

# Senate Committee Services

## Summary of Select 2011 Interim Activities



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January 2012



TO: Washington State Senators and Other Interested Persons

FROM: Richard Rodger, Director (786-7401)  
Senate Committee Services

SUBJECT: Senate Committee Services Summary of Select 2011 Interim Activities

DATE: January 9, 2012

We are pleased to provide this Summary of Select 2011 Interim Activities for your reference during the 2012 Legislative Session. The report summarizes many of the activities undertaken by the Senate's Standing Committees under the work plan approved by the Facilities & Operations Committee.

I believe that you will find the electronic version of this document to be most useful. The electronic version contains dozens of electronic hotlinks to the Uniform Resource Locator (URL) for bills, task force websites, and interim and final reports related to the interim projects. We will continue to update the electronic version of this document during this legislative session as additional reports or documents may become available. The most recent version can be found at: <http://www.leg.wa.gov/Senate/Committees/Documents/Reports/InterimActivities/2011InterimProjects.pdf>.

Please contact Cheri Randich at 786-7772 or [Cheri.Randich@leg.wa.gov](mailto:Cheri.Randich@leg.wa.gov) if you would like to receive a hard copy of this document.

In addition to the items included in this report, Senate Committee Staff have also worked on numerous other projects, issues, and requests of each member of the Senate. Please feel free to contact individual staff if you need any additional information about any of those projects not included in this report.

We hope that you find this report of great use and look forward to your comments or suggestion on how we may improve upon it. If you have other requests or questions, or need assistance on any issue, please don't hesitate to call on us.

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# Senate Agriculture, Water & Rural Economic Development Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Motorsport Events Enabling Legislation

**DESCRIPTION/FINDINGS/OUTCOME:** NASCAR events can generate over \$100 million annually in economic activity in local communities. Currently, events are held in over two dozen locations in the East, South, Midwest, and Southwest. However, no major NASCAR events are currently held in the 11 states that comprise the Northwest region of the United States.

In 2007 legislation was sought to allow the creation of a public speedway authority that would help to finance the construction of facilities for hosting of a NASCAR event in Washington State. As unemployment rates in several communities in the state have increased since 2007, inquiry was made into whether there was interest in developing enabling legislation to locate a major motor speedway event in the state.

Because the recent decline in the national economy has also affected NASCAR events, it was deemed not to be an opportune time for expansion into the Northwest.

**REFERENCES:** [SB 5856 \(2011\)](#), [SB 6040 \(2007\)](#)

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# Senate Early Learning & K-12 Education Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Alternative Learning Experience Programs

**DESCRIPTION/FINDINGS/OUTCOME:** Alternative Learning Experience (ALE) programs are education delivery or instructional programs that often include online learning. As a 2011 interim project committee staff summarized background information about ALE programs, the different categories of ALE programs, recent legislation addressing ALE programs, the results of selected studies and audits of ALE programs, concerns that have been raised about specifics of the ALE programs, and the impact of possible state-level alternative approaches to ALE programs.

**REFERENCES:** [ESHB 1087 \(2011\)](http://www.leg.wa.gov/Senate/Committees/EDU/Documents/AlternateLearningExperience.pdf)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/AlternateLearningExperience.pdf>

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**TITLE:** Average Daily Attendance

**DESCRIPTION/FINDINGS/OUTCOME:** This report reviews other states' methods of counting student attendance including pros and cons as to each method. The report also contains information about Washington State's practices, changes that have been contemplated, current directives to the Office of the Superintendent of Public Instruction (OSPI) regarding the development of consistent, statewide definitions of excused and unexcused absences, and planned improvements in the collection of attendance data.

**REFERENCES:** [ESHB 1087 – Sec. 501\(1\)\(v\) \(2011\)](http://www.leg.wa.gov/Senate/Committees/EDU/Documents/AverageDailyAttendance.pdf)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/AverageDailyAttendance.pdf>

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**TITLE:** High School Mathematics and Science Assessments

**DESCRIPTION/FINDINGS/OUTCOME:** As a 2011 interim project, Senate Education Committee staff researched state efforts in assessing student achievement in mathematics and science at the high school level. Information is provided regarding the types of mathematics

and science high school assessments being used; purposes and uses of high school assessments; the emerging trend of states using assessments to determine college readiness; and the Common Core State Standards (CCSS) assessments that are currently being developed. The Appendix provides a chart summarizing this information for all 50 states.

**REFERENCES:** [ESHB 1410 \(2011\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/MathScienceAssessments.pdf>

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**TITLE:** Home Visiting

**DESCRIPTION/FINDINGS/OUTCOME:** Home visiting programs match parents with trained professionals to provide information and support related to children's health development, to strengthen the parent-child relationship, and to promote early learning. In 2010 the Legislature created the Home Visiting Services Account to leverage state dollars for home visiting by requiring private dollars as a match. The Department of Early Learning (DEL) must contract with Thrive by Five Washington to administer programs funded through the Account. In 2011 the Senate proposed providing an additional \$1.868 million to the Account, to be used as state maintenance of effort for the federal Maternal, Infant and Early Childhood Home Visitation Program. As a result the state anticipates receiving \$2.6 million in federal funds for the biennium and additional private matching funds.

Committee staff will monitor this effort and compile information on the programs receiving state or federal money to provide home visiting services.

**REFERENCES:** [ESSB 6444 \(2010\)](#), [ESHB 1087 \(2011\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/HomeVisitInterim2011Project.pdf>

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**TITLE:** Science, Technology Engineering, and Mathematics (STEM) Education in K-12 Schools

**DESCRIPTION/FINDINGS/OUTCOME:** As a 2011 interim project, Senate Early Learning and K-12 Education Committee staff reviewed many of Washington's efforts to promote and improve STEM education in K-12 education. Additionally, staff conducted limited research on efforts at the federal level and in other states and compiled that information.

**REFERENCES:** <http://www.leg.wa.gov/Senate/Committees/EDU/Documents/STEM.pdf>

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**TITLE:** State-level Education Governance

**DESCRIPTION/FINDINGS/OUTCOME:** As a 2011 interim project, Senate Committee Services staff reviewed the models of education governance of other states; identified states in which the governor appoints an education official to the state executive cabinet to advise the governor; and reviewed the states that have two authoritative state education officials. The Appendix contains a chart summarizing the information. Additionally, information is provided on other states' recent legislative efforts to increase the gubernatorial influence on education.

**REFERENCES:** [SB 5522 \(2011\)](#), [SSB 5639 \(2011\)](#), [ESHB 1849 \(2011\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/Governance.pdf>

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**TITLE:** Teacher Performance

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2011 interim the committee staff reviewed how teacher performance is evaluated in Washington State and summarized background as to recent legislation in this area. Additionally, information on a nationwide study being completed by a non-profit organization that analyzes teacher effectiveness is included. Also, detailed information about teacher evaluation in the state of Georgia, as requested, is provided.

**REFERENCES:** [E2SSB 6696 \(2010\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/TeacherPerformance.pdf>

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**TITLE:** Washington Kindergarten Inventory of Developing Skills (WaKIDS) Pilot

**DESCRIPTION/FINDINGS/OUTCOME:** One of the 2011 interim projects of the Senate Early Learning and K-12 Education Committee staff is to provide the Committee with an update on the final report from the Department of Early Learning, in collaboration with the Office of the Superintendent of Public Instruction and Thrive by Five, regarding the Washington Kindergarten Inventory of Developing Skills (WaKIDS) pilot.

**REFERENCES:** [ESHB 1244 \(2009\)](#), [2SSB 5427 \(2011\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/WaKIDSPilot.pdf>  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/WaKIDSUWReport2011.pdf>

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# Senate Economic Development, Trade & Innovation Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Economic Development Finance

**DESCRIPTION/FINDINGS/OUTCOME:** In 2010 the Department of Commerce (Commerce) examined agricultural commodity commissions as a model for industry support organizations with self-financing systems for addressing industry-identified issues such as workforce training, international marketing, quality improvement, and technology deployment. Commerce found that the commission model had a number of advantages and that the model was well suited to agriculture but might need to be modified to fit other industries. Commerce reviewed other models from California and Kansas that raise money from a particular industry to benefit that industry and suggested that Washington could direct some of the growth in the state's business and occupation (B&O) tax from defined industries. Commerce labeled this a "pay as you succeed" model of economic development finance.

SB 5808 was introduced during the 2011 legislative session. It contains a funding mechanism for development of certified industry sectors, providing for 50 percent of the growth in B&O taxes from a certified industry sector to be devoted to innovation assistance to help the sector grow. Commerce is given major responsibility under the bill, similar to that exercised by the Department of Agriculture in managing commodity commissions. Committee staff worked with Commerce, the Washington Economic Development Commission, and industry and cluster associations to further develop the concept and legislation. A proposed substitute bill has been drafted and will be heard in committee during the 2012 session.

**REFERENCES:** [SB 5808 \(2011\)](#)

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**TITLE:** Regional Collaboration for Innovation

**DESCRIPTION/FINDINGS/OUTCOME:** The Innovation Working Group of the Pacific Northwest Economic Region (PNWER) met at the PNWER Annual Summit in Portland, Oregon in July. The Committee held a work session on innovation with the House Community Development and Housing Committee in conjunction with the working group. The focus was on the development of regional collaborative efforts to foster innovation, including policy benchmarking and identification of regional assets.

**REFERENCES:** N/A

**VIDEO:** *Work Session:* [http://www.tvw.org/index.php?option=com\\_tvoplayer&eventID=2011070049](http://www.tvw.org/index.php?option=com_tvoplayer&eventID=2011070049)

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**TITLE:** Job Creation through Trade and Foreign Direct Investment

**DESCRIPTION/FINDINGS/OUTCOME:** The Washington State Export Initiative (to increase exports by 30 percent in five years) began in 2010 in response to the Obama administration's National Export Initiative to double exports in the same time period. Subsequently, during the 2011 legislative session, the state enacted various pieces of legislation directed to meet this objective through trade promotion, training, and direct assistance to small and medium sized businesses (SMEs). The Community Economic Revitalization Board (CERB) received \$3 million in state funding which was awarded in the form of grants to various organizations to develop trade specific services for Washington State SMEs. Using this state funding as the required matching funds, The Department of Commerce's Office of International Trade was awarded a \$1.6 million federal State Trade and Export Promotion (STEP) match grant to further increase exports. The objectives of the federal grant include outreach to economically disadvantaged small businesses, new-to-market opportunities in China, providing export vouchers to SMEs to participate in targeted trade shows and missions, translation of marketing materials, and international certification for products. Due to significant budget cuts in 2011, Commerce's Office of International Trade was compelled to reduce its staff experts on trade and foreign direct investment including trade representatives abroad.

In December 2011 a work session was held by the Senate Economic Development, Trade, and Innovation committee to explore strategies for job creation through trade and foreign direct investment. Presenters included the Governor's Trade Policy Advisor, The Director of the Department of Commerce, the State's Chief Representative to China, and state based SMEs that have utilized state trade services.

**REFERENCES:** N/A

**VIDEO:** *Work Session:* [http://www.tvw.org/index.php?option=com\\_tvwplayer&eventID=2011120067](http://www.tvw.org/index.php?option=com_tvwplayer&eventID=2011120067)

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# Senate Energy, Natural Resources & Marine Waters Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Community Solar Projects

**DESCRIPTION/FINDINGS/OUTCOME:** In 2005 the Legislature created a Renewable Energy Cost-Recovery Incentive Program (Cost-Recovery Program) to promote renewable energy systems located in Washington that produce electricity from solar, wind, or anaerobic digesters. Owners of eligible systems may receive incentives ranging from 12 to 54 cents for each kilowatt-hour (kWh) of electricity produced, with the highest payments made for systems using Washington-manufactured components. In 2009 the Legislature expanded the Cost-Recovery Program to include community solar projects, which are 75 kilowatt or under solar energy systems owned by several individuals and are placed on local government property. Community solar projects are eligible to receive incentives between 30 cents and \$1.08 for each kWh of electricity produced, with the highest payments made to projects using Washington-manufactured panels and inverters. The spreadsheet linked below catalogues the current and planned community solar projects in the state.

**REFERENCES:** <http://www.leg.wa.gov/Senate/Committees/ENV/Documents/CommunitySolarProjects.pdf>

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**TITLE:** Discover Pass Implementation

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2011 session, the Legislature passed 2SSB 5622 which required an annual pass or day-use permit for access to state lands and sites managed by the State Parks and Recreation Commission, Department of Natural Resources, and Department of Fish and Wildlife. The legislation and its implementation generated significant public interest and constituent feedback, specifically on issues including transaction fees, pass exemptions, pass design, and the locations on which the pass is required. However, the issue of pass transferability between multiple vehicles generated the most questions and discussion over the interim. Staff monitored the implementation of the 2SSB 5622, monitored revenue from the sale of the pass, and provided information, support, and drafting services to members as requested.

**REFERENCES:** [2SSB 5622 \(2011\)](#)  
<http://discoverpass.wa.gov/>

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**TITLE:** Gray Wolf Conservation and Management

**DESCRIPTION/FINDINGS/OUTCOME:** In December 2011, the Fish and Wildlife Commission adopted the Gray Wolf Conservation and Management Plan to guide the management of gray wolves in Washington. Major plan elements include wolf recovery goals for purposes of state delisting, wolf management measures to promote livestock protection, and wolf management measures to promote wildlife protection. The plan is the result of development and public input process first begun in 2007, which included a stakeholder working group and public meetings. The gray wolf is currently an endangered species in Washington as classified by the Fish and Wildlife Commission and endangered under federal law in the western two-thirds of the state. As of December 2011, the Department of Fish and Wildlife indicates that five gray wolf packs are present in the Washington. Staff tracked and monitored the development of the Gray Wolf Conservation and Management Plan and provided information, support, and drafting services to members as requested.

**REFERENCES:** [http://wdfw.wa.gov/conservation/gray\\_wolf/mgmt\\_plan.html](http://wdfw.wa.gov/conservation/gray_wolf/mgmt_plan.html)

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## Senate Environment Committee

### 2011 Summary of Select Interim Activities

**TITLE:** Children's Safe Products Act

**DESCRIPTION/FINDINGS/OUTCOME:** E2SHB 2647 required the Department of Ecology (department) in consultation with the Department of Health to identify high priority chemicals that are of high concern for children (chemicals of high concern for children). A reporting list of chemicals of high concern for children was established. In July 2011, the department adopted rules for manufacturers to provide notice of children's products that contains chemicals of high concern for children. The rules are designed to phase in notice by manufacturers, requiring the largest manufacturers of products to report first on their products that are intended to be put in a child's mouth or on skin, or products for children under 3 years of age. The first notices are due within one year of the adoption of the rule, July 2012. Staff met with interested stakeholders to discuss statutory requirements, rule implementation and administration, as well as elements of the previous session's bill on children's products.

**REFERENCES:** [SB 5231 \(2011\)](#), [E2SHB 2647 \(2008\)](#)

**STAFF CONTACT:** Jan Odano

**CONTACT NUMBER:** 786-7486

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**TITLE:** Water Rights Permit Processing

**DESCRIPTION/FINDINGS/OUTCOME:** The Department of Ecology's Water Resources Program is responsible for approving, conditioning, or denying applications for new water rights and changes to existing water rights. There is currently a waiting list of approximately 7,000 pending water right and water right change applications statewide. Other states have faced backlogs in their water rights processing. Oregon addressed its backlog by hiring 17 temporary employees and adopting a new procedure to process water right applications that takes approximately 7-8 months from application filing to issuance of a final order. Additionally, Oregon adopted legislation that decreased the number of consecutive weeks of newspaper publication for transfers to two weeks. Most of Idaho's streamlining efforts occurred internally within the Department of Water Resources. Idaho adopted legislation to exempt some transfer application from the legal notice requirement. Other legislative changes in Idaho included a fee increase for transfer applications, doubling the basic filing fees, and adding a \$250 additional charge for change-in-nature-of-use transfers.

**REFERENCES:** [SB 5536 \(2011\)](#), [HB 1610 \(2011\)](#), [SB 6267 \(2010\)](#)

**STAFF CONTACT:** Karen Epps

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# Senate Financial Institutions, Housing & Insurance Committee

## 2011 Summary of Select Interim Activities

**TITLE:** The Dodd-Frank Act

**DESCRIPTION/FINDINGS/OUTCOME:** The United States Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) in 2010 in response to the economic crisis. The Dodd-Frank Act was devised to impose greater oversight and regulation on financial institutions as well as the insurance industry. In 2011 the Washington State Legislature passed HB 1694 in response to the Dodd-Frank Act. HB 1694 amends various provisions within the unauthorized insurance code to bring our state's surplus line insurance provisions in compliance with the federal act. There are various effective dates within the Dodd-Frank Act, the earliest taking effect July 21, 2011.

Staff monitored the developments of the Dodd-Frank Act with specific attention towards provisions that could impact the state.

**REFERENCES:** [HB 1694 \(2011\)](http://www.leg.wa.gov/Senate/Committees/FIHI/Documents/BILLS-111hr4173enr.pdf#Sec.111)  
<http://www.leg.wa.gov/Senate/Committees/FIHI/Documents/BILLS-111hr4173enr.pdf#Sec.111>

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**TITLE:** Residential Foreclosure

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2011 legislative session, the Legislature passed 2SHB 1362 (2011), known as the Foreclosure Fairness Act, which made a number of changes to the residential real property foreclosure process, including creating a mediation program to be administered by the Department of Commerce.

Staff monitored the implementation of Foreclosure Fairness Act as well as proposed foreclosure legislation nationwide, including foreclosure coverage in the media.

In response to some challenges foreclosure mediators were experiencing, SSB 5988 (2011) passed during the second special session. Stakeholders continue to meet to discuss the impact of the Foreclosure Fairness Act. Legislation relating to the Foreclosure Fairness Act will likely be introduced during the 2012 legislative session.

**REFERENCES:** [2SHB 1362 \(2011\)](http://www.commerce.wa.gov/site/1367/default.aspx), [SSB 5988 \(2011\)](http://www.commerce.wa.gov/site/1367/default.aspx)  
<http://www.commerce.wa.gov/site/1367/default.aspx>

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# Senate Government Operations, Tribal Relations & Elections Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Local Government Financing

**DESCRIPTION/FINDINGS/OUTCOME:** Infrastructure projects build or replace parts of many different community-owned systems: transportation, roadways, water (water quality, drinking water, irrigation, wastewater and stormwater), solid and hazardous waste, affordable housing, health and community facilities, public safety facilities, and parks and recreation. Public infrastructure is generally financed through savings, grants, long-term low-interest state loans and the issuance of long-term debt usually in the form of municipal bonds. State assistance is provided in the form of grants of state money, loans of state funds that are repaid with interest, and various forms of municipal bond credit support that are authorized and sometimes funded by the state. However, a number of municipalities report they are falling behind on infrastructure maintenance and improvements. Additionally, local government general fund shortfalls have led to capital investment cuts.

The committee held a work session in December on local government infrastructure financing. Committee staff worked with staff from the Association of Washington Cities, Washington Association of Counties, Department of Revenue, and the Public Works Board to provide information at the work session on the needs for local government infrastructure financing, various tax programs designed to fund infrastructure, and options for modernizing infrastructure assistance.

**REFERENCES:** *2010 Local Infrastructure Financing Tool (LIFT) Program Report:* [http://www.leg.wa.gov/documents/legislature/ReportsToTheLegislature/2010%20LIFT%20Annual%20Report%20\(FINAL\)%2019%20May%202011\\_a13d6912-9835-423f-a856-dc4c8cb320a4.pdf](http://www.leg.wa.gov/documents/legislature/ReportsToTheLegislature/2010%20LIFT%20Annual%20Report%20(FINAL)%2019%20May%202011_a13d6912-9835-423f-a856-dc4c8cb320a4.pdf)  
*Modernizing Infrastructure Assistance Report:* <http://www.leg.wa.gov/Senate/Committees/GO/Documents/ModernizationReportNovember2011.pdf>

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**TITLE:** Joint Executive-Legislative Workgroup on Tribal Retrocession

**DESCRIPTION/FINDINGS/OUTCOME:** The 20-member workgroup, which included legislators, Indian law experts, and tribal, federal, state, and local government officials, met four times from July to November 2011. It studied proposals to retrocede (return), to Washington tribes and the federal government, criminal and civil jurisdiction over tribes that the state acquired half a century ago, pursuant to a 1953 federal act. The workgroup heard testimony from legal experts and several officials, including tribal representatives, about current state jurisdiction, concerns regarding the existing system, and practical aspects of retrocession. At its last meeting, the workgroup discussed (but did not formally adopt, as a recommendation) draft legislation

proposed by its chair, Rep. John McCoy. The draft legislation would establish a new retrocession process, initiated when a tribe submitted a resolution proposing retrocession to the Governor. The legislature could hold hearings and make recommendations on the retrocession proposal. The Governor would be required to approve or deny the proposal within a year of receipt (unless extended by mutual consent), or it would be deemed approved. However, retrocession would not take effect until approved in accordance with federal law, which currently requires consent of the Secretary of the Interior.

**REFERENCES:** [HB 1448 \(2011\)](#); [HB 1773 \(2011\)](#); [SSB 5332 \(2011\)](#)

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Sam Thompson

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**TITLE:** Precinct Committee Officer Elections

**DESCRIPTION/FINDINGS/OUTCOME:** On September 23, 2011, the committee held a joint work session with the House State Government & Tribal Affairs Committee to consider proposed new methods to elect precinct committee officers (PCOs). Proposals seek to comply with a 2011 US district court ruling striking down the existing method, set in statute and administrative rules, enabling voters to vote for a PCO candidate on the state's "top two" primary election ballot. That ballot, provided to all voters, specified: "[i]f you consider yourself a democrat or republican, you may vote for a [PCO] candidate of that party." According to the court, the method allowed voters to participate in selecting political parties' officers "even though the parties may not prefer to associate with voters who consider themselves members in a fleeting moment" when voting, thus violating the parties' First Amendment right to identify and associate with members of their organizations. In the September work session, legislators heard from election administrators, party representatives, and on-line voting software developers regarding diverse options for public or private elections. Discussions continue regarding potential legislation. Meanwhile, on December 6, 2011, the Secretary of State adopted administrative rules repealing previous PCO election rules and providing that: "[PCO] elections are no longer conducted by state or county government. As private organizations, the political parties determine how to conduct their internal affairs, including selection of their officers." On December 22, 2011, the Washington Democratic and Republican parties sued the Secretary of State in Thurston County Superior Court, seeking a declaration that the new rules invalidly attempted to amend statutes by rule and that the Secretary of State remained obligated to conduct PCO elections. The court set an initial scheduling conference for March 22, 2012.

**REFERENCES:** [HB 1860 \(2011\)](#)

**STAFF CONTACT:** Sam Thompson

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**TITLE:** The Public Records Exemption and Accountability Committee (Sunshine Committee)

**DESCRIPTION/FINDINGS/OUTCOME:** The Public Records Exemption and Accountability Committee - or Sunshine Committee - was created by Substitute Senate Bill 5435 in 2007. The

Legislature established the Committee to review all public disclosure exemptions, and make recommendations to the Legislature as to whether each exemption should be continued without modifications, continued with modifications, scheduled for sunset review at a future date, or terminated.

In 2011 the Sunshine Committee held five meetings and reviewed thirty-four exemptions. The Committee voted to recommend that all of the considered exemptions except three be retained without modification.

**REFERENCES:** [SSB 5435 \(2007\)](#), [SB 5294 \(2008\)](#), [SB 5295 \(2008\)](#), [SSB 5049 \(2010\)](#)  
<http://www.atg.wa.gov/opengovernment/sunshine.aspx>

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# Senate Health & Long-Term Care Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Developmental Disability Service System Task Force

**DESCRIPTION/FINDINGS/OUTCOME:** In 2011 the Legislature established the Developmental Disability Service System Task Force. The Task Force consists of members of the Legislature as well as stakeholders from the developmental disabilities and residential habilitation centers communities. The Task Force is directed to issue recommendations on developing a system of services for persons with developmental disabilities, the state's long-term needs for residential habilitation center capacity, a plan for consolidating institutional capacity, mechanisms for using savings from downsizing residential habilitation centers to create community-based services, use of surplus property, and strategies for reframing the mission of the Yakima Valley School. Recommendations must be reported to the Legislature by December 1, 2012.

The Task Force began its work in October 2011. At its initial meeting, the Task Force established ground rules, heard a report on the closure of Frances Haddon Morgan Center, and received an overview of DSHS' Developmental Disabilities Services. The Task Force will continue its work at the end of the 2012 Legislative session.

**REFERENCES:** [2SSB 5459 \(2011\)](#)  
<http://leg.wa.gov/JointCommittees/DDSSTF/Pages/default.aspx>

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**TITLE:** Joint Select Committee on Health Reform Implementation

**DESCRIPTION/FINDINGS/OUTCOME:** The passage of the Patient Protection and Affordable Care Act in March 2010 enacted sweeping changes to the country's health care system. Federal health care reform also triggered immediate responses from states which have been tasked with implementing the new law through a variety of changes to public programs, insurance regulation, workforce assumptions, eligibility standards, and many other basic areas of health care.

In 2010 the Washington State Legislature established the Joint Select Committee on Health Care Reform Implementation to provide a forum for public comment and expert advice on the development of Washington's response to the Patient Protection and Affordable Care Act. Although the Committee was set to expire in 2011, the Legislature stated a need to continue to monitor changes to the health care system and the implementation activities of the executive branch and extended the term of the Committee. The Committee focused on a number of areas including the development of the Health Insurance Exchange, Medicaid waiver discussions and expansion planning, health workforce issues, and the implementation of 2E2SHB 1738 which

designated the Health Care Authority as the single state agency for Medicaid and transferred responsibility to the Authority from the Department of Social and Health Services. Over the interim, the Committee as a whole met four times, in locations throughout the state. Legislation is expected in 2012 for several of the areas addressed by the Committee.

All meeting materials of the Joint Select Committee and the advisory groups are available at <http://www.leg.wa.gov/jointcommittees/HRI/Pages/default.aspx>.

**REFERENCES:** [ESHCR 4404 \(2011\)](#)  
<http://www.leg.wa.gov/jointcommittees/HRI/Pages/default.aspx>

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# Senate Higher Education & Workforce Development Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Full-Time and Part-Time Faculty

**DESCRIPTION/FINDINGS/OUTCOME:** In Washington, the term "part-time faculty" describes employees who teach less than a full-time workload at higher education institutions. Part-time faculty members are often hired to teach basic, core-curriculum courses or courses with specialized subjects that use working professionals. In general, institutions are relying more and more on part-time faculty because they save institutions money and allow institutions to change their academic programs to meet market demands. The main issues that arise with the growing number of part-time faculty are pay, benefits, working conditions, and job security. Oftentimes, whether a part-time faculty member is eligible for a benefit depends on the definition of employee and employee status. However, many times a faculty member must work at least 50% of a full-time workload to be eligible for many of the benefits. In Washington, all of the community and technical colleges and regional colleges are unionized. These faculty unions represent both full-time and part-time faculty members. No national part-time faculty union exists. Colleges and universities will likely continue to rely on part-time faculty.

**REFERENCES:** <http://www.leg.wa.gov/Senate/Committees/HEWD/Documents/PartTimeFacultyRpt.pdf>

**STAFF CONTACT:** Katherine Taylor

**CONTACT NUMBER:** 786-7434

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**TITLE:** Steering Committee on Higher Education

**DESCRIPTION/FINDINGS/OUTCOME:** Under 2ESSB 5182, the Legislature created the Higher Education Steering Committee to review coordination, planning, and communication for higher education in the state and establish the purpose and functions of a newly established Council for Higher Education.

The Steering Committee met four times during the fall of 2011. The Governor chaired the committee, which recommended two options in its final report. Under both options, an Office of Student Achievement would be created as well as an 11-member advisory board. The first option presents a structure that would establish the statewide goal of increasing educational attainment and provide for coordination among all statewide education entities, from preschool through postsecondary education. The Office would include financial aid, the State Board of Education, and the Education Research and Data Center. The second option also establishes the goal of increasing educational attainment, but focuses on coordination between secondary and postsecondary education and would include financial aid. Under both options, a Joint Legislative Committee on Student Achievement would be created to connect the work of the Office with the legislative branch. The final report can be accessed on the Governor's web site.

**REFERENCES:** 2ESSB 5182 (2011)  
<http://www.leg.wa.gov/Senate/Committees/HEWD/Documents/HigherEdSteeringCmte.pdf>

**STAFF CONTACT:** Kim Cushing

**CONTACT NUMBER:** 786-7421

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# Senate Human Services & Corrections Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Rewriting/Reorganizing the Sex Offender Registration and Notification Statutes

**DESCRIPTION/FINDINGS/OUTCOME:** After numerous clean-up improvements to the sex offender registration and notification statutes to address consistency issues, the statutes need further reorganization as a whole to make the statutes easier to understand for those who are subject to registration and those that must implement its provisions. Committee staff redrafted the sex offender registration and notification statutes. In working with stakeholders, they have expressed a desire to hold off on further changes for a couple years or until the series of statutes are reopened again with other legislation.

**REFERENCES:** N/A

**STAFF CONTACT:** Shani Bauer

**CONTACT NUMBER:** 786-7468

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**TITLE:** Joint Legislative Task Force on Sealing Juvenile Records

**DESCRIPTION/FINDINGS/OUTCOME:** The Joint Legislative Task Force met numerous times during the 2011 interim beginning in September 2011. The Task Force discussed numerous issues regarding the sealing of juvenile records and made recommendations for possible legislation during the 2012 session.

**REFERENCES:** [SHB 1793 \(2011\)](#)

The Final Report of the Joint Legislative Task Force on Sealing Juvenile Records will be added when it is available.

**STAFF CONTACT:** Jennifer Strus

**CONTACT NUMBER:** 786-7316

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**TITLE:** Review of the Demand for Competency Evaluation and Competency Restoration Resources

**DESCRIPTION/FINDINGS/OUTCOME:** Staff reviewed the current competency evaluation and restoration process, including the current backlog of cases. After discussions with various stakeholders during the interim, a model of the capacity needs was developed for competency evaluations and competency restoration at Western State Hospital.

**REFERENCES:** N/A

**STAFF CONTACT:** Kevin Black

**CONTACT NUMBER:** 786-7747

## Senate Judiciary Committee

### 2011 Summary of Select Interim Activities

**TITLE:** Bail

**DESCRIPTION/FINDINGS/OUTCOME:** SSB 5056 was introduced in the 2011 legislative session, as recommended by the Bail Practices Work Group; however, it failed to pass. Also considered was SHB 1194 that dealt with determining bail on an individualized basis for those arrested and detained with class A or B offenses. Staff aided legislators continuing to perfect bail issues including, but not limited to, creating a mandatory minimum premium. Possible amendments to the bill may be considered during the 2012 legislative session.

**REFERENCES:** [SSB 5056 \(2011\)](http://www.leg.wa.gov/Senate/Committees/JUD/Documents/RightToAPublicTrial.pdf)  
<http://www.leg.wa.gov/Senate/Committees/JUD/Documents/RightToAPublicTrial.pdf>

**STAFF CONTACT:** Juliana Roe

**CONTACT NUMBER:** 786-7438

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**TITLE:** Corporate Personhood

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2010 legislative session, SJM 8077 was introduced. It urged the President and Congress to adopt an amendment to the United States Constitution providing that corporations are not persons. A number of states introduced resolutions similar to the Washington Legislature's SJR 8077. Only Maryland has successfully passed a resolution asking the President and Congress to adopt a similar amendment to the United States Constitution. Staff drafted a summary of the state of the law regarding whether corporations are "persons" under the state and federal constitutions.

**REFERENCES:** [SJM 8007 \(2011\)](http://www.leg.wa.gov/Senate/Committees/JUD/Documents/CorporatePersonhood.pdf)  
<http://www.leg.wa.gov/Senate/Committees/JUD/Documents/CorporatePersonhood.pdf>

**STAFF CONTACT:** Aldo Melchiori

**CONTACT NUMBER:** 786-7439

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**TITLE:** Closing Courtrooms

**DESCRIPTION/FINDINGS/OUTCOME:** During the interim, a question arose in relation to the relevant Washington case law in regard to the steps that a court must perform before closing a courtroom during court proceedings in light of the right to a public trial guaranteed by the First and Sixth Amendment to the Constitution of the United States as well as article one, §§10 and 22 of the Washington State Constitution. As requested, staff conducted research and drafted a full analysis.

**REFERENCES:** N/A

**STAFF CONTACT:** Aldo Melchiori

**CONTACT NUMBER:** 786-7439

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# Senate Labor Commerce, Research & Development Committee

## 2011 Summary of Select Interim Activities

**TITLE:** Workers Compensation Reform

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2011 session, the Legislature passed a number of bills reforming the state's industrial insurance system. Committee staff monitored rule development and attended stakeholder and agency meetings on implementation plans for the various reform pieces.

**REFERENCES:** [EHB 2123 \(2011\)](#), [ESSB 5068 \(2011\)](#), [ESSB 5594 \(2011\)](#), [SSB 5801 \(2011\)](#)

**STAFF CONTACT:** Mac Nicholson

**CONTACT NUMBER:** 786-7445

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**TITLE:** Unemployment Insurance

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2011 session, the Legislature passed EHB 1091. The legislation provided an additional temporary unemployment benefit to unemployed individuals. The U.S. Department of Labor determined the non-charging provision of the legislation was out of conformity with federal law. The committee received updates from the Employment Security Department on the conformity issue and actions that could be pursued to bring the state back into conformity.

**REFERENCES:** [EHB 1091 \(2011\)](#)

**STAFF CONTACT:** Mac Nicholson

**CONTACT NUMBER:** 786-7445

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**TITLE:** Oil Refinery Regulation

**DESCRIPTION/FINDINGS/OUTCOME:** Committee staff researched current federal and state standards regarding oil refinery safety. Committee staff attended meetings with members and stakeholders to discuss current standards and industry practices. Discussions are ongoing.

**REFERENCES:** N/A

**STAFF CONTACT:** Edith Rice

**CONTACT NUMBER:** 786-7444

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## **Senate Transportation Committee**

### **2011 Summary of Select Interim Activities**

**TITLE:** Adjustment to Capital Projects System - Local Grant Programs

**DESCRIPTION/FINDINGS/OUTCOME:** Senate staff worked with House staff and representatives of various divisions from the Washington State Department of Transportation (WSDOT) to determine what system changes might be needed to submit local grant projects in the capital project system. These projects include (1) regional mobility, (2) bicycle and pedestrian safety, and (3) safe routes to schools. The evaluation found that no changes are needed and the projects for the 2013-15 biennial budget will be submitted by WSDOT in the capital projects system.

**REFERENCES:** N/A

**STAFF CONTACT:** Amanda Cecil

**CONTACT NUMBER:** 786-7429

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**TITLE:** Connecting Washington Task Force

**DESCRIPTION/FINDINGS/OUTCOME:** During the 2011 interim, the Governor convened the Connecting Washington Task Force (CWTF) to develop a ten-year statewide transportation system investment and funding strategy. The CWTF included the chairs and ranking minority members of the House and Senate Transportation Committees, nearly three dozen locally elected officials, tribal members, organized labor, trade associations, and businesses, and was chaired by the Governor. The CWTF is expected to publish their recommendations in January 2012. The Governor intends to then use the CWTF's recommendations as the basis for a ten-year transportation revenue and investment referendum proposal for Legislative consideration and a possible public vote in November of 2012.

**REFERENCES:** [ESHB 1175 \(2011\)](#)

**STAFF CONTACT:** David Ward

**CONTACT NUMBER:** 786-7341

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**TITLE:** New Statewide Tolling Operations

**DESCRIPTION/FINDINGS/OUTCOME:** In 2010, the Legislature enacted a new statewide tolling system, including a photo toll system of collections. However, the new system was made contingent on the WSDOT Secretary's certification that the new system was "fully operational." On December 2, 2011, the Secretary certified the new statewide tolling operations center and photo toll system. This decision was based on "extensive end-to-end system testing by WSDOT, assurances from the system vendor, and advice from the Tolling Expert Review Panel and external consultants", according to the Secretary's certification letter.

With respect to the Tacoma Narrows Bridge, WSDOT activated photo tolling and introduced two additional options: Pay By Mail and Pay By Plate on December 3, 2011. These options allow drivers without a Good To Go! Transponder to use the electronic toll lanes. The registered owner of the vehicle will receive a toll bill in the mail. Drivers who don't pay within 80 days will receive a notice of civil penalty for \$40 plus the accumulated tolls and fees. All money collected will go to the Tacoma Narrows Bridge account.

With respect to the SR 520 floating bridge, WSDOT began tolling on Thursday, December 29, 2011. More than 100,000 Good To Go! accounts have been set up since February in the King County area. The Pay By Mail and Pay By Plate options are also available to SR 520 drivers without a Good To Go! Transponder allowing them to use the electronic toll lanes. Peak tolls will be \$3.50 in each direction when using a Good To Go! Transponder. WSDOT anticipates raising \$60 million in net revenue, dedicated to financing the replacement bridge, through the remainder of the 2011-13 biennium.

**REFERENCES:** [ESSB 6499 \(2010\)](#)

**STAFF CONTACT:** Clint McCarthy

**CONTACT NUMBER:** 786-7319

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**TITLE:** Public-Private Partnerships Financing Study

**DESCRIPTION/FINDINGS/OUTCOME:** This Joint Transportation Committee (JTC) study evaluated the potential for financing transportation projects using public-private partnerships (P3). The P3 study was primarily one of education, intended to educate legislators, members of the executive branch, and stakeholders about this alternative method of developing projects where the public and private sector share the risks and rewards of projects and services traditionally delivered by the public sector. The study evaluated five specified transportation projects' potential P3 suitability, using a screening tool and a comparative finance model developed in the course of the study and tailored to Washington State. The study also included recommended statutory changes, and a conceptual P3 implementation plan. The final report will be submitted to the transportation committees of the Legislature in January 2012.

**REFERENCES:** [ESHB 1175 SEC. 204\(4\) \(2011\)](#)  
<http://www.leg.wa.gov/JTC/Pages/PublicPrivatePartnershipsStudy.aspx>

**STAFF CONTACT:** Kim Johnson

**CONTACT NUMBER:** 786-7472

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**TITLE:** Washington State Ferries Studies

**DESCRIPTION/FINDINGS/OUTCOME:** The Joint Transportation Committee (JTC) was directed to study three issues related to the Washington State Ferries (WSF):

1. WSF Fare Structure and Media. A variety of fare simplification proposals and new payment systems were reviewed in this study, with short- and long-term implementation plans. A final report will be provided in January 2012.
2. WSF Management Organization and Structure. This study determined there is significant opportunity for improvement of the structure and practices within WSF management; however, the study recommended that reform should come from within the organization rather than be directed externally. A final report will be provided in January 2012.
3. Use of Liquid Natural Gas (LNG) on Existing WSF Vessels and on the Planned 144-Car Class Vessels. This study indicates there would be fuel savings to WSF if certain existing vessels were converted to LNG, and future vessels were built to run on LNG. However, a security plan and agreement from the U.S. Coast Guard are needed before any LNG investments are made. A final report will be provided in January 2012.

**REFERENCES:** [ESHB 1175 - SEC. 204 \(2011\)](#)  
<http://www.leg.wa.gov/JTC/Pages/CurrentStudies.aspx>

**STAFF CONTACT:** Hayley Gamble

**CONTACT NUMBER:** 786-7452

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## Senate Ways & Means Committee

### 2011 Summary of Select Interim Activities

**TITLE:** 2012 Citizen's Guide to the Budget

**DESCRIPTION/FINDINGS/OUTCOME:** The 2012 Citizen's Guide to the Budget is currently being updated by Senate Ways & Means staff along with staff from the Legislative Evaluation and Accountability Program (LEAP) Committee for the 2012 Legislative Session. The guide is published on an annual basis for use by legislators, legislative staff, and the general public to answer basic questions about the Washington State biennial budget. It is anticipated that the guide will be published the first week of session and will be available with the committee, as well as online.

**REFERENCES:** <http://www.leg.wa.gov/Senate/Committees/WM/>

**STAFF CONTACT:** Devon Nichols &  
LEAP Committee

**CONTACT NUMBER:** 786-7715

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**TITLE:** 2011-13 Biennial & 2011 Supplemental Legislative Budget Notes

**DESCRIPTION/FINDINGS/OUTCOME:** Legislative fiscal staff in the Senate and House worked together with the Legislative Evaluation and Accountability Program Committee staff to publish the Legislative Budget Notes (LBN) in the summer of 2011. The LBN is a publication that represents the official record of legislative action on the omnibus operating, transportation, and capital budgets. It is used by legislators, legislative staff, state agencies, and the general public to determine the legislative intent behind the hundreds of policy changes embedded in the three major documents.

**REFERENCES:** <http://leap.leg.wa.gov/leap/budget/lbns/2011toc.htm>

**STAFF CONTACT:** Ways & Means  
Committee Staff

**CONTACT NUMBER:** 786-7715

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**TITLE:** 2012 Legislative Guide to Washington State Property Taxes

**DESCRIPTION/FINDINGS/OUTCOME:** The 2012 Legislative Guide to Washington State Property Taxes has been updated by Senate Ways & Means staff for the 2012 session. The guide is published on an annual basis for use by legislators, legislative staff, and the general public to answer basic questions about the Washington State Property Tax System. The guide is published and available to the committee, as well as online.

**REFERENCES:** <http://www.leg.wa.gov/Senate/Committees/WM/>

**STAFF CONTACT:** Dianne Criswell

**CONTACT NUMBER:** 786-7433

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**TITLE:** 2012 Citizen's Guide to K-12 Finance

**DESCRIPTION/FINDINGS/OUTCOME:** The Ways & Means and Early Learning & K-12 Education Committee staff will update the Citizen's Guide to K-12 Finance. This document serves as a resource for members, legislative staff, and the general public. The document focuses on frequently asked questions regarding K-12 finance.

**REFERENCES:** LEAP Staff

<http://www.leg.wa.gov/Senate/Committees/WM/Pages/default.aspx>

**STAFF CONTACT:** Elise Greef  
Susan Mielke

**CONTACT NUMBER:** 786-7708  
786-7422

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**TITLE:** K-12 Educator Compensation Work Group

**DESCRIPTION/FINDINGS/OUTCOME:** Engrossed Substitute House Bill 2261, enacted in 2009, redefined the state's program of basic education, funding formulas and amounts, and the methods needed to fully support the redefined program. In implementing the new program of education, several working groups were established in the law to make technical recommendations to the Quality Education Council and the Legislature. RCW 28A.400.201 establishes a "...technical working group to recommend the details of an enhanced salary allocation model that aligns state expectations for educator development and certification with the compensation system recommendations for a concurrent implementation schedule..."

Members of Compensation Technical Working Group include representatives from the Department of Personnel, the Professional Educator Standards Board, OSPI, the Washington Association of School Business Officials, the Washington Education Association, the Washington Association of School Administrators, the Association of Washington School Principals, the Washington State School Directors' Association, the Public School Employees of Washington, and other interested stakeholders with expertise in education finance. The group has met 11 times since convening in July 2011. The group has studied – among other details – background, pros and cons of the existing salary allocation model, policy objectives and options, educator expectations, labor market analysis, and has gathered survey information. The group is scheduled to meet eight more times before the end of June 2012, with an initial report due by

June 30, 2012 – at which time, the group is to indicate whether additional work will be necessary.

**REFERENCES:** RCW 28A.400.201: <http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.400.201>  
<http://www.k12.wa.us/Compensation/default.aspx>

**STAFF CONTACT:** Elise Greef  
Susan Mielke

**CONTACT NUMBER:** 786-7708  
786-7422

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**TITLE:** Alternative Learning Experience Programs

**DESCRIPTION/FINDINGS/OUTCOME:** Alternative Learning Experience (ALE) programs are education delivery or instructional programs that often include online learning. As a 2011 interim project committee staff summarized background information about ALE programs, the different categories of ALE programs, recent legislation addressing ALE programs, the results of selected studies and audits of ALE programs, concerns that have been raised about specifics of the ALE programs, and the impact of possible state-level alternative approaches to ALE programs.

**REFERENCES:** [ESHB 1087 \(2011\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/AlternateLearningExperience.pdf>

**STAFF CONTACT:** Juliana Roe  
Elise Greef

**CONTACT NUMBER:** 786-7438  
786-7708

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**TITLE:** Average Daily Attendance

**DESCRIPTION/FINDINGS/OUTCOME:** This report reviews other states' methods of counting student attendance including pros and cons as to each method. The report also contains information about Washington State's practices, changes that have been contemplated, current directives to the Office of the Superintendent of Public Instruction (OSPI) regarding the development of consistent, statewide definitions of excused and unexcused absences, and planned improvements in the collection of attendance data.

**REFERENCES:** [ESHB 1087 – Sec. 501\(1\)\(v\) \(2011\)](#)  
<http://www.leg.wa.gov/Senate/Committees/EDU/Documents/AverageDailyAttendance.pdf>

**STAFF CONTACT:** Juliana Roe  
Elise Greef

**CONTACT NUMBER:** 786-7438  
786-7708

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## **Additional Electronic Resources**

[Senate Website](#)

[Senate Committee Services Website](#)

[2011 Interim Work Plan and Meeting Schedules](#)

[2011 Bills Passed During the 2011 Regular and First Special Legislative Sessions](#)

[2011 Bills Passed During the Second Special Legislative Session](#)

[TVW Archives](#)