTY EMPLOYMENT IN PLAINCLOTHES FOR PRIVATE BENEFIT

Prime Sponsor: Representative O'Brien

(SB 5267 Senator Haugen)

- Washington State Patrol officers may engage in private law enforcement off-duty employment in plain clothes, under guidelines adopted by the chief of the state patrol.

** Vetoed*

HB 1237: DESCRIBING SPECIALIZED COMMERCIAL VEHICLES USED FOR PATIENT TRANSPORTATION

Prime Sponsor: Representative Newhouse

(SB 5653 Senator Jacobsen)

- Clarifies when travel must occur in an ambulance or in an aid car for individuals who must travel in a prone or supine position.

EHB 1246: REQUIRING VEHICLE SOUND SYSTEM COMPONENTS TO BE SECURELY ATTACHED

Prime Sponsor: Representative Dunshee

- All vehicle sound system components must be securely attached to the vehicle so that they cannot become dislodged or loose during the operation of the vehicle; failure to do so is a traffic infraction, and enforcement may only be accomplished as a secondary action.
- The Traffic Safety Commission must, within their existing budget, create and implement a statewide educational program regarding the risks of unsecured vehicle sound system components.
- This act must be known as the "Courtney Amisson Act."

**Signed by the Governor*

HB 1254: AUTHORIZING THE "SHARE THE ROAD" SPECIAL LICENSE PLATE

Prime Sponsor: Representative Wood

(SB 5444 Senator Jacobsen)

- Authorizes the Department of Licensing (DOL) to issue a special license plate displaying a symbol or artwork that promotes bicycle safety and awareness education.
- Once DOL is reimbursed for implementation, then the revenue generated from the sale of this plate is to be deposited into the Share the Road Account created under this bill.
- The revenue from the Cooper Jones Share the Road emblem is to be deposited into the new Share the Road Account.

HB 1259: MAKING TECHNICAL CORRECTIONS TO CHAPTER 46.87 RCW

Prime Sponsor: Representative Wallace

(SB 5265 Senator Spanel)

- Technical corrections are made to the statutes relating to proportional registration.

HB 1260: ALLOWING RECIPROCAL WAIVER OF DRIVER'S LICENSE EXAMS

Prime Sponsor: Representative Jarrett

(SB 5264 Senator Haugen)

- The Department of Licensing (DOL) may waive the knowledge and/or skill exams for applicants who surrender a valid driver's license issued by the person's previous home state. Additionally, DOL may waive the knowledge and/or skill exams for applicants who provide verification of holding a valid driver's license from a foreign jurisdiction with which DOL has an informal reciprocal agreement.
- DOL may enter into an informal agreement with other foreign licensing jurisdictions to waive the driver license examination requirements, provided the jurisdiction has procedures in place to verify the validity of the driver's licenses it issues and the jurisdiction has agreed to waive all or any part of the driver's license requirements for a Washington State licensed driver applying for a license in that jurisdiction.

**Signed by the Governor*

SHB 1266: UPDATING LAWS ON DRUGS AND ALCOHOL USE BY COMMERCIAL DRIVERS

Prime Sponsor: Representative Murray

(SB 5263 Senator Haugen)

- Clarifies a reference to the Federal Code so that bus drivers are included in the reporting requirements.
- Requires that an employer only report a positive test for a bus driver under the following circumstances: (1) if the test was a preemployment test; or, (2) post employment after the driver has been terminated or has resigned, the grievance process has been concluded, and the driver has not been cleared to return to safety sensitive functions.
- Requires that a refusal to take a drug or alcohol test be considered equivalent to a report of a verified positive drug test or alcohol test.
- Requires that a disqualification of a commercial driver's license remain effective until the driver undergoes a drug or alcohol assessment by a substance abuse professional who meets federal requirements and offers proof of satisfactory participation in or completion of a drug or alcohol program as recommended.

HB 1381: ALLOWING VEHICLES WITH HYDRAULICS TO OPERATE ON PUBLIC ROADWAYS

Prime Sponsor: Representative Clements

- Allows the use of after-market hydraulics in a moving vehicle under certain conditions: The vehicle must be traveling less than 15 miles per hour; the speed limit on the road must be less than 25 miles per hour; and the tires may not leave the surface of the roadway.
- Also allows hydraulics to be used in a moving vehicle if the vehicle is participating in a permitted parade. These restrictions do not apply to vehicles with original, manufacturer-installed hydraulic systems.

SHB 1387: PROVIDING INVESTIGATIVE AND CORRECTIVE ACTION PROCEDURES FOR STATE PATROL OFFICERS INVOLVED IN VEHICLE ACCIDENTS

Prime Sponsor: Representative Nixon

- The Washington State Patrol (WSP) must continue to reform and review policies and procedures regarding WSP officers that are involved in vehicle accidents.
- The WSP must develop a process for tracking and reviewing accidents and must produce an annual report to be available for the legislature to review.
- The WSP must implement communication procedures for victims of accidents from the time of the accident until the investigative process has concluded.

- The WSP will present its proposed policies and procedures to the legislature, prior to the 2006 Legislative Session, and finalize them based on input from the legislature.
- This act may be known and cited as the "Brock Loshbaugh Act."

**Signed by the Governor*

SHB 1460: REGULATING COUNTY CONTRACTS FOR MARINE VESSELS

Prime Sponsor: Representative Green

- Counties may permit alternative forms of security in lieu of the bond in public works contracts for marine vessels. The county engineer may also authorize other liquid assets as security. Additionally, the county engineer may authorize a security amount less than the contract price as long as it covers 100 percent of the county's exposure to loss and an ordinance has been adopted that establishes a procedure for calculating the county's exposure to loss.

**Signed by the Governor*

HB 1469: CHANGING HEARING PROCEDURES FOR VIOLATIONS OF COMMERCIAL MOTOR VEHICLE LAWS, RULES, AND ORDERS

Prime Sponsor: Representative Lovick

(SSB 5436 Senator Haugen)

- The forum for the process to recover unpaid penalties from non-compliance violations discovered during terminal safety audits is changed from superior court to the Office of Administrative Hearings. The Attorney General is no longer required to bring these actions; the Washington State Patrol may begin the proceeding.

ESHB 1475: MODIFYING CHILD PASSENGER RESTRAINT PROVISIONS

Prime Sponsor: Representative Schual-Berke

- Requires children less than eight years old, when traveling in motor vehicles, to be restrained in child restraint systems, unless the child is four feet nine inches or taller.
- Requires children under 13 years old to be transported in the back seat positions, where it is practical to do so.
** SSB 5085 is incorporated into ESHB 1475, as described below.*
- Provides limited liability protection to nationally certified child passenger safety technicians that provide certain child restraint system installation services.

**Signed by the Governor*

SHB 1541: ENACTING THE TRANSPORTATION INNOVATIVE PARTNERSHIPS ACT

Prime Sponsor: Representative Murray

- The Transportation Innovative Partnerships Act authorizes private public partnerships for transportation projects and specifies that the Transportation Commission is responsible for rule-making and oversight of contract execution, while the Department of Transportation is responsible for evaluating proposals and negotiating contracts.
- Projects eligible for development include road and highway facilities, structures, operations, properties, vehicles, vessels, etc., that represent any mode of travel (except those that are primarily for recreational purposes); projects that are not transportation facilities, but that carry out public purposes or provide financing streams to a transportation project, are also eligible for development.

2SHB 1565: ADDRESSING TRANSPORTATION CONCURRENCY STRATEGIES

Prime Sponsor: Representative Jarrett

- Concurrency compliance improvements or strategies may include qualifying multimodal transportation improvements or strategies.
- Regional Transportation Planning Organization plans must include provisions for regional growth centers addressing concurrency strategies, measurements for vehicle level of service, and total multimodal capacity.
- The Department of Transportation must administer a study to examine multimodal transportation improvements or strategies to comply with the concurrency requirements of the Growth Management Act.

HB 1598: ADJUSTING POPULATION THRESHOLDS FOR MEMBERSHIP ON THE COUNTY ROAD ADMINISTRATION BOARD

Prime Sponsor: Representative Wood

(SB 5586 Senator Haugen)

- Adjusts the lower end of the population range from 12,000 to 20,000 for members of the County Road Administration Board (CRAB).
- Four members of the CRAB are to come from counties with a population from 20,000 to less than 125,000 and two members are to come from counties with a population of less than 20,000.

HB 1599: REVISING THE DEFINITION OF "COUNTY ENGINEER"

Prime Sponsor: Representative Takko

(SB 5587 Senator Haugen)

- Defines "county engineer" to mean the county road engineer, county engineer, and engineer, and must refer to the statutorily required position of county engineer appointed under statute.
- The county director of public works may be included when the person in that position also meets the requirements of a licensed professional engineer and is duly appointed by the county legislative authority.

**Signed by the Governor*

HB 1600: REVISING COUNTY ROAD PROJECT REPORTING

Prime Sponsor: Representative Takko

(SB 5588 Senator Haugen)

- Removes references to budgeting, accounting, and reporting system (BARS) numbers and account names that have become obsolete.
- Defines the "county road construction budget" as the aggregate total of cost as defined by BARS; however, the costs must not include those costs assigned to the Right of Way Account, Ancillary Operations Account, and that portion of the Engineering Account that is preliminary engineering.
- Specifies that each year the county road engineer must file a recommended plan for the laying out, construction, and maintenance of county roads.

**Signed by the Governor*

SHB 1711: REVISING MARKING REQUIREMENTS FOR PARKING PLACES FOR PERSONS WITH DISABILITIES

Prime Sponsor: Representative Wallace

(SB 5580 Senator Regala)

- Removes the requirement that a sign marking an accessible parking space include the language "State disabled parking permit required." Also removes the requirement that the sign be a specific number of inches off of the ground.

- Changes various statutory references to refer to "persons with disabilities" instead of "disabled persons."

HB 1739: MODIFYING SNOWMOBILE REGISTRATION

Prime Sponsor: Representative Ericksen

- Defines "vintage snowmobile" as any snowmobile manufactured more than 30 years ago.
- Reduces the registration fee for vintage snowmobiles from \$30 to \$12.
- Vintage snowmobiles need register only if operated within the state.

HB 1798: MODIFYING MOTORIST INFORMATION SIGN PANEL REGULATORY PROVISIONS

Prime Sponsor: Representative Simpson

(SSB 5822 Senator Haugen)

- Repeals current law requiring the program to be contracted out. The Washington State Department of Transportation is also required to charge sufficient fees and recover the costs of the program.
* *SSB 5013 is incorporated in its entirety into HB 1798, as described below.*
- An 'RV' logo can be displayed on a motorist information sign next to businesses that are able to accommodate such vehicles.

SHB 1854: CHANGING PROVISIONS RELATING TO WITHHOLDING OF DRIVING PRIVILEGES

Prime Sponsor: Representative Lantz

(SB 5262 Senator Haugen)

- Provides procedures for an administrative review when the Department of Licensing (DOL) is required by statute to withhold a person's driving privilege.
- Provides a person the ability to appeal DOL's administrative decision to superior court.
- Requires courts to enter into a payment plan with a person if the court finds that the person is unable to pay a monetary penalty in full.
- Requires that a court notify DOL if a person does not comply with the terms of the payment plan, and requires DOL to suspend the person's license.

HB 1864: MODIFYING CITIZEN OVERSIGHT OF TOLL CHARGES

Prime Sponsor: Representative Kilmer

- Creates the Tacoma Narrows Bridge Citizen Advisory Committee and provides direction on the membership of the committee and its tasks. Members will be appointed from areas that generate the most traffic on the bridge.
- The committee will review the feasibility of various toll discounts and provide this information to the Department of Transportation, in an advisory capacity.

HB 1999: CLARIFYING CIVIL LIABILITY FOR TRAFFIC INFRACTIONS WHEN VEHICLE TITLE IS TRANSFERRED

Prime Sponsor: Representative Nixon

- Clarifies that a vehicle owner who lawfully sells or transfers a vehicle is relieved of liability for certain traffic violations occurring after the date of the sale or transfer.
- Establishes a process for relieving rental car businesses of liability for certain traffic infractions that occur while the business' vehicle was being rented.

SHB 2124: INCREASING STATE PARTICIPATION IN PUBLIC TRANSPORTATION SERVICE AND PLANNING

Prime Sponsor: Representative Murray

- The Secretary of Transportation is required to create a new Office of Transit Mobility, with the goal to encourage long range planning by transit agencies and to develop a statewide strategic plan that creates common goals for transit agencies and reduces competing plans for cross-jurisdictional service.
- A new competitive grant program is created in the Department of Transportation to aid local governments in improving connectivity and efficiency of corridors. The Department must submit a prioritized list of projects to the legislature for funding.

ESHB 2311: AUTHORIZING BONDS FOR TRANSPORTATION FUNDING

Prime Sponsor: Representative Murray

- Authorization is provided for the sale of \$5.1 billion of general obligation bonds for transportation safety and improvement projects.
- The bonds are backed by the motor fuel tax and the full faith and credit of the state.

WATER, ENERGY & ENVIRONMENT

786-7406

ESB 5089: CREATING A TASK FORCE TO STUDY OFF-ROAD VEHICLE NOISE MANAGEMENT

Prime Sponsor: Senator Sheldon

(SHB 1455 Representative Haigh)

- A task force on off-road vehicle noise management is created. The task force includes legislative members, local governments, state agencies, manufacturers of off-road vehicles, the United States Forest Service, recreational users, and interested citizens.
- The task force will review the issues regarding noise from off-road vehicles, and the availability of lands where off-road vehicles can be operated. The task force reports its findings and recommendations to the legislature by December 1, 2005.

**Signed by the Governor*

SSB 5101: PROVIDING INCENTIVES TO SUPPORT RENEWABLE ENERGY

Prime Sponsor: Senator Poulsen

(HB 1761 Representative Chase)

- Individuals, businesses, or local governments who generate electricity on their own property with an anaerobic digester or a wind or solar energy system may apply to their light and power business for a cost recovery incentive payment.
- The incentive is available for systems that are not interconnected to the electric distribution system starting on July 1, 2005. Once electric utilities, serving 80 percent of the total customer load in the state, adopt uniform interconnection standards, the incentives are also available for systems that are interconnected.
- The payments are capped at \$2,000 per year for each individual, household, business, or local government. Each light and power business is allowed a credit against its public utility tax for incentives paid to applicants. The program expires July 1, 2014.

E2SSB 5111: PROVIDING TAX INCENTIVES FOR SOLAR ENERGY BUSINESSES

Prime Sponsor: Senator Morton

(HB 1760 Representative Chase)

- The business and occupation (B&O) tax for businesses manufacturing solar energy systems or the silicon components of these systems is lowered to rate of 0.2904 percent until June 30, 2014. Taxes paid in manufacturing these systems is granted as a B&O tax credit.
- The Department of Revenue must conduct a study from existing sources of data and report the impacts of this legislation to the legislature by December 1, 2013.

ESSB 5285: UPDATING THE WATER QUALITY JOINT DEVELOPMENT ACT TO PROVIDE LOCAL GOVERNMENT FLEXIBILITY

Prime Sponsor: Senator Poulsen

(HB 1357 Representative Linville)

- The Water Quality Joint Development Act, which authorizes local governments to contract with businesses to design, finance, construct, own, operate, or maintain water pollution control facilities such as sewage treatment plants, is revised to clarify ambiguities and reduce procedural constraints.
- Larger local governments currently authorized to use certain alternative public works contracting procedures are expressly authorized to contract under the Water Quality Joint Development Act.

ESSB 5348: AUTHORIZING CERTAIN PUDS TO OPERATE AN ELECTRICAL APPLIANCE REPAIR SERVICE

Prime Sponsor: Senator Pridemore

(HB 1715 Representative Fromhold)

- Any public utility district (PUD) that has operated an electrical appliance repair service for at least ten years may continue to operate an electrical appliance repair service within its service district.
- When a PUD operates an electrical appliance repair service, it must do the following: (1) charge a true and fair cost for the service, (2) keep public financial records on the service, and (3) develop and use measures to evaluate the performance of the service.

**Signed by the Governor*

ESSB 5432: CREATING THE OIL SPILL ADVISORY COUNCIL

Prime Sponsor: Senator Spanel

(HB 1459 Representative B. Sullivan)

- An Oil Spill Advisory Council (council) is created in the Office of the Governor improve the state's efforts in the prevention of, and preparedness and response to, oil spills. The council is composed of a chair-facilitator, 16 members appointed by the Governor, and two invited tribal representatives.
- The council also serves as an advisory body on matters relating to international, national, and regional oil spill issues.
- The council makes annual recommendations. The council must also, by September 15, 2006, make proposals for the long-term funding of the council and for oil spill activities in general.
- The Department of Ecology must evaluate all oil spill advisory committees and revise or eliminate functions which are no longer necessary.

SSB 5449: PROVIDING LIEN AUTHORITY TO THE DEPARTMENT OF ECOLOGY TO FACILITATE THE RECOVERY OF REMEDIAL ACTION COSTS UNDER THE MODEL TOXICS CONTROL ACT

Prime Sponsor: Senator Poulsen

(HB 1866 Representative Williams)

- If the state incurs costs when cleaning up real property contaminated by toxics, and is unable to recover its costs from a liable party, the Department of Ecology (DOE) may file a lien against the property.
- The lien cannot exceed DOE's cleanup costs.
- Unless DOE determines that it is in the public interest to remove the lien, it will continue until liability is satisfied through sale of the property, foreclosure, or other means agreed to by DOE.

ESSB 5509: CONCERNING HIGH-PERFORMANCE BUILDING STANDARDS

Prime Sponsor: Senator Poulsen

(ESHB 1272 Representative Dunshee)

- All major facility projects funded in the capital budget, or projects financed through a financing contract, must be certified to at least the Leadership in Energy and Environmental Design (LEED) silver standard, if appropriate, or the Washington Sustainable School Design Protocol, if appropriate.
- "Major facility project" generally means: (1) a construction project larger than 5,000 gross square feet of occupied or conditioned space; or (2) a building renovation project when the cost is greater than 50 percent of the assessed value and the project is larger than 5,000 gross square feet of occupied or conditioned space.
- "Major facility project" does not include, among other things, hospitals, research facilities, and projects where it is determined that the LEED silver standard or the Washington Sustainable School Design Protocol is not practicable.

**Signed by the Governor*

SB 5528: ELIMINATING CERTAIN FEES FOR HYDRAULIC WORKS INSPECTIONS

Prime Sponsor: Senator Morton

** SB 5528 is incorporated in its entirety into ESHB 2309.*

SSB 5676: REQUIRING OIL SPILL CONTINGENCY PLANS TO INCLUDE SHELLFISH BEDS

Prime Sponsor: Senator Poulsen

- Shellfish beds are added to the list of natural resources to be considered for facility and vessel oil spill contingency planning purposes.

**Signed by the Governor*

ESSB 5788: IMPROVING RECYCLING

Prime Sponsor: Senator Doumit

(HB 1817 Representative B. Sullivan)

- Subject to certain exemptions, transporters of recyclable materials must register with the Department of Ecology (DOE) and maintain records concerning their operations.
- Recycling facilities must notify DOE and file annual reports concerning their operations.
- Transporters of recyclable materials may not deliver the materials to transfer stations or landfills for disposal.
- Any person damaged by violations may bring a civil action seeking injunctive relief or damages.

SB 5831: CONCERNING WELL CONSTRUCTION

Prime Sponsor: Senator Morton

(HB 1939 Representative Linville)

- The Department of Ecology (DOE) water well regulatory program is revised to: include regulation of additional types of wells; raise well construction fees; modify DOE delegation of authority to local jurisdictions; and change elements of the well operator licensing program.

**Signed by the Governor*

2SSB 5916: EXEMPTING CLEAN ALTERNATIVE FUEL VEHICLES FROM SALES AND USE TAX

Prime Sponsor: Senator Schmidt

- Sales and use tax exemptions are created for new passenger cars, light duty trucks, and medium duty passenger vehicles, which are exclusively powered by a clean alternative fuel, or which use hybrid technology and have estimated highway gasoline mileage ratings of at least 40 miles per gallon.
- The exemptions take effect on January 1, 2009, and expire on January 1, 2011.

SSJM 8018: REQUESTING THAT THE PROPOSAL TO TRANSITION THE BONNEVILLE POWER ADMINISTRATION FROM COST-BASED RATES TO MARKET-BASED RATES AND TO INCREASE THE TYPES OF TRANSACTIONS THAT COUNT AGAINST THE BONNEVILLE POWER ADMINISTRATION'S DEBT LIMIT BE REJECTED

Prime Sponsor: Senator Fraser

- A joint memorial is sent to the President of the United States, Congress, and the Secretary of the United States Department of Energy requesting the rejection of the administration's proposal to: (1) transition Bonneville Power Administration (BPA) from cost-based rates to market-based rates; and (2) increase the

types of transactions that would count against BPA's debt limit.

ESHB 1062: REGULATING THE ENERGY EFFICIENCY OF CERTAIN PRODUCTS

Prime Sponsor: Representative Morris

(ESSB 5098 Senator Poulsen)

- Minimum energy efficiency standards are established for 12 products not covered by federal law; for example, commercial ice-makers and commercial pre-rinse spray valves.
- The Department of Community Trade & Economic Development is authorized to test covered products and to recommend standards for additional products not covered by federal law.

SHB 1208: CONCERNING FORFEITED PROPERTY

Prime Sponsor: Representative O'Brien (HB 5770 Senator Berkey)

- A state entity or local government is exempt from liability, under the Model Toxics Control Act, as an owner or operator of a site that has been contaminated by a hazardous substance or substances if such a facility came into public ownership by way of a drug forfeiture action.

ESHB 1302: MODIFYING BURN BAN TRIGGERS

Prime Sponsor: Representative Kagi

- The formula for declaring a first stage burn ban is changed to measuring particulates sized 2.5 microns or smaller at a concentration of 35 micrograms per cubic meter over 24 hours. The existing carbon monoxide trigger for allowing a first stage burn ban is removed.
- The formula for declaring a second stage burn ban is changed to measuring particulates sized 2.5 microns or smaller at a concentration of 60 micrograms per cubic meter. In addition, a second stage burn ban may not be declared unless a first stage burn ban has been in force and proven insufficient.
- For both stages, the weather forecast must predict that the conditions will not improve for the following 48 hours.

ESHB 1397: CHANGING VEHICLE EMISSION STANDARDS PROVISIONS

Prime Sponsor: Representative Murray

(SSB 5397 Senator Rockefeller)

- The legislature adopts the California motor vehicle emission standards effective for those model years for which Oregon has adopted the emissions standards. The Department of Ecology (DOE) may not adopt California's zero emission vehicle program.
- When the standards take effect, no vehicle will be registered, leased, rented, or sold for use in the state unless the vehicle: (1) is consistent with the vehicle emission standards; or (2) has more than 7,500 miles. DOE's rules may provide for reasonable exemptions to the emission requirements. The final rules must include the Governor's signature.
- It is a gross misdemeanor to turn forward the odometer on any vehicle.
- Monies formerly dedicated to school bus diesel retrofits may be used for other publicly-owned diesel equipment.
- Once the new emission standards are implemented, new vehicles are exempt from emission inspections. Beginning in 2012, the DOE may authorize other businesses to conduct emission inspections and allow them to perform repairs on vehicles. The emission inspections program terminates in 2020.

ESHB 1539: MAKING IT A CRIME TO EXCAVATE WITHOUT NOTIFICATION NEAR A TRANSMISSION PIPELINE

Prime Sponsor: Representative Linville

(SSB 5456 Senator Prentice)

- It is a misdemeanor to excavate within 35 feet of a "transmission pipeline" without having an excavation-confirmation code issued by a one-call locator service. The existing \$10,000 civil penalty also applies to criminal violations.
- Statutorily-based affirmative defenses to the criminal offense are created for the person conducting the excavation.
- It is a misdemeanor for anyone to intentionally provide a false excavation-confirmation code.

E2SHB 1605: PROTECTING CHILDREN FROM AREA-WIDE SOIL CONTAMINATION

Prime Sponsor: Representative Upthegrove

- Department of Ecology (DOE) administered program is established to reduce child exposure to arsenic and lead contaminated soils in western Washington, with specific mandates within the central Puget Sound smelter plume.
- DOE will test for soil contamination at public and private K-12 schools and child care facilities in the central Puget Sound smelter plume. DOE will develop best management practices for facilities with contaminated soils and may assist the facilities in implementing the practices.
- DOE may enter into agreements with local health jurisdictions to administer the program.

SHB 1823: PROVIDING FINANCIAL ASSISTANCE FOR THE COSTS OF UNDERGROUND PETROLEUM STORAGE TANKS IN RURAL COMMUNITIES

Prime Sponsor: Representative Kretz

- The closing of gas stations in rural communities adversely affects local economies by reducing access to fuel for recreational needs.
- Owners or operators of rural gas station sites are eligible for a restoration grant of \$200,000, if: (1) the property is located in an underserved rural area; (2) the property was previously used to provide motor vehicle fuel; and (3) the site is at least ten miles from the nearest motor vehicle fuel service station.
- The grants are funded with one million dollars designated from the pollution Liability Insurance Trust Account.

HB 1838: INCREASING THE THRESHOLD FOR SHORT BOARD APPEALS BEFORE THE SHORELINES AND POLLUTION CONTROL HEARINGS BOARDS

Prime Sponsor: Representative Linville

(SB 5808 Senator Poulsen)

- The Pollution Control Hearings Board may assign just one member (vs. three members) to hear cases involving penalties of \$15,000 or less.
- The Shorelines Hearings Board may assign three members (vs. six members) to hear cases involving single family residences, or penalties of \$15,000 or less.
- These cases are also eligible for expedited appeals.

**Signed by the Governor*

SHB 1887: MODIFYING EXEMPTIONS TO THE LITTER TAX

Prime Sponsor: Representative Hasegawa

- Food and beverages sold for immediate consumption either indoors or outdoors, at a seller's place of business, or in an eating area adjacent to the seller's place of business, are exempt from the state litter tax.
- Food and beverages sold by a caterer, if the items are for immediate consumption, are in containers designed to be used more than one time, and are at premises occupied or controlled by the customer, are exempt from the state litter tax.

SHB 1891: CONCERNING RECLAIMED WATER PERMITS

Prime Sponsor: Representative Hinkle

- Allows the Department of Health (DOH) or Department of Ecology (DOE) to issue a reclaimed water permit to a private utility for industrial and commercial uses and land applications. Before issuing the permit, the DOH or DOE is to determine that the private utility can meet the requirements and ensure that it has the financial and other resources to assure the reliability, continuity, and supervision of the reclaimed water facility.
- Defines "private utility" to include all private and public utilities that provide sewerage and/or water services that do not qualify as municipal corporations.

*Signed by the Governor

SHB 1895: PROVIDING FOR STATEWIDE ENERGY EFFICIENCY.

Prime Sponsor: Representative Morris

- The Joint Committee on Energy Supply is renamed the Joint Committee on Energy Supply and Conservation.
- Municipalities are authorized to aggregate energy audits and implement cost-effective energy conservation measures among multiple government entities.
- Municipalities must report to the Department of General Administration (GA) if they implemented or did not implement, during the previous biennium, aggregated cost-effective energy conservation measures. The GA must summarize the reports and report to the Joint Committee on Energy Supply and Conservation.
- Conservation measures may be financed with bonds issued by the Washington Economic Development Finance Authority.

SHB 2085: REGARDING THE CLEANUP OF WASTE TIRES

Prime Sponsor: Representative Simpson

- A \$1 fee on new tires is reinstated beginning July 1, 2005, on the retail sale of new vehicle replacement tires. The fees are placed in a Waste Tire Removal Account.
- The funds may be spent only for removal of waste tires from unauthorized sites, the cleanup and prevention of future tire accumulations, and on a detailed study to identify and collect information on existing tire cleanup sites.
- The Department of Ecology must immediately initiate a pilot project to clean up an existing site in Goldendale, Washington.
- Individuals who transport or store tires must be licensed and bonded.

HB 2166: CREATING THE JOINT LEGISLATIVE COMMITTEE ON WATER SUPPLY DURING DROUGHT

Prime Sponsor: Representative Newhouse

(SB 5894 Senator Fraser)

- A Joint Legislative Committee on Water Supply During Drought is created that has the authority to request and review information relating to water supply conditions in the state and the economic, environmental, and other impacts relating to decreased water supply.
- The committee makes recommendations to the legislature on necessary budgetary and policy actions needed to improve the state's drought response programs.

*Signed by the Governor

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SB 5135: ADDRESSING VOLUNTEER FIRE FIGHTERS' AND RESERVE OFFICERS' RELIEF AND PENSIONS

Prime Sponsor: Senator Kastama

- The eligibility requirements for membership in the Volunteer Fire Fighters' and Reserve Officers' Relief and Pension System (VFFRORPS) are clarified in order to prevent part-time fire fighters and emergency workers from earning a benefit from both the Public Employees' Retirement System and the VFFRORPS for the same service.
- The Board for Volunteer Fire Fighters and Reserve Officers is authorized to seek recovery of its benefit costs if a volunteer is injured and sues a third party for damages.
- The annual fee paid by participating municipal corporations to fund relief benefits for volunteer fire fighters is increased from \$10 per member to \$30 per member.

**Signed by the Governor*

SSB 5169: AUTHORIZING UNSPENT BIOTOXIN TESTING AND MONITORING FUNDS TO CARRY FORWARD INTO ENSUING BIENNIA.

Prime Sponsor: Senator Hargrove

- The University of Washington (UW) and the Department of Health (DOH) are authorized to carry over unspent biotoxin and monitoring funds into ensuing biennia.
- The UW and the DOH are required to report annually to the relevant legislative policy and fiscal committees the status of expenditures.

SB 5311: CREATING AN AUTISM TASK FORCE

Prime Sponsor: Senator Rasmussen

- A 14 member task force is established to study and make recommendations regarding the incidence of autism in Washington, and ways in which service coordination and delivery could be improved.
- The task force is to submit a final report and recommendations to the Governor and legislature by December 2006.

3

SB 5340: CREATING THE MILITARY DEPARTMENT CAPITAL ACCOUNT AND RENTAL AND LEASE ACCOUNT

Prime Sponsor: Senator Rasmussen

(HB 1457 Representative Haigh)

- Creates the Military Department Capital Account and the Military Department Rental and Lease Account.
- Both are subject to appropriation.
- Receipts from the sale of state-owned Military Department property will be deposited into the capital account. Funds may only be appropriated for Military Department capital projects.
- Receipts from the rental or lease of state-owned Military Department property will be deposited into the rental and lease account. Funds may only be appropriated for operating and maintenance costs of military property.

SB 5398: PROVIDING TAX EXEMPTIONS FOR COMPREHENSIVE CANCER CENTERS

Prime Sponsor: Senator Thibaudeau

(HB 1376 Representative Murray)

** SB 5398 is incorporated in its entirety into ESHB 2314.*

SB 5455: CREATING A PROGRAM TO PROMOTE DOWNTOWN AND NEIGHBORHOOD COMMERCIAL DISTRICT REVITALIZATION

Sponsor: Senator Mulliken

(SHB 1273 Representative Grant)

** The substitute version of SB 5455 is incorporated in its entirety into ESHB 2314.*

SSB 5497: ALLOWING TERMINALLY ILL MEMBERS TO REMOVE THEMSELVES FROM THEIR RETIREMENT PLAN

Prime Sponsor: Senator Delvin

(HB 1634 Representative Grant)

- A member of Plan 2 or Plan 3 of the Public Employees', Teachers', or School Employees' Retirement Systems (PERS, TRS, or SERS) may voluntarily be removed from membership in the pension plan if the member has a terminal illness with a life expectancy of five years or less.
- Members who are removed from the retirement system continue their employment but do not make retirement contributions or accumulate additional service credit in the retirement plan.

**Signed by the Governor*

SB 5522: EXTENDING THE ABILITY TO PURCHASE SERVICE CREDIT LOST DUE TO INJURY

Prime Sponsor: Senator Franklin

(HB 1521 Representative Simpson)

- The period of service credit that a member of the Public Employees' Retirement System may purchase for time spent away from work due to an injury incurred in the line of duty is increased from 12 months to 24 months.

SB 5571: REGARDING THE BOARDING HOME BUSINESS AND OCCUPATION TAX

Prime Sponsor: Senator Benson

(HB 1618 Representative Morrell)

** SB 5571 is incorporated in its entirety into ESHB 2314.*

SSB 5615: RECEIVING A DISABILITY ALLOWANCE UNDER THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM, PLAN 2

Prime Sponsor: Senator Franklin

(HB 1271 Representative Simpson)

- Exempts from actuarial reduction for early retirement the retirement allowance that is provided to members of the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 2 (LEOFF 2) who are disabled in the line of duty and unable to continue serving in a LEOFF 2 eligible position.

SSB 5623: MODIFYING THE EXCISE TAXATION OF MAINTENANCE SERVICE AGREEMENTS FOR REGIONAL TRANSIT AUTHORITIES

Prime Sponsor: Senator Haugen and Esser

- Maintenance services for bus, rail, or rail fixed guideway systems performed for a regional transit authority by another transit agency are excluded from the definition of a retail sale, therefore not subject to the retail sales tax.

SSB 5673: CHANGING PROVISIONS RELATING TO THE HIGH TECHNOLOGY BUSINESS AND OCCUPATION TAX CREDIT

Prime Sponsor: Senator Prentice

(HB 1693 Representative McIntire)

** The substitute version of SB 5673 is incorporated in its entirety into ESHB 2314.*

SB 5794: AUTHORIZING THE GOVERNOR TO ENTER INTO A CIGARETTE TAX AGREEMENT WITH THE PUYALLUP TRIBE OF INDIANS

Prime Sponsor: Senator Prentice

(HB 1916 Representative Conway)

- The Governor is authorized to enter into an agreement with the Puyallup Tribe of Indians regarding the taxation of cigarettes.
- The tribe must impose a tax of \$11.75 per carton, in lieu of state cigarette and state and local sales and use taxes.
- The state must receive 30 percent of the tribal tax revenue to be deposited in the General Fund, and the remaining revenue must be used by the tribe for essential government services.

**Signed by the Governor*

SB 5829: AUTHORIZING AN ADDITIONAL TAX ON CIGARETTES

Prime Sponsor: Senator Thibaudeau

** SB 5829 is incorporated in its entirety into ESHB 2314.*

SB 5857: AUTHORIZING A BUSINESS AND OCCUPATION TAX DEDUCTION FOR CERTAIN NONPROFIT COMMUNITY HEALTH CENTERS

Prime Sponsor: Senator Prentice

- The deduction under the business and occupation tax for amounts received as compensation for health care services covered under medicare, medical assistance, children's health, and the basic health plan is extended to nonprofit community health centers and networks of nonprofit community health centers.

**Signed by the Governor*

SB 5911: EXCLUDING SELF-SERVICE LAUNDRY FROM THE DEFINITION OF RETAIL SALE FOR EXCISE TAX PURPOSES

Prime Sponsor: Senator Berkey

(HB 1609 Representative Grant)

** SB 5911 is incorporated in its entirety into ESHB 2314.*

SB 5948: MODIFYING UNCLAIMED PROPERTY PROVISIONS

Prime Sponsor: Senator Pridemore

- Modifies certain requirements regarding notification of apparent owners of unclaimed property.
- Allows the Department of Revenue to liquidate unclaimed mutual fund holdings.

SB 5972: MODIFYING THE BUSINESS AND OCCUPATION TAX CREDIT FOR PROPERTY TAX PAYMENTS RELATED TO THE MANUFACTURE OF COMMERCIAL AIRPLANES

Prime Sponsor: Senator Prentice

(HB 2111 Representative McIntire)

** SB 5972 is incorporated in its entirety into ESHB 2314.*

SB 5990: PROVIDING A SALES AND USE TAX DEFERRAL FOR THE CONSTRUCTION OF A HISTORIC AUTOMOBILE MUSEUM

Prime Sponsor: Senator Regala

(HB 2134 Representative Conway)

** SB 5990 is incorporated in its entirety into ESHB 2314.*

SB 5993: PROVIDING ADDITIONAL FUNDING FOR CRIME VICTIMS' COMPENSATION

Prime Sponsor: Senator Prentice

(HB 2137 Representative Sommers)

- \$3,627,000 is appropriated from the state General Fund to the Public Safety Education Account (PSEA). This amount is appropriated from the PSEA to the Department of Labor and Industries for purposes of fiscal year 2005 supplemental funding for the Crime Victims Compensation program.

**Signed by the Governor*

SSB 5999: EXEMPTING SERVICE CONTRACTS TO ADMINISTER PARKING AND BUSINESS IMPROVEMENT AREAS FROM EXCISE TAXATION

Prime Sponsor: Senator Prentice

(HB 2106 Representative Pettigrew)

- Amounts received by a chamber of commerce or similar business association, from cities or counties to administer a parking and business improvement area, is exempt from state and city business and occupation taxes.

ESSB 6050: PROVIDING FINANCIAL ASSISTANCE TO CITIES, TOWNS, AND COUNTIES

Prime Sponsor: Senator Parlette

- Reduces the portion of the Real Estate Excise Tax (REET) deposited in the Public Works Assistance Account from 7.7 percent to 6.1 percent, and deposits 1.6 percent of the REET into the new city-county assistance account. The level of funding will be split equally between cities and counties.

SB 6061: REQUIRING THE DISCLOSURE OF CONTROLLING INTEREST TRANSFERS IN BUSINESS ORGANIZATIONS FOR REAL ESTATE EXCISE TAX PURPOSES

Prime Sponsor: Senator Rockefeller

** SB 6061 is incorporated in its entirety into HB 1315.*

SSB 6078: CONTROLLING STATE EXPENDITURES

Prime Sponsor: Senator Regala

- Modifies Initiative 601 (the state expenditure limit) to allow the legislature, by simple majority vote through June 30, 2007, to increase state revenue.
- Beginning in 2007, allows state expenditures to increase by the rate of growth in state personal income over the past ten years. This new fiscal growth factor replaces the previous formula, which was a three-year average of population growth plus inflation.
- After 2007, the state expenditure limit will cover the following five additional funds, in addition to the General Fund: Health Services Account, Violence Reduction & Drug Enforcement Account, Public Safety & Education Account, Water Quality Account, and Student Achievement Fund.
- Other provisions of Initiative 601 are modified.

**Signed by the Governor*

ESSB 6090: MAKING 2003-05 AND 2005-07 OPERATING APPROPRIATIONS

Prime Sponsor: Senator Prentice

(HB 2297 representative Sommers)

- Appropriations are made for the 2005-07 fiscal biennium, as well as supplemental appropriations for the 2003-05 fiscal biennium.
- For additional information, see the Statewide Summary & Agency Detail published by the Senate Ways & Means Committee.
- Detailed information is also available at www.leg.wa.gov/senate/scs/wm.

ESSB 6094: MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURES FOR CAPITAL IMPROVEMENTS

Prime Sponsor: Senator Fraser

(HB 2298 Representative Dunshee)

- The omnibus 2005-07 capital budget authorizes new capital projects for state agencies and institutions of higher education. For additional information see the Capital Budget Summary published by the Senate Ways & Means Committee.

ESB 6096: GENERATING NEW TAX REVENUES TO PROVIDE EDUCATION FUNDING

Prime Sponsor: Senator Poulsen

(HB 2302 Representative McIntire)

- Imposes a stand-alone estate tax with a \$1.5 million subtraction amount in 2005 and a \$2 million subtraction amount in 2006.
- Exempts from the estate tax the value of qualified family-owned farm property, both real and personal.
- Revenues from the estate tax are deposited into the education legacy trust account.

SB 6097: REGARDING OTHER TOBACCO PRODUCTS

Prime Sponsor: Senator Prentice

(HB 2303 Representative Grant)

- The tax on tobacco products is reduced from 129 percent to 75 percent. Cigars have a maximum tax rate of 50 cents per cigar.
- The Liquor Control Board is made the authority for enforcement of the tobacco products tax. Distributors and retailers of tobacco products are required to be licensed. Criminal penalties are established for violations of tobacco products tax law.
- Illegal shipments of tobacco products may be seized as well as the property conveying the products.

**Signed by the Governor*

SB 6100: REGARDING REVENUE AND TAXATION

Prime Sponsor: Senator Prentice

**SB 6100 is incorporated in part into ESHB 2314.*

ESB 6121: MAKING APPROPRIATIONS TO THE DEPARTMENT OF AGRICULTURE.

Prime Sponsor: Senator Prentice

- Appropriates \$1 million to the Department of Agriculture to extend and expand the asparagus automation and mechanization program.
- Appropriates \$1 million to the Department of Agriculture to research and develop new hop harvesting technologies and for associated pilot projects.

SJM 8014: REQUESTING THAT THE PRIVATIZATION OF SOCIAL SECURITY BE REJECTED

Prime Sponsor: Senator Thibaudeau

- Congress and the administration are requested to reject the current effort to privatize social security and instead to work with the public on a solution that preserves the original intent of making social security an insurance fail-safe for the aged and disabled and a complement to an individual's private investments.

HB 1007: ESTABLISHING A COMMEMORATIVE WORKS ACCOUNT FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Prime Sponsor: Representatives Hunt

(SB 5252 Senator Fraser)

- Establishes a commemorative works account for the preservation of memorials on the capital campus.

**Signed by the Governor*

HB 1008: MANAGING THE MOTOR POOL WITHIN THE DEPARTMENT OF GENERAL ADMINISTRATION.

Prime Sponsor: Representative Sommers

- The basis for calculating rates charged to agencies for use of motor pool vehicles is adjusted to comply with federal rules. Non-appropriated funds are used for new vehicles. The accounting system for vehicles transferred from an agency to General Administration is repealed.

HB 1019: PROVIDING A PROPERTY TAX EXEMPTION TO VETERANS WITH SEVERE DISABILITIES

Prime Sponsor: Representative Campbell

- Veterans of the United States armed forces with 100 percent service connected disability are eligible for the same property tax relief as senior citizens based on their income.

ESHB 1044: CHANGING PENSION FUNDING METHODOLOGY

Prime Sponsor: Representative Sommers

- Delays recognition of the costs of future gain-sharing benefits for retirement system members until after the 2005-07 fiscal biennium and directs the Select Committee on Pension policy to study options for addressing those costs in the future.
- Suspends contributions towards the unfunded liabilities in Plan 1 of the Public Employees' and Teachers' Retirement Systems (PERS 1 & TRS 1) for the duration of the 2005-07 fiscal biennium.
- Establishes annual pension contribution rates for employers and employees in PERS, TRS, and SERS as part of a four-year phase-in of rate increases between fiscal year 2005 and fiscal year 2009.

HB 1049: AUTHORIZING PROJECTS RECOMMENDED BY THE PUBLIC WORKS BOARD.

Prime Sponsor: Representatives Green

(SB 5036 Senator Fraser)

- Sixty-four public works project loans totaling \$155 million are authorized for the 2005 loan cycle.

**Signed by the Governor*

2SHB 1240: FUNDING THE DEVELOPMENT OF AN AUTOMATED SYSTEM TO PROCESS REAL ESTATE EXCISE TAXES

Prime Sponsor: Representative Kessler

(SB 5281 Senator Spanel)

- Authorizes the creation of "real estate excise tax technology" (REET) accounts to be administered by the

State Treasurer and county treasurers for the purpose of providing funding for the development and maintenance of an electronic processing and reporting system for real estate excise tax affidavits.

- Allows a county treasurer to collect an additional \$10 fee for the collection of certain real estate excise taxes, out of which \$5 must be deposited in a local "real estate excise tax electronic technology account" and another \$5 remitted to the State Treasurer for deposit in a similar statewide account.
- Increased the portion of REET placed in the county current expense fund from 1 percent to 1.3 percent. Requires county to pay state REET to the State Treasurer by the last business day of the month.

EHB 1241: MODIFYING VEHICLE LICENSING AND REGISTRATION PENALTIES

Prime Sponsor: Representative Fromhold

- Changes the penalty from a misdemeanor to a traffic infraction for failure to register a vehicle and increase the amount from up to \$330 to \$529.
- Adds a penalty of \$529 for licensing a vehicle in another state to avoid paying taxes and licenses.
- A person registering a vehicle must present an unexpired Washington driver's license to register a vehicle unless exempt.

ESHB 1242: FOCUSING THE STATE BUDGETING PROCESS ON OUTCOMES AND PRIORITIES

Prime Sponsor: Representative Linville

- State agencies are required to develop quality and productivity measures for all major activities.
- Requires that the Office of Financial Management (OFM) regularly review selected agency activities to determine whether objectives and measurements submitted by agencies demonstrate progress towards statewide results.
- In preparing the Governor's budget request, OFM must consider the extent to which the agency's activities demonstrate progress toward the statewide priorities, along with the results from any periodic performance review of agency activities.

HB 1269: PERMITTING MEMBERS OF THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM PLAN 2 TO MAKE A ONE-TIME PURCHASE OF ADDITIONAL SERVICE CREDIT

Prime Sponsor: Representative Conway

(SB 5616 Senator Parlette)

- Members of the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 2 who are eligible to retire are allowed to purchase up to five-years of additional service credit.

**Signed by the Governor*

HB 1270: SUSPENDING A RETIREMENT ALLOWANCE UPON REEMPLOYMENT

Prime Sponsor: Representative Curtis

(SB 5617 Senator Parlette)

- Allows retired members of the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 2 (LEOFF 2) who are later employed in a position that is eligible for membership in one of the other state retirement systems to choose to enroll in that pension system to earn a second pension benefit.
- Members who choose not to join a second pension system are allowed to continue to receive their LEOFF 2 retirement allowance while employed in the new position.

HB 1286: CREATING THE MEDICAL FLEXIBLE SPENDING ACCOUNT

Prime Sponsor: Representative Cody

- The Health Care Authority is directed to establish a medical Flexible Spending Account (FSA) program, to aid employees of the state and participating school districts and local government entities, to paying for health care expenses that are not covered by insurance.
- Employee contributions to FSAs and reimbursements paid from FSAs for eligible medical expenses are both exempt from taxes.

**Signed by the Governor*

HB 1287: AUTHORIZING THE HEALTH CARE AUTHORITY TO RECEIVE A FEDERAL EMPLOYER SUBSIDY FOR CONTINUING TO PROVIDE A PHARMACY BENEFIT TO RETIREES

Prime Sponsor: Representative Cody

- The Health Care Authority is authorized to participate in the new Medicare Part D coverage to receive the federal subsidy for providing retired employees health coverage that includes a pharmacy benefit.

SHB 1299: REPEALING OUTDATED AND UNUSED TAX PREFERENCES

Prime Sponsor: Representative McIntire

- The following, outdated or unnecessary tax preferences, revealed in the Department of Revenue's 2004 Tax Exemption Report, are repealed, effective July 1, 2006: (1) the property tax exemption for agricultural fair lands leased from a county; (2) the steam generated electricity plant public utility district privilege tax exemption; (3) the preferential business and occupation (B&O) tax rate for nuclear fuel assembly manufacturing and sale; (4) the sales and use tax exemptions for motor vehicle fuel used in aircraft testing; (5) the B&O tax credit for cogeneration facilities; (6) the new manufacturers' sales and use tax deferral; (7) the insurance premiums tax credit for international services job creation provided by insurance companies; (8) the health insurance pools B&O tax deduction; (9) the sales tax exemption for apparel used solely for display; (10) the sales and use tax exemptions for sale/leaseback of food processing equipment; (11) the naval aircraft training equipment use tax exemption; and (12) the waiver of delinquency penalties for failure to pay property taxes because of Y2K.

HB 1315: MODIFYING DISCLOSURE REQUIREMENTS FOR THE PURPOSES OF THE REAL ESTATE EXCISE TAX

Prime Sponsor: Representative Tom

- Exempts from confidentiality requirements any information in the possession of the Department of Revenue (DOR) regarding real estate excise tax.
** SB 6061 is incorporated in its entirety into HB 1315, as described below.*
- Requires the Secretary of State to adopt rules requiring reports of transfers of controlling interest in real property as part of annual reports.
- The Secretary of State must supply this information to the DOR to ensure proper application of the real estate excise tax.

HB 1319: SURVIVOR BENEFITS FOR EX SPOUSES IN THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM, PLAN 1

Prime Sponsor: Representative Conway

(SB 5247 Senator Morton)

- An ex-spouse who was awarded part of the monthly benefit payment of a member of the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 1 (LEOFF 1) as part of a divorce decree will continue to receive that portion of the member's benefit for life, rather than for the life of the LEOFF 1 member.
- Divided benefits that have ceased being paid to the ex-spouse of a deceased LEOFF 1 member are resumed, however no retroactive benefit payments are made.

**Signed by the Governor*

HB 1321: ALLOWING MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM PLAN 1 WHO ARE EMPLOYED LESS THAN FULL TIME AS PSYCHOLOGISTS, SOCIAL WORKERS, NURSES, PHYSICAL THERAPISTS, OCCUPATIONAL THERAPISTS, OR SPEECH LANGUAGE PATHOLOGISTS OR AUDIOLOGISTS TO ANNUALIZE THEIR SALARIES WHEN CALCULATING THEIR AVERAGE FINAL COMPENSATION

Prime Sponsor: Representative Fromhold

(SB 5324 Senator Pflug)

- Allows currently active certified educational staff associates belonging to the Teachers' Retirement System, Plan 1 (TRS 1) to annualize their salary for the purpose of calculating their average final compensation at the time of retirement.

**Signed by the Governor*

HB 1323: CHANGING THE MEMBERSHIP OF THE EXECUTIVE COMMITTEE OF THE SELECT COMMITTEE ON PENSION POLICY

Prime Sponsor: Representative Conway

(SB 5193 Senator Pflug)

- A sixth member is added to the executive committee of the Select Committee on Pension Policy who will represent retired members of the state pension systems.
- The director of the Office of Financial Management is removed from the executive committee.

**Signed by the Governor*

HB 1325: AUTHORIZING INTERRUPTIVE MILITARY SERVICE CREDIT

Prime Sponsor: Representative Conway

(SB 5261 Senator Fraser)

- A state retirement system member who is sufficiently incapacitated in the course of military service as to be unable to resume eligible employment is allowed to purchase service credit for time spent in military service up to the time of disability.
- A surviving spouse or child of a retirement system member who is killed in the course of military service may purchase service credit on behalf of the member.

**Signed by the Governor*

HB 1327: PERMITTING MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM PLAN 2 AND PLAN 3 WHO QUALIFY FOR EARLY RETIREMENT OR ALTERNATE EARLY RETIREMENT TO MAKE A ONE-TIME PURCHASE OF ADDITIONAL SERVICE CREDIT

Prime Sponsor: Representative Alexander

(SB 5512 Senator Regala)

- Allows members of the Plan 2 or Plan 3 of the Teachers' Retirement System (TRS 2 or TRS 3) who are eligible for early retirement to purchase up to five years of additional service credit at the time of retirement.
- Members who purchase additional service credit must pay the full actuarial cost of the resulting benefit increase.

**Signed by the Governor*

HB 1328: ESTABLISHING THE COMPOSITION AND JURISDICTION OF CITY AND COUNTY DISABILITY BOARDS

Prime Sponsor: Representative Conway

(SB 5192 Senator Delvin)

- The statutes governing eligibility requirements for voting in county disability board elections for the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 1 (LEOFF 1) are clarified.
- The composition requirements for LEOFF 1 disability boards are revised so that if a board has jurisdiction over only fire fighters or law enforcement officers, then two board members may be either fire fighter or law enforcement officer representatives.

**Signed by the Governor*

HB 1329: CHOOSING A REDUCED RETIREMENT ALLOWANCE UNDER THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM, PLAN 1

Prime Sponsor: Representative Conway

(SB 5514 Senator Keiser)

- Allows members of the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 1 to choose to provide a survivor benefit for a spouse from a post-retirement marriage, regardless of whether or not the member's benefit is already subject to a property division obligation from a prior marriage.
- Members choosing to provide a survivor benefit for a spouse from a post-retirement marriage must accept a benefit reduction to reflect the actuarial cost of the survivor benefit.

**Signed by the Governor*

HB 1330: MAKING TECHNICAL CORRECTIONS IN THE GENERAL RETIREMENT PROVISIONS ESTOPPEL SECTION, TEACHERS' RETIREMENT SYSTEM, PUBLIC SAFETY EMPLOYEES' RETIREMENT SYSTEM, THE SCHOOL EMPLOYEES' RETIREMENT SYSTEM, THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, AND THE ACTUARIAL FUNDING CHAPTER

Prime Sponsor: Representative Conway

(SB 5245 Senator Fraser)

- Makes technical corrections to the state retirement system laws.
- Allows the Department of Retirement Systems to delay offering an optional lifetime annuity benefit to members of Plan 3 of the Public Employees', Teachers', and School Employees' Retirement Systems until favorable tax status for the benefit is granted by the Internal Revenue Service

SHB 1394: CREATING THE BUSINESS AND PROFESSIONS ACCOUNT

Prime Sponsor: Representative Conway

(SB 5365 Senator Prentice)

- The Business and Professions Account is created, subject to appropriation.
- All fees from licensing and regulating 13 businesses and professions, previously deposited into the general fund, will go into this account.
- The businesses and professions included are: auctioneers; landscape architects; private investigators; bail bond agents; employment agencies; sellers of travel; timeshares; cosmetologists, barbers, and manicurists; court reporters; security guards; collection agencies; camping resorts; and notaries public.

**Signed by the Governor*

E2SHB 1441: PROVIDING ACCESS TO HEALTH INSURANCE FOR CHILDREN

Prime Sponsor: Representative Clibborn

- Authorizes the Department of Social and Health Services to provide state-funded medical assistance coverage for children who have family incomes below the federal poverty level, but who aren't eligible for federal Medicaid coverage.
- Enrollment in the program may be frozen if expenditures begin to exceed budgeted levels.

HB 1457: CREATING THE MILITARY DEPARTMENT CAPITAL ACCOUNT AND RENTAL AND LEASE ACCOUNT

Prime Sponsor: Representative Haigh

(SB 5340 Senator Rasmussen)

- Creates the Military Department Capital Account and the Military Department Rental and Lease Account.
- Both accounts are subject to appropriation.
- Receipts from the sale of state-owned Military Department property will be deposited into the Capital Account. Funds may only be appropriated for Military Department capital projects.
- Receipts from the rental or lease of state-owned Military Department property will be deposited into the Rental and Lease Account. Funds may only be appropriated for operating and maintenance costs of military property.

SHB 1502: MODIFYING TAX ABATEMENT PROVISIONS

Prime Sponsor: Representative Takko

(SB 5026 Senator Regala)

- Reduces the property tax on destroyed property, or property damaged by a natural disaster, in the year in which the destruction or damage occurred.

**Signed by the Governor*

ESHB 1577: CONCERNING CAPITAL PROJECTS FOR CERTAIN NONPROFIT ORGANIZATIONS

Prime Sponsor: Representative Lantz

- The alternate project lists that are submitted by the Building for the Arts, Heritage Program, and Community Services Facilities Program for funding consideration by the Legislature are increased from \$1 million to \$2 million each and the expiration date for these programs is repealed.
- The alternate project list that is submitted by the Youth Recreational Facilities Program for funding

consideration by the Legislature is increased from \$500,000 to \$1 million.

**Signed by the Governor*

HB 1679: EXCLUDING CERTAIN LEASEHOLD INTERESTS IN AMPHITHEATERS FROM THE LEASEHOLD EXCISE TAX

Prime Sponsor: Representative Fromhold

** HB 1679 is incorporated in its entirety into ESHB 2314.*

HB 1690: REGARDING THE APPLICABILITY OF CERTAIN TAXES AND ASSESSMENTS TO STATE FUNDED HEALTH CARE SERVICES

Prime Sponsor: Representative Cody

- Exempts managed care pilot projects for Medicaid and General Assistance clients from the 2 percent prepayments tax for up to four years.
- Gives health maintenance organizations and health services contractors to receive an ongoing exemption for serving General Assistance clients from the Washington State High Risk Insurance Pool.

HB 1785: MODIFYING THE TAXATION OF DELIVERY CHARGES FOR DIRECT MAIL

Prime Sponsor: Representative P. Sullivan

** HB 1785 is incorporated in its entirety into ESHB 2314.*

SHB 1791: CREATING A DEVELOPMENTAL DISABILITIES COMMUNITY TRUST ACCOUNT

Prime Sponsor: Representative Dunshee

- Establishes the Developmental Disabilities Community Trust Account.
- Proceeds from the lease of property, or sale of timber, at Rainier School and Lakeland Village shall be deposited into the account.
- Earnings from the account are to be used for employment and day and family support for eligible persons with developmental disabilities.

HB 1915: AUTHORIZING THE GOVERNOR TO ENTER INTO CIGARETTE TAX CONTRACTS WITH ADDITIONAL TRIBES

Prime Sponsor: Representative McIntire

(SB 5814 Senator Prentice)

- The authority of the Governor to enter into a cigarette tax contracts with Indian tribes is extended to the Confederated Tribes of the Colville Reservation, the Cowlitz Indian Tribe, the Lower Elwha Klallam Tribe, and the Makah Tribe, increasing the total tribes authorized to enter into contracts to 25.
- Under a cigarette tax contract, the sales must be subject to a tribal cigarette tax equal to 100 percent of the state cigarette tax and state and local sales and use taxes, and are exempt from these state and local taxes.

SHB 1936: ALLOWING MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM PLANS 1 AND 2 EMPLOYED AS EMERGENCY MEDICAL TECHNICIANS TO TRANSFER TO THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM PLAN 2

Prime Sponsor: Representative Upthegrove

(SB 5900 Senator Keiser)

- Full-time, fully-compensated Emergency Medical Technicians (EMTs) who are members of the Public Employees' Retirement System, Plan 2 (PERS 2) and are employed by local government agencies other

than fire departments are transferred to the Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 2 (LEOFF 2) for the purpose of future service.

- EMTs who are transferred from PERS 2 to LEOFF 2 become dual members eligible to receive two retirement allowances and may choose to purchase a transfer of prior service credit into LEOFF 2.

SHB 1938: ADDRESSING THE EMPLOYMENT AND RETIREMENT RIGHTS OF MEMBERS OF THE ARMED FORCES CALLED TO ACTIVE DUTY

Prime Sponsor: Representative Hinkle

(SB 5877 Senator Prentice)

- Updates the definition of "veteran" used for the purpose of qualifying for military service credit in the Public Employees' Retirement System, Plan 1 (PERS 1) to include Operation Noble Eagle, Operation Enduring Freedom, and Operation Iraqi Freedom.
- Allows a member of PERS 1 to qualify for military service credit while actively serving in the military rather than requiring that the member be discharged before receiving credit.
- Additionally allows a PERS 1 member who would have become eligible for retirement if they had continued working rather than being called up for military duty to retire without having to return to PERS eligible employment first.

SHB 1995: CONCERNING HISTORIC PUBLIC FACILITIES

Prime Sponsor: Representative Lantz

- Defines the historic and public lands at the state capitol. Codifies that Department of General Administration (GA) is responsible for preserving and maintaining the facilities and lands.
- The GA must use the United States Secretary of the Interior's standards for treatment of historic property in maintaining and preserving the facilities.
- The GA is authorized to seek grants and donations to pay for preservation of facilities and properties.

HB 2170: CONCERNING PROCEEDS FROM THE REAL ESTATE EXCISE TAX.

Prime Sponsor: Senators Prentice

- The dedication of the Real Estate Excise Tax going to the State General Fund to common schools is removed. This increases the amount of general state revenues used to calculate the 9 percent constitutional debt limit, which in turn increases bond capacity under the constitutional limit.

HB 2188: FUNDING THE CONSERVATION OF THE STATE ART COLLECTION

Prime Sponsor: Representative Lantz

(SB 5940 Senator Thibaudeau)

- The Washington State Arts Commission is allowed to use part of the Building for the Arts funds for conservation of the Washington State art collection.

**Signed by the Governor*

ESHB 2221: MODIFYING THE EXCISE TAXATION OF FRUIT AND VEGETABLE PROCESSING AND STORAGE

Prime Sponsor: Representative Takko

(SB 5447 Senator Prentice)

- Exempts fresh fruit and vegetable processing from business and occupation tax starting July 1, 2005.
- Exempts from sales and use tax the construction of and machinery and equipment used in fresh fruit and vegetable processing facilities and cold storage warehouses. Requires exempted taxes be paid if facility or warehouse used for another purpose within eight years. The program starts July 1, 2007 and ends July 1, 2012.

- Exempts cold storage warehouses larger than 25,000 square feet from the state sales tax on construction and material-handling and racking equipment starting July 1, 2007.

HB 2282: ADDRESSING THE COSTS OF TRANSPORTING OFFENDER PROPERTY

Prime Sponsor: Representative Sommers

- Authorizes the Department of Corrections (DOC) to determine the types and amounts of offender property that the DOC will transport between institutions or to other jurisdictions at the agency's expense.
- Addresses the January 2005 Washington State Supreme Court decision in *Burton et al. v. Lehman*, which held that the DOC's policy of transporting only two boxes of inmate property free of charge, when an offender transfers from one location to another, violated a state statute.

SHB 2289: LIMITING HOSPITAL PARTICIPATION FOR MEDICAL ASSISTANCE PROGRAMS

Prime Sponsor: Representative Sommers

- Places a moratorium on additional hospitals entering the state Critical Access Hospital program. Hospitals in the program receive full-cost reimbursement for services to the Department of Social and Health Services medical assistance recipients.
- The moratorium does not apply to hospitals whose application was submitted prior to January 2005.
- Hospitals may still be certified for participation in the federal Medicare Critical Access program.

ESHB 2299: CONCERNING GENERAL OBLIGATION BONDS

Prime Sponsor: Representatives Dunshee

(SB 6093 Senator Fraser)

- The State Finance Committee is authorized to issue state general obligation bonds to finance \$1.3 billion in projects in the 2005 Supplemental and 2005-07 Capital Budget. This amount also includes \$30 million for a possible supplemental budget for emergency projects in 2006.

SHB 2304: RECOVERING DEBTS OWED TO THE STATE FOR MEDICAL ASSISTANCE

Prime Sponsor: Representative Sommers

(SSB 6095 Senator Prentice)

- Establishes additional legal mechanisms to facilitate recovery of state expenditures from the estates of deceased recipients of publicly-funded medical assistance and long-term care.
- The major additional tools include: authority to request notice when title to real property owned by a public assistance recipient is transferred or encumbered; authority to place liens on the property of a long-term care recipient who is not expected to be able to return to their home from a medical facility, the recipient must be given opportunity for a fair hearing before the lien is placed, and the lien must be lifted if the recipient does return home; and elimination of the \$40,000 homestead exemption from debts owed the state for recovery of medical assistance costs.
- Taken together, these tools are expected to result in reduced public expenditures totaling \$9 million during the 2005-07 biennium, and \$23 million per biennium thereafter.

ESHB 2309: MODIFYING WATER RIGHT FEES.

Prime Sponsor: Representative Linville

(SB 6099 Senator Prentice)

- Amends fees associated with acquiring or changing a water right. Exempts certain actions from imposition of fees. Provides relief from dam safety inspection fees for newly constructed dams.
- Specifies process for returning applications that do not include the required minimum fee. Requires 20 percent of the fee revenue to be used for a water rights tracking system.

ESHB 2314: MODIFYING REVENUE AND TAXATION

Prime Sponsor: Representative McIntire

- * The substitute version of SB 6100 is incorporated in part into ESHB 2314, as described below.*
- The retail sales and use tax is imposed on sales of warranties that are not already part of the selling price of purchased tangible property.
- An additional tax of \$1.33 per liter is imposed on liquor sales, excluding purchases by licensees.
- The nursing home quality maintenance fee is phased-out.
 - * SB 5829 is incorporated in its entirety into ESHB 2314, as described below.*
- An additional cigarette tax of 60 cents per pack of 20 cigarettes is imposed; the net proceeds of which are deposited in a new account for the purpose of funding class reduction and other portions of Initiative 728, as well as higher education purposes.
 - * SB 5911 is incorporated in its entirety into ESHB 2314, as described below.*
- Self-service laundry facilities are exempted from retail sales and use taxes and reclassified under the business and occupation (B&O) tax as service establishments.
 - * HB 1785 is incorporated in its entirety into ESHB 2314, as described below.*
- The B&O, retail sales, and use taxes are removed from separately stated delivery charges for direct mail.
 - * SB 5571 is incorporated in its entirety into ESHB 2314, as described below.*
- Nonprofit boarding homes operated by religious or charitable organizations as part of a nonprofit hospital or public hospital district are exempt from B&O taxes.
 - * SB 5398 is incorporated in its entirety into ESHB 2314, as described below.*
- B&O, sales, and use tax exemptions are provided for comprehensive cancer centers.
 - * SB 5972 is incorporated in its entirety into ESHB 2314, as described below.*
- The B&O tax credit for property taxes paid by commercial airplane and component manufacturers is modified concerning which payments are eligible.
 - * HB 1679 is incorporated in its entirety into ESHB 2314, as described below.*
- Leasehold interests in certain public amphitheatres are exempt from the leasehold excise tax.
 - * SB 5990 is incorporated in its entirety into ESHB 2314, as described below.*
- The payment of sales and use taxes on the construction of a historic automobile museum is deferred.
 - * The substitute version of SB 5455 is incorporated in its entirety into ESHB 2314, as described below.*
- The Washington Main Street Program is created to provide technical assistance to communities that undertake downtown or neighborhood commercialization district revitalization initiatives, and financial assistance is provided through B&O tax credits for a percentage of contributions made for the purposes of such initiatives.
 - * The substitute version of SB 5673 is incorporated in its entirety into ESHB 2314, as described below.*
- The B&O tax credit for high-technology research and development (R&D) is modified to correct the formula used to determine the credit and allows firms to ultimately calculate the credit based on an increased percentage of R&D expenditures.
- The deduction from estate value of certain farm property is modified for the purposes of the proposed estate tax in SB 6096.