

Senate Committee Services

2011 Interim Work Plan and Meeting Schedule



June 21, 2011



DATE: June 16, 2011

TO: Washington State Senators and Other Interested Persons

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

SUBJECT: Senate Committee Services 2011 Interim Work Plan and Activities

We are pleased to provide this 2011 Interim Work Plan and Activities, as approved by the Facilities & Operations Committee, for your reference in the months preceding the 2012 Legislative Session.

The interim work plan is a public planning document containing the major issues that each committee currently plans to consider during the next legislative session. It is used to guide staff in conducting research over the interim and in planning related interim committee activities and hearings. In addition to the items included in this work plan, Senate Committee Services' staff conducts additional research projects as requested by individual Senators. In this light, we trust you will find this work plan useful in planning your calendars and monitoring the committee's work during the interim.

The electronic version of this document can be found on our website at: <http://www.leg.wa.gov/Senate/Committees/Pages/default.aspx>. The website will be updated throughout the interim as the dates and locations of committee and task force meetings and activities are finalized.

If you have other requests or questions, or need assistance on any issue, please don't hesitate to contact us.

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Senate Agriculture & Rural Economic Development Committee

Workplan Summary – 2011 Interim

PROJECT: **Motorsport Events Enabling Legislation**

COMPLETION DATE: December 2011

STAFF: Bob Lee/Diane Smith

REFERENCES: NA

DESCRIPTION: Several rural communities are continuing to experience a long-term decline in jobs and population and may be interested in exploring opportunities to attract new industries that will spur economic development. While various motorsport events are conducted in Washington, they have not developed here to the extent they have in many other regions of the country. As an example, NASCAR events are hosted in over two dozen locations in the East, South, Midwest, and Southwest. However, no major NASCAR events are currently held in the 11 states in the Northwestern region of the United States. The closest tracks are in Eastern Kansas and Central California. Some of these events generate over \$100 million in economic activity in the local community.

Currently, Washington State does not have laws establishing requirements and mechanisms to attract, site, and finance construction of a major new motorsports facility. The committee will convene meetings in different regions of the state to determine whether there is sufficient local interest in attracting a major motorsports facility and to determine what state enabling legislation may be needed.

PROJECT: **Protection of Water Quality and Livestock Operations**

COMPLETION DATE: December 2011

STAFF: Bob Lee

REFERENCES: [2ESHB 1087 - Sec. 312](#), [SSB 5723](#)

DESCRIPTION: Efforts are ongoing to determine and address the source of contamination that result in temporary closures of shellfish beds because of elevated levels of fecal coliform bacteria in waters flowing into coastal estuaries. Among the potential sources of contamination are septic tanks, recreational users, commercial and non-commercial livestock operations, waterfowl, marine mammals, and upland wildlife. In the Samish River watershed, the Puget Sound Partnership is collaborating with state and local governments, oyster growers, landowners, and livestock owners to achieve a reduction in the level of fecal coliform to significantly reduce the number of days that shellfish beds are closed.

The committee will monitor the activities of the Clean Samish Initiative, the Puget Sound Partnership, and the work assigned to the directors of the Department of Ecology, Conservation Commission, and the Department of Agriculture to address this issue.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7411

DATE TBA ¹ TIME TBA	Full Committee Work Session	Snohomish County, WA	Motorsport events enabling legislation.
DATE TBA TIME TBA	Full Committee Work Session	Spokane County, WA	Motorsport events enabling legislation.
December Legislative Assembly TIME TBA	Full Committee Work Session	Olympia, WA	Agenda Items to be announced.

¹ TBA = To be announced.

Senate Early Learning & K-12 Education Committee

Workplan Summary – 2011 Interim

PROJECT: **Average Daily Attendance**

COMPLETION DATE: December 2011

STAFF: Juliana Roe/Elise Greef

REFERENCES: [ESHB 1087 \(C 50 L 11 E1\)](#)

DESCRIPTION: Washington State currently uses a student count method to determine school district funding that is based on a monthly count date which looks at the number of students in attendance on the fourth school day of September and the first school day of October through May. Other states have used a method based on Average Daily Attendance (ADA). The rationale for exploring an ADA based student count is to provide districts with a financial incentive to maintain students' enrollment after the September count has been completed and to more accurately adjust, or target, resources to districts based on the students they serve throughout the course of the school year.

Staff will review other states' methods, including financial impacts on school districts if such information is available, and compile information as to what method has been most successful.

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

COMPLETION DATE: December 2011

STAFF: Susan Mielke

REFERENCES: [ESHB 1410 \(2011\)](#)

DESCRIPTION: Washington's Essential Academic Learning Requirements (EALRs) in science were revised in 2009 and include content in life, physical, and earth and space sciences. The EALRs also include the study of systems, inquiry, and application that cut across all the science content areas.

Prior to the 2011 legislative session, the state-administered high school science assessment, used to assess a student's learning of the EALRs, was a comprehensive assessment and passing the assessment was to become a high school graduation requirement for the class of 2013. However, a budget proviso in the 2010 supplemental operating budget directed the Superintendent of Public Instruction (SPI) to develop a science end-of-course assessment (EOC) to assess the high school EALRs in Biology and to implement the EOC in the 2011-12 school year. The proviso also required the SPI to recommend whether additional science EOCs should be developed and to recommend an implementation schedule for any additional EOCs.

In a report submitted in December 2010, the SPI recommended development of two additional EOCs in Physical Science and Integrated Science. The SPI recommended that, for purposes of high school graduation, students be required to meet the state standard on one of the science EOCs. The report also recommended delaying the requirement to meet the state standard on the science assessment to graduate from high school until the graduating class of 2013.

The 2011 Legislature passed legislation that, among other things, declared that beginning in the 2011-12 school year the state administered high school science assessment will be the Biology EOC. OSPI may develop additional science EOCs when directed by the Legislature, which is the stated intent of the Legislature. OSPI may participate in the multi-state development of a set of common standards (also called the Common Core Standards) and assessments for science, which may require a change to Washington's state standards and assessment. The requirement to meet the state standard on the science assessment to graduate from high school was delayed until the graduation class of 2015.

Staff will research other state efforts in assessing mathematics and science (comprehensive vs. EOCs) and provide a summary of the information for the committee.

PROJECT: **Home Visiting**

COMPLETION DATE: December 2011

STAFF: Kim Cushing/Michael Bezanson

REFERENCES: [ESSB 6444 \(2010\)](#), [ESHB 1087 \(2011\)](#)

DESCRIPTION: 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 (Account) to leverage state dollars for home visiting by requiring private dollars as a match. The Department of Early Learning 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.

PROJECT: **Legislative Councils, Committees, and Working Groups**

COMPLETION DATE: December 2011

STAFF: Kim Cushing/Susan Mielke/
Juliana Roe/Elise Greef

REFERENCES: [E2SSB 5828 \(2007\)](#), [SHB 1347 \(2009\)](#), [ESHB 2261 \(2009\)](#), [SSB 5248 \(2009\)](#), [2SSB 5973 \(2009\)](#), [SSB 6759 \(2010\)](#), [2SHB 1163 \(2011\)](#), [SHB 1710 \(2011\)](#), [2ESB 5389 \(2011\)](#)

DESCRIPTION: In recent years the Legislature has created a number of task forces, working groups, councils, and committees with legislators as members:

The Early Learning Advisory Council. To advise the Department of Early Learning on statewide early learning community needs and progress. (Kim Cushing)

The Quality Education Council. To recommend and inform the ongoing implementation by the Legislature of an evolving program of basic education and financing, including development of a ten-year strategic plan. (Susan Mielke/Kim Cushing)

The Financial Education Public-Private Partnership. To determine the best methods of equipping students with the knowledge and skills they need to make decisions regarding their personal finances. (Kim Cushing)

The Interstate Compact on Education Opportunity for Military Children State Council. To coordinate the state's participation in, and compliance with, the Interstate Compact. (Susan Mielke)

The Achievement Gap Oversight and Accountability Committee. To recommend policies and strategies to close the achievement gap. (Juliana Roe)

These efforts are in addition to the legislative working groups created with legislative reporting requirements on specific education issues by the end of the year:

The Early Learning Technical Working Group. To develop a plan for a voluntary program for early learning that is a part of basic education or an entitlement. A progress report is due July 1, 2011, and a final report and plan are due November 1, 2011. (Kim Cushing)

The Levy Technical Working Group. To develop options for a new system of supplemental school funding through local school levies and local effort assistance. A report is due June 30, 2011. (Susan Mielke/Elise Greef)

The School Employee Compensation Working Group. To begin the process of developing an enhanced salary allocation model. The group begins its work July 1, 2011, and must make an initial report by June 30, 2012, which must include recommendations for whether additional work is necessary. (Juliana Roe/Elise Greef)

The Working Group on Preventing Bullying, Intimidations, and Harassment. The working group must submit a status report by December 1, 2011, with additional reports by December 1, 2013, and December 1, 2015. The working group is terminated January 1, 2016. (Juliana Roe)

The Career and Technical State Strategic Plan Working Group. A progress report is due December 1, 2011, and the final plan by December 1, 2012. (Susan Mielke)

Committee staff will provide research and support to the legislators serving on the legislative groups, monitor and provide updates on the progress of all the working groups and councils, and draft legislation as requested.

PROJECT: **Science, Technology, Engineering, and Mathematics (STEM) Education**

COMPLETION DATE: December 2011 STAFF: Susan Mielke

REFERENCES: [SSB 5392 \(2011\)](#), [E2SHB 1546 \(2011\)](#), [ESSB 6444 \(2011\)](#), [SB 2621 \(2010\)](#), [2SSB 5676 \(2009\)](#), [SB 6534 \(2008\)](#), [2SHB 1906 \(2007\)](#)

DESCRIPTION: The Washington Legislature has taken significant steps to promote and increase STEM education in K-12 education, although the current budget may not support each of these:

- Adding technology to the student goals so that school districts must provide students with the opportunity to integrate technology literacy and fluency to form reasoned judgments and solve problems;
- Authorizing the creation of innovation schools and innovation zones with a priority on models focused on the arts, science, technology, engineering, and mathematics (A-STEM);
- Creating a working group to develop a comprehensive plan to ensure a STEM pathway in Washington;
- Providing funding for STEM career and technical education at middle schools at the same level high schools receive for such courses;
- Directing the State Board of Education (SBE) to conduct an independent review of the state mathematics and science standards to increase the rigor of the standards and revise the graduation requirements to include a minimum of three credits in mathematics;

- Requiring the Office of the Superintendent of Public Instruction (OSPI) to recommend three mathematics and science curriculums for each grade span;
- Establishing an after-school mathematics competitive grant program and a mathematics and science instructional coach program;
- Expanding and focusing conditional scholarship programs to increase number of mathematics and science teachers in mathematics and science education;
- Creating a statewide STEM director at OSPI, with specified duties, intended to increase STEM focused curriculum; facilitate increased student participation in STEM programs; foster STEM public-private partnerships including student and teacher scholarships, internships, and apprenticeships; assemble a cadre of inspiring speakers to demonstrate to students the breadth of the opportunities in the STEM fields; and provide technical assistance to school districts;
- Assigning the development of Essential Academic Learning requirements and grade level expectations for educational technology literacy and technology fluency to OSPI;
- Tasking the Higher Education Coordinating Board to assess the need for additional baccalaureate degree programs in Washington that specialize in teacher preparation in STEM subjects, and, if there is a need, encourage such programs; and
- Requiring the Professional Educator Standards Board to conduct a comprehensive analysis of math and science teacher supply and demand issues and report by December 1, 2008.

The staff will determine which of these efforts were funded and/or accomplished, whether they increased the number of STEM programs and the number of students participating in STEM programs in Washington, and summarize the information for the committee. Staff will review and compile for the committee STEM efforts in other states and at the federal level, including a review of state implementation of the Common Core Standards in mathematics; efforts to expand science education, especially at the elementary level; and efforts to improve student achievement in mathematics and science in states that have mathematics and science graduation requirements, and efforts to recruit high qualified math and science teachers. Staff will draft legislation as directed.

PROJECT: **State-Level Education Governance**

COMPLETION DATE: December 2011 STAFF: Susan Mielke

REFERENCES: [SB 5522 \(2011\)](#), [SSB 5639 \(2011\)](#), [ESHB 1849 \(2011\)](#)

DESCRIPTION: In the 2011 session, legislation was introduced in the Senate to consolidate the current eight agencies, (except for the Office of the Superintendent of Public Instruction (OSPI)), and four boards and councils responsible at the state level for early learning, K-12 and higher education, into the Department of Education with a Secretary of the Department appointed by the Governor. The purpose was to eliminate the silos, develop a single unified plan for the entire P-20 system, provide a single point for accountability, and provide a greater focus on student needs by the P-20 system. Separate legislation was also introduced to convert the OSPI from a constitutionally established office to an executive branch agency. Additionally, legislation was introduced in the House to establish a Council of representatives from early learning, K-12, postsecondary education organizations, and others to recommend policies, strategies, and a governance structure to make the public education system student-focused, including restructuring the duties and responsibilities of the current state education entities.

Staff will review states that have or recently had two authoritative positions for the state educational system (e.g., one elected or appointed and one cabinet position), review the governance structure in the top five global challenged states and summarize the information for the committee. Staff will collaborate with the Governor's staff.

PROJECT: **Teacher Performance**

COMPLETION DATE: December 2011

STAFF: Juliana Roe

REFERENCES: [E2SSB 6696 \(2010\)](#)

DESCRIPTION: In the 2010 Legislative session, E2SSB 6696 was introduced that dealt with, in part, a pilot program for implementing a revised evaluation system criteria, student growth measurement tools, professional development programs, and evaluator training. For the 2010-11 school year, the Office of the Superintendent of Public Instruction (OSPI) was required to select school districts to pilot the new teacher and principal evaluation systems. The new evaluation system is to be implemented in all school districts beginning in the 2013-14 school year. OSPI is required to provide the Legislature with reports on the status of the evaluation system by July 1, 2011.

Staff will review other states' methods of measuring teacher performance and compile information as to what method has been most successful. The states reviewed will include those states that received federal Race to the Top funds; states that specifically include student growth in the evaluation systems; and Georgia, which is developing a student performance index to determine student growth. The information provided to the committee will include how teacher evaluations have been used in these states in staffing decisions and a comparison of the time required for principals to evaluate staff compared to the time required by Washington.

PROJECT: **Washington Kindergarten Inventory of Developing Skills (WaKIDS)**

COMPLETION DATE: December 2011

STAFF: Kim Cushing

REFERENCES: [ESHB 1244 \(2009\)](#), [2SSB 5427 \(2011\)](#)

DESCRIPTION: In 2009 the Legislature provided funding for the Department of Early Learning (DEL) to work with the Office of Superintendent of Public Instruction (OSPI) and others to identify and test a kindergarten assessment process and tools. During the fall of 2010, OSPI and DEL piloted the Washington Kindergarten Inventory of Developing Skills (WaKIDS). The purpose of WaKIDS is to gather information about the child in order to better inform teacher instruction. A final report will be available in the summer of 2011.

Schools receiving all-day kindergarten support may administer WaKIDS beginning in the 2011-12 school year on a voluntary basis and are required to administer WaKIDS starting in the 2012-13 school year. Until full-implementation of state-funded full-day kindergarten, school districts may receive waivers to administer kindergarten assessments other than WaKIDS.

Committee staff will update members on the final report from the WaKIDS pilot and the voluntary implementation of WaKIDS at the start of the 2011-12 school year; work with DEL and OSPI to arrange site visits for interested members; and draft legislation as necessary.

PROJECT: **Alternative Learning Experience Programs**

COMPLETION DATE: December 2011

STAFF: Juliana Roe/Elise Greef

REFERENCES: [ESHB 1087 \(C 50 L 11 E1\)](#)

DESCRIPTION: Alternative Learning Experience (ALE) programs are education delivery or instructional programs that often include online learning. It has been suggested that ALE funding levels should be reduced by eliminating money that would go to traditional brick and mortar school jobs such as secretaries, janitors, building and grounds staff, and security guards. However, many ALE programs operate out of a building at which students attend classes, labs, meetings with teachers, and study halls.

Staff will research the different types of ALE programs and draft legislation that separates ALE programs that use brick and mortar from those that are primarily online programs.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7420

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Economic Development, Trade & Innovation Committee

Workplan Summary – 2011 Interim

PROJECT: **Enhancing Trade with China**

COMPLETION DATE: October 2011

STAFF: Edward Redmond

REFERENCES: NA

DESCRIPTION: China's demand for foreign goods and services is projected to increase in response to the government's five year economic plan to transition from an export driven to a domestic consumption driven economy. The plan includes goals of increasing the country's minimum wage standards by no less than 13 percent annually and restructuring the personal income tax system in order to increase purchasing power and domestic consumption amongst low- to middle-income Chinese citizens. This demand may present greater opportunities for Washington businesses that have a sound understanding of China's export regulations, investment laws, and business culture. Additionally, China plans to increase its investments in key Strategic Emerging Industries (SEIs) which include biotechnology, new energy, high-end equipment manufacturing, energy conservation and environmental protection, clean-energy vehicles, new materials, and next-generation IT. Washington State's innovation strategy is also based on investments in similar SEI sectors. Hence, there may be opportunities to increase Washington exports to China as well as increase the direct investments of Chinese businesses in Washington.

Committee staff will work with the Washington State Department of Commerce, Export Finance Assistance Center, local Chambers of Commerce and other public and private organizations to organize a symposium to educate policymakers, state agencies, Washington businesses, trade groups and legal communities on China's five-year economic plan, export regulations, investment laws, and business culture. Presenters will include the State Foreign Trade Representative for China, government officials and representatives from China, international trade consultants operating in China, and Seattle experts. Opinions will be solicited on ways the state can improve its trade relationships with China. Legislation will be drafted as appropriate.

PROJECT: **Regional Collaboration for Innovation**

COMPLETION DATE: December 2011

STAFF: Jack Brummel/Edward Redmond

REFERENCES: [2ESSB 5764](#)

DESCRIPTION: The Innovation Working Group of the Pacific Northwest Economic Region (PNWER) will be meeting at the PNWER Annual Summit in Portland, Oregon in July. The Committee will hold a work session on innovation with the House Community Development and Housing Committee in conjunction with the working group. The focus will be on the development of regional collaborative efforts to foster innovation, including policy benchmarking and identification of regional assets. Committee staff will examine options for improved regional collaboration in developing innovation infrastructure. Legislation will be drafted as appropriate.

PROJECT: **Economic Development Finance**

COMPLETION DATE: December 2011

STAFF: Jack Brummel

REFERENCES: [SB 5808](#)

DESCRIPTION: 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 including shared costs; access to the state taxing mechanism; fair assessments based on a pro rata share of the market; improved technology and research available to all; and economies of scale. Commerce found 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 will work with Commerce, the Washington Economic Development Commission, and industry and cluster associations in further development of the concept and legislation.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-####

DATE TBA TIME TBA	Joint with House Community Development & Housing Committee Tour	Grays Harbor County, WA	Economic Development Issues.
July 21, 2011 TIME TBA	Joint with House Community Development & Housing Committee Work Session	Portland, OR	Regional Collaboration for Innovation.
December Legislative Assembly TIME TBA	Full Committee Work Session	Olympia, WA	Agenda Items to be announced.

Senate Environment, Water & Energy Committee

Workplan Summary – 2011 Interim

PROJECT: **Null Power**

COMPLETION DATE: December 2011

STAFF: William Bridges

REFERENCES: [SHB 1712](#), [SB 5431](#), [SB 5510](#), [SB 5809 \(2011\)](#)

DESCRIPTION: The term "null power" generally refers to renewable electricity from which the renewable or nonpower attributes have been separated through the use of renewable energy credits. Under the fuel mix reporting law, null power is assigned the net system power mix of the Northwest power pool, which is about 43 percent coal. During the 2011 regular legislative session, the Senate Environment, Water & Energy Committee held one work session and heard four bills concerning the treatment of null power under the fuel mix reporting law. No bill passed the Legislature because various parties failed to reach a consensus. The Department of Commerce will be holding meetings during the legislative interim to explore possible solutions for recognizing null power in the fuel mix reporting law. Committee staff will monitor the meetings and draft legislation as directed.

PROJECT: **Community Solar Projects**

COMPLETION DATE: December 2011

STAFF: William Bridges

REFERENCES: NA

DESCRIPTION: 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 between 15 and 54 cents for each kilowatt-hour (kWh) of electricity produced. In 2009 the Legislature expanded the Cost-Recovery Program to include community solar projects, which are 75 kWh 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. The first community solar project was established in 2010 in Winthrop, Washington. Other known projects are located in Ellensburg and Kitsap County.

Committee staff will analyze and catalogue the number of operating and planned community solar projects. Projects will be described by a number of factors, such as size, location, business model, and manufacturing origin of modules and inverters.

PROJECT: **Water Rights Permit Processing**

COMPLETION DATE: December 2011

STAFF: Karen Epps

REFERENCES: [SB 5536](#), [HB 1610 \(2011\)](#), [SB 6267 \(2010\)](#), [ESHB 1832 \(2001\)](#)

DESCRIPTION: Washington operates under a water right permit system. With certain exceptions, a person seeking a new water right files an application with the Department of Ecology (Ecology), which must consider a four-part test when deciding whether to issue the requested right. If an application passes this test, Ecology issues a permit to the applicant. There have been statutory revisions aimed at reducing the backlog of water right applications that exist at Ecology. However, even with these changes, the backlog has continued to grow and is currently approaching 7000 applications. Staff will review the processing of water right applications in other states; review and analyze other relevant permit processing options, including proposals relating to incentives to enhance permit processing efficiency; and provide support and drafting services to members as requested.

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

COMPLETION DATE: December 2011 STAFF: Jan Odano

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

DESCRIPTION: In 2008 the Legislature passed E2SHB 2647- Regarding the Safety of Certain Children's Products. Manufacturers of children's products containing chemicals of high concern to children were required to annually report product information to the Department of Ecology (Ecology). Ecology and the Department of Health were directed to identify chemicals of high concern, develop rules to implement the legislation, and submit a report to the Legislature with policy options and recommendations. SB 5231 was introduced in the 2011 legislative session and in part included policy recommendations. The bill did not pass, but discussions raised issues regarding the rules and new requirements. The rules are expected to be in place this summer.

Committee staff will monitor interim discussions and rulemaking activities. Staff will draft legislation as directed by members.

PROJECT: **Review State Environmental Policy Act**

COMPLETION DATE: December 2011 STAFF: Diane Smith/Jan Odano

REFERENCES: NA

DESCRIPTION: The State Environmental Policy Act (SEPA) was adopted in 1971, establishing a framework for an environmental review and evaluation process to assist with decision-making for proposals. SEPA applies to decisions by every state and local agency, including state agencies, counties, cities, ports, and special districts. SEPA is intended to ensure that environmental values are considered during decision-making by state and local agencies. There have been revisions to the SEPA statutes since 1971; however, there are concerns regarding the SEPA process and interest in updating and streamlining SEPA.

Committee staff will work with stakeholders to address concerns about the SEPA process. Staff will draft legislation as directed by members.

PROJECT: **Considering Proposed Changes to the Electronic Product Recycling Program**

COMPLETION DATE: December 2011

STAFF: Diane Smith

REFERENCES: [SB 5824 \(2011\)](#)

DESCRIPTION: A 2005 act created the Electronic Product Recycling Program to collect and recycle discarded computers, monitors, and TVs. Product manufacturers finance and manage the program, with oversight by the Department of Ecology. A 2011 bill, SB 5824, sought to change the program in two ways. First, it proposed to expand coverage to include additional products: keyboards, printers, video game consoles, DVD players, and other items. Second, it proposed to change program financing by assessing fees based on market share instead of the current "return share" calculation. (A manufacturer's return share is based on the weight of its products collected for recycling as a percentage of the total weight of all products collected for recycling.)

Staff will study other states' experience with standards similar to those proposed in SB 5824, solicit stakeholder input, and draft proposed legislation, as directed by legislators.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7406

Possible September/October TIME TBA	Full Committee Work Session	Western Washington	Agenda Items to be announced.
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Possible September/October TIME TBA	Full Committee Work Session	Eastern Washington	Agenda Items to be announced.
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December Legislative Assembly TIME TBA	Full Committee Work Session	Olympia, WA	Agenda Items to be announced.
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Senate Financial Institutions, Housing & Insurance Committee

Workplan Summary – 2011 Interim

PROJECT: **Residential Foreclosure Process for Owner-Occupied Properties**

COMPLETION DATE: December 2011 STAFF: Alison Mendiola

REFERENCES: [2SHB 1362 \(2011\)](#)

DESCRIPTION: During the 2011 legislative session, 2SHB 1362 was passed into law, creating changes to the residential foreclosure process for owner-occupied properties.

Staff will monitor the implementation of 2SHB 1362, as well as monitor the issue of residential foreclosure on the local and national level and develop any legislation as directed by members.

PROJECT: **The Dodd-Frank Act and its Implications for Washington State**

COMPLETION DATE: December 2011 STAFF: Edward Redmond/Alison Mendiola

REFERENCES: [HB 1694 \(2011\)](#)

DESCRIPTION: HB 1257 was passed by the Legislature during the 2011 regular session. The bill replaces the Washington Insurance Investment Act (which set general limits and restrictions on the type of securities an insurer could invest in and the type of loans it could make) with the National Association of Insurance Commissioners (NAIC) Investment of Insurers Model Act, defined standards version. Under the defined standards version, the Model Act sets minimum security benchmarks and minimum asset requirements that insurers must meet in order to be classified as solvent, while concurrently providing sufficient autonomy to an insurer by allowing broad discretion in the formation of its investment policy.

The United States Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) in 2010 in response to the recent financial crisis. The implementation of the Dodd-Frank Act will impose greater oversight and regulation on financial institutions as well as the insurance industry. During the 2011 legislative session, the Washington State Legislature passed HB 1694 in response to the Dodd-Frank Act. HB 1694 amended various provisions within the unauthorized insurance code in order to bring our state's surplus line insurance laws into conformity with the federal act. The Dodd-Frank Act has various effective dates with the earliest taking effect July 21, 2011.

Staff will monitor the developments of the Dodd-Frank Act with specific attention to any provisions affecting our current state financial and/or insurance policies. Staff will draft legislation as may be requested by members.

PROJECT: **Insurance Companies and Their Investments in Foreign Assets**

COMPLETION DATE: December 2011 STAFF: Edward Redmond

REFERENCES: [HB 1257 \(2011\)](#)

DESCRIPTION: During the course of the legislative process, concerns were raised regarding potential solvency risks associated with granting insurance companies greater autonomy in their investment decisions, especially as it concerned investments in foreign assets.

Staff will monitor the implementation of HB 1257. A report will be submitted to the Senate Financial Institutions, Housing and Insurance Committee regarding any rules adopted or actions taken by the Office of Insurance Commissioner to further protect against any insolvency risks associated with the new investment policies under this Model Act. Staff will draft legislation as may be requested by members.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7408

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Government Operations, Tribal Relations & Elections Committee

Workplan Summary – 2011 Interim

PROJECT: **Precinct Committee Officer Elections**

COMPLETION DATE: December 2011

STAFF: Sam Thompson

REFERENCES: NA

DESCRIPTION: Committee staff will work with stakeholders to develop one or more proposals for the election of Precinct Committee Officers (PCOs), following the court's ruling in January that the current process violates the respective parties' interests in electing their PCOs. HB 1860 attempted to move the PCO election to the Presidential Primary (and thus to avoid suspending the 2012 Presidential Primary). Stakeholder discussions will involve the political parties, county auditors, and the Office of the Secretary of State. There may be a possible work session with House State Government Committee.

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

COMPLETION DATE: TBA

STAFF: Sharon Swanson/Sam Thompson

REFERENCES: [SSB 5332 \(2011\)](#)

DESCRIPTION: Study all implications of any proposed retrocession of civil or criminal authority. Stakeholders, tribal governments and representatives of state government are named to the work group to develop recommendations for legislation to be considered during the 2012 Legislative Session. Committee staff will attend meetings and provide support to legislative members.

PROJECT: **Local Government Financing**

COMPLETION DATE: December 1, 2011

STAFF: Karen Epps/Sam Thompson

REFERENCES: NA

DESCRIPTION: Infrastructure systems are usually owned and maintained by the municipality. A growing number of municipalities are falling behind on infrastructure maintenance and improvements. Currently, a municipality can finance infrastructure systems either on a cash basis using tax revenues or by borrowing funds in the form of bonds or low-interest loans. State and federal grant and loan funds that municipalities depend on have been diverted to fill other budget holes. Additionally, local government general fund shortfalls have led to capital investment cuts. Staff will review various state programs that provide local infrastructure financing, consider options that may assist municipalities in obtaining local infrastructure financing, and provide support and drafting services to members as requested.

PROJECT: **Sunshine Committee**

COMPLETION DATE: TBA

STAFF: Sharon Swanton

REFERENCES: [SSB 5435 \(2007\)](#)

DESCRIPTION: In 2007, the Legislature created the Public Records Exemption Accountability Committee known as the Sunshine Committee (Committee) to review all public records exemptions and make annual recommendations to the Legislature whether to maintain an exemption, modify the exemption, schedule it for sunset review, or terminate the exemption. Committee staff will continue to attend the quarterly meetings of the Committee and provide summaries to legislative members. Additionally, staff will assist in the drafting of any resulting legislation for the 2011 Legislative Session.

PROJECT: **Joint Committee on Veteran & Military Affairs**

COMPLETION DATE: Ongoing

STAFF: Sharon Swanson

REFERENCES: [RCW 73.04.150](#)

DESCRIPTION: The Joint Committee on Veteran's and Military Affairs is a 16-member committee empowered to study and make recommendations to the Legislature on veterans' issues, active military forces issues, and National Guard and reserve component issues. House and Senate staff will schedule public hearings, work sessions, and tours for the Joint Committee on Veterans' and Military Affairs.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7432

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Health & Long-Term Care Committee

Workplan Summary – 2011 Interim

PROJECT: **Long Term Care and Developmental Disabilities Issues**

COMPLETION DATE: To Be Announced STAFF: Rhoda Donkin

REFERENCES: [SSB 5459 \(2011\)](#), [ESSB 5708 \(2011\)](#)

DESCRIPTION: The committee staff will monitor the implementation of the adult family home legislation including new requirements to revamp inspection practices, improve response times to consumer complaints, and institute changes in the license approval process. The committee staff will participate in the development and staffing of the Legislative Task Force on Future Uses of Residential Habilitation Centers (SSB 5459) – legislative members must be appointed by September; and monitor the workgroup established in ESSB 5708 (Creating flexibility in the delivery of long-term care services) to identify ways to incentivize nursing facilities to reduce nursing home beds. Committee staff will participate in discussions concerning transition planning for individuals leaving nursing facilities.

PROJECT: **Medical Cannabis**

COMPLETION DATE: To Be Announced STAFF: Kathy Buchli

REFERENCES: [E2SSB 5073 \(2011\)](#), [SB 5955 \(2011\)](#)

DESCRIPTION: The committee will monitor the implementation of E2SSB 5073, concerning the medical use of cannabis, monitor local government activity on medical cannabis dispensary regulation in Tacoma and Seattle (with respect to an area of the bill that was vetoed), and work with the cities on refining SB 5955 for the 2012 session.

PROJECT: **Medicaid Fraud**

COMPLETION DATE: To Be Announced STAFF: Kathy Buchli

REFERENCES: NA

DESCRIPTION: The committee staff will research other states' approaches to the False Claims Act and what their results are in implementing their Acts. Staff will work with the Attorney General in order to get that information and to monitor ongoing fraud causes in the states.

PROJECT: **Hospital Issues**

COMPLETION DATE: To Be Announced STAFF: Kathy Buchli/Rhoda Donkin/
Mich'l Needham

REFERENCES: NA

DESCRIPTION: The committee will continue to explore various issues that intersect with hospitals, including free-standing emergency rooms, facility planning, workforce safety, charity care and community benefit standards, labor issues, billing issues, never events, etc. Staff research may culminate in a committee meeting on hospital issues and legislation for 2012.

Other Projects:

PROJECT: **Implementing National Health Reform**

COMPLETION DATE: To Be Announced

STAFF: Mich'I Needham/Rhoda Donkin/
Kathy Buchli

REFERENCES: [SSB 5445 \(2011\)](#), [ESSB 5596 \(2011\)](#), [2E2SHB 1738 \(2011\)](#), [SSB 5394 \(2011\)](#)

DESCRIPTION: The committee staff will participate in the development and staffing of the Joint Select Committee on Health Reform Implementation (JSC) and the various advisory groups of the committee. The JSC was re-established in ESHCR 4404, and will focus on efforts to research and develop a state Health Insurance Exchange (SSB 5445-Establishing an Health Benefit Exchange), as well as other key changes, and preparing legislation for 2012, as requested by members. Staff will monitor the development of the federal Medicaid waiver proposal (ESSB 5596-Requiring a waiver request to revise the federal Medicaid program) with the redesign of Medicaid programs, linked with the development of an Exchange for seamless enrollment and eligibility. Staff will monitor the implementation of 2E2SHB 1738-Changing the designation of the Medicaid Single State Agency, for the consolidated purchasing of medical coverage, and form an advisory group under the JSC on the purchasing of other programs such as long term care, mental health, and behavioral health (as established in 2E2SHB 1738). Staff will monitor the development of primary care health homes (SSB 5394-Concerning primary care health homes), and related federal grants. Staff will also monitor the federal efforts to define the essential health benefits, and a state effort to evaluate the mandated benefits that may exceed the essential health benefits, along with other emerging federal rules.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7456

Nov/Dec 2 Meetings TIME TBA	Full Committee Work Session	Location to be announced	Agenda Items to be announced.
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December Legislative Assembly TIME TBA	Full Committee Work Session	Olympia, WA	Agenda Items to be announced.
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Other Meetings:

July, Sep., Oct., Nov. TIME TBA	Joint Legislative Select Committee on Health Care Reform Work Session	Location to be announced	With support of the Federal HHS Exchange Grant awarded to the Health Care Authority.
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Fall 2 Meetings TIME TBA	Full Committee Work Session	Location to be announced	Legislative task force on future uses of Residential Habilitation Centers. (SSB 5459)
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Senate Higher Education & Workforce Development Committee

Workplan Summary – 2011 Interim

PROJECT: **Financial Aid**

COMPLETION DATE: 2011

STAFF: Kim Cushing

REFERENCES: NA

DESCRIPTION: There are a number of financial aid models utilized by the states. Some states have determined that the best financial aid is low tuition for all while at the opposite extreme is the high tuition/high financial aid model. During the 2008 interim, a study was conducted to determine whether tuition levels and financial aid levels were affected by a particular state's stated philosophy, constitutional provisions, or financial wellbeing. Each state's financial condition was found to be a primary determinant of tuition levels and funding for financial aid. The current financial stress faced by the states may be affecting this relationship.

Staff will analyze the current relationships between tuition and financial aid at public colleges and universities in all 50 states.

PROJECT: **Prior Learning Workgroup**

COMPLETION DATE: 2011

STAFF: Aldo Melchiori

REFERENCES: NA

DESCRIPTION: In 2010 the Legislature directed the State Board for Community and Technical Colleges to convene a workgroup to determine what could be done to increase the recognition of prior learning experiences of students enrolling in Washington community and technical colleges. The workgroup presented its report in 2011, including a recommendation that the workgroup continue its efforts with the Higher Education Coordinating Board as the lead agency. The workgroup is meeting regularly in an effort to adopt common procedures for recognizing prior learning and make credit for prior learning easier to obtain and transfer, while preserving the academic decisions for faculty. Staff will continue to monitor this effort.

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

COMPLETION DATE: 2011

STAFF: Aldo Melchiori

REFERENCES: NA

DESCRIPTION: Pay and benefits disparities between full-time and part-time faculty are recurring issues at the national level as well as in Washington. States have adopted a wide range of responses to address the issues as well as additional concerns related to academic freedom, tenure, and collective bargaining representation. While attempting to mitigate some of these issues, bills have been introduced in Washington – none have been successful.

Staff will survey all 50 states' pending or considered legislation, laws, and policies regarding part-time faculty pay, benefits, and academic standing.

PROJECT: **Steering Committee on Higher Education**

COMPLETION DATE: December 1, 2011 STAFF: Aldo Melchiori

REFERENCES: [2ESSB 5182 \(2011\)](#)

DESCRIPTION: 2ESSB 5182 created a higher education steering committee, chaired by the Governor, with two members from each of the caucuses in the Senate and House. The steering committee also includes members from key sectors in the higher education system, and two members representing the public. The steering committee will 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 reports its findings and recommendations to the Governor and the appropriate committees of the Legislature by December 1, 2011. Staff will provide support for the Senators of the steering committee and draft legislation as required.

PROJECT: **Joint Select Legislative Task Force on the Baccalaureate Funding Formula**

COMPLETION DATE: June 30, 2012 STAFF: Aldo Melchiori

REFERENCES: [E2SHB 1795 \(2011\)](#)

DESCRIPTION: E2SHB 1795 created the Joint Select Legislative Task Force on the Baccalaureate Funding Formula to (1) review statutes and budget provisos which govern public institutions offering baccalaureate degrees; (2) specify the range of public interests and outcomes which are served by public expenditures for higher education services; (3) review the basis for the state funding of public institutions offering baccalaureate degrees; and (4) prepare and approve a recommended state operating budget method which offers greater efficacy, transparency, and accountability for baccalaureate institutions which receive public funds. The task force report is due on January 16, 2012. Staff will provide support as required.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7415

December Legislative Assembly TIME TBA	Full Committee Work Session	Olympia, WA	Agenda Items to be announced.
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Other Meetings:

DATE TBA TIME TBA	Steering Committee on Higher Education Work Session	Location to be announced	Choose leadership, identify issues to be addressed, and identify research activities.
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DATE TBA TIME TBA	Steering Committee on Higher Education Work Session	Location to be announced	Agenda Items to be announced.
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DATE TBA TIME TBA	Steering Committee on Higher Education Work Session	Location to be announced	Agenda Items to be announced.
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DATE TBA TIME TBA	Steering Committee on Higher Education Work Session	Location to be announced	Approval of finalized draft reports.
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Senate Human Services & Corrections Committee

Workplan Summary – 2011 Interim

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

COMPLETION DATE: December 2011

STAFF: Jennifer Strus

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

DESCRIPTION: During the 2011 session, the Legislature passed and the Governor signed SHB 1793. The bill creates a joint legislative task force to determine how to cost-effectively restrict public access to juvenile records when an individual has met the requirements to have his or her records sealed; whether and how to restrict access to diversion records; and other juvenile criminal record access issues that may arise during the work of the task force. The task force is to be jointly staffed by Senate and House staff.

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

COMPLETION DATE: December 2011

STAFF: Shani Bauer

REFERENCES: NA

DESCRIPTION: Pursuant to recommendations from the Sex Offender Policy Board, the Legislature has made significant clean-up improvements to the sex offender registration and notification statutes to address consistency issues and to more accurately reflect current methods of operation. The stakeholders are in agreement that the statutes should be reorganized and re-written 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 will redraft the sex offender registration and notification statutes and work with stakeholders to minimize unintended consequences.

PROJECT: **Legislative-Executive WorkFirst Oversight Task Force**

COMPLETION DATE: Ongoing

STAFF: Jennifer Strus

REFERENCES: [ESSB 5921 \(2011\)](#)

DESCRIPTION: ESSB 5921 created the Legislative-Executive WorkFirst Oversight Task Force to oversee the partner agencies' implementation of the redesign of the WorkFirst program and operation of the Temporary Assistance for Needy families program to assure that the programs are achieving desired outcomes for their clients. The Task Force also has responsibility for determining evidence-based outcome measures and developing accountability measures for WorkFirst recipients. The Task Force must make recommendations to the Governor and the Legislature in a variety of areas as well.

Committee staff, along with House OPR staff and executive agency staff will provide support to the Task Force.

PROJECT: **Improvement of the Statutes Governing the Indeterminate Sentence Review Board**

COMPLETION DATE: December 1, 2011 STAFF: Shani Bauer

REFERENCES: NA

DESCRIPTION: [Chapter 9.95 RCW](#) historically governed the parole and probation of offenders in the state subject to indeterminate sentencing. In 1984 Washington changed to a determinate sentencing structure, diminishing the need for the Board over time. However, in 2001, the Legislature created determinate plus sentencing for sex offenders and assigned review of release decisions for this population to the Board, now designated the Indeterminate Sentence Review Board. With the scaling back of the Board and subsequent assignment of sex offenders, [chapter 9.95 RCW](#) has become a disorganized conglomeration of instructions and statutory mandates. The Board's responsibility continues to grow as more sex offenders are sentenced to a determinate plus sentence and it is anticipated the Legislature will eventually need to provide further statutory instruction. A cleaner statute would make this an easier process.

Committee staff will work on redrafting portions of [chapter 9.95 RCW](#) and work with stakeholders to minimize unintended consequences.

PROJECT: **Review Standards Used to Issue Initial Domestic Violence Protection Orders**

COMPLETION DATE: December 2011 STAFF: Kevin Black

REFERENCES: NA

DESCRIPTION: During the 2011 session, the Committee heard testimony on a bill to rescind or continue an existing domestic violence protection order. Questions arose about the standards applied by the courts in issuing the initial protection order and the Committee determined to review this issue in more detail during the interim. Committee staff will work with Committee members in reviewing this issue.

PROJECT: **Monitor Practices Related to NGRI Populations**

COMPLETION DATE: December 2011 STAFF: Kevin Black

REFERENCES: [ESB 6010 \(2010\)](#)

DESCRIPTION: Pursuant to ESB 6010 (2010), the Department of Social and Health Services has implemented a Public Safety Review Panel to review discharge decisions and make other recommendations concerning patients who have been adjudicated as Not Guilty by Reason of Insanity (NGRI). The panel has been constituted and meeting since January 2011. Other concerns have been raised over the lack of a policy regarding forced medication for the NGRI population.

Committee staff will investigate the functioning of the panel and research medication issues for possible 2012 legislation.

PROJECT: **Improving the Statutes Governing the Dependency Process**

COMPLETION DATE: December 31, 2011

STAFF: Jennifer Strus

REFERENCES: NA

DESCRIPTION: Over the years the dependency statutes have been amended, sometimes in a piecemeal fashion, resulting in a chapter of law that is sometimes difficult to read and contains a number of internal inconsistencies. Committee staff will work with various stakeholders to rewrite and reorganize the statutes to correct a number of the technical issues that currently exist.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7414

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Judiciary Committee

Workplan Summary – 2011 Interim

PROJECT: **Providing Certain Identifying Information About Beneficiaries to the Department of Social and Health Services Division of Child Support**

COMPLETION DATE: December 2011

STAFF: Kim Johnson

REFERENCES: [SB 5055 \(2011\)](#)

DESCRIPTION: In the 2011 session, the Senate Judiciary Committee considered SB 5055, which required that the personal representative of an estate provide certain identifying information about probate beneficiaries to Department of Social and Health Services (DSHS) Division of Child Support. The purpose of the bill was to aid both DSHS and County Prosecutors in discovering assets that were to be inherited by a person who owed back child support. Concerns were expressed regarding the type of personally identifying information that a personal representative may have available about beneficiaries and any burdens that may be placed on the personal representative to meet the state and county prosecutors' objective.

Staff will monitor meetings between DSHS Division of Child Support, King County Prosecutors Office, and the Real Property, Probate and Trust Section of the Washington State Bar Association on this issue and draft any necessary legislation.

PROJECT: **Eminent Domain and the Role of Public/Private Partnerships**

COMPLETION DATE: December 2011

STAFF: Senate Judiciary Committee Staff

REFERENCES: [SB 5077 \(2011\)](#)

DESCRIPTION: The extent of the power of eminent domain continues to be debated, as evidenced by the numerous bills introduced during the 2011 session, including SB 5077- Prohibiting the use of eminent domain for economic development. Staff will examine the question of whether public/private partnerships should play a role in what happens to property that is subject to eminent domain, and if so, to what extent.

PROJECT: **Bail**

COMPLETION DATE: December 2011

STAFF: Juliana Roe

REFERENCES: [SSB 6673 \(2010\)](#), [SSB 5056 \(2011\)](#), [SHB 1194 \(2011\)](#)

DESCRIPTION: 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 will provide research and support to legislators continuing to perfect bail issues including, but not limited to, creating a mandatory minimum premium. Legislation will be drafted as directed.

PROJECT: **The Concept of Corporate Personhood**

COMPLETION DATE: December 2011 STAFF: Juliana Roe

REFERENCES: [SJM 8007 \(2011\)](#)

DESCRIPTION: Given the rights and responsibilities of corporations under state law, the question of whether corporations are “persons” under the state and federal constitutions will be researched.

PROJECT: **Waiver of Sovereign Immunity**

COMPLETION DATE: December 2011 STAFF: Senate Judiciary Committee Staff

REFERENCES: [RCW 4.92.090](#)

DESCRIPTION: Staff will review the scope of government tort liability in light of the legislative waiver of sovereign immunity and will examine the extent to which common ground may be found in a modification of the complete waiver of sovereign immunity.

PROJECT: **Indemnification and Duty to Defend Clauses in Public Works Contracts**

COMPLETION DATE: December 2011 STAFF: Kim Johnson

REFERENCES: [ESB 1559 \(2011\)](#)

DESCRIPTION: Indemnification clauses are used in the construction industry and involve the shifting of liability for loss from one party to another. The duty to defend is a separate contractual provision that is often combined with an indemnification clause. Currently, state law limits the enforcement of indemnification clauses in contracts relating to construction, maintenance, or other work on any structure, project, development, or improvement attached to real estate. In these contracts, a clause that indemnifies against liability for damages caused by or resulting from the sole negligence of the indemnitee is void. A clause that indemnifies against liability for damages caused by or resulting from the concurrent negligence of the indemnitee and indemnitor is enforceable only to the extent the indemnitor is negligent and only if specifically and expressly provided for in the agreement.

In the 2011 session, the Senate Judiciary Committee considered EHB 1559, which would have limited the enforceability of indemnification agreements between public agencies and architectural, landscape architectural, engineering, or land surveying services. Concerns were expressed by public contracting entities regarding the breadth of the language used and the potential consequences of including a limit on the duty to defend.

This interim an informal workgroup will meet to discuss indemnification clauses and duty to defend clauses in public works contracts with design professionals. Staff will coordinate the meetings and will draft any necessary changes to the legislation upon request.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7455

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Labor, Commerce & Consumer Protection Committee

Workplan Summary – 2011 Interim

PROJECT: **Workers Compensation**

COMPLETION DATE: December 2011

STAFF: Mac Nicholson/Edith Rice

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

DESCRIPTION: During the 2011 session, the Legislature passed a number of bills addressing workplace safety and the industrial insurance system, including the authorization of claim resolution structured settlements; the creation of a stay-at-work program; the creation of the industrial insurance rainy day account; the creation of a medical provider network; a procedure for abatement of safety violations during the appeals process; and a process to develop safety procedures for workplace exposure to hazardous drugs. The Department of Labor and Industries will be developing rules to implement the various pieces of legislation, and the committee will monitor rule development and provide assistance as necessary.

PROJECT: **Unemployment Insurance Issues**

COMPLETION DATE: December 2011

STAFF: Mac Nicholson

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

DESCRIPTION: During the 2011 session, the Legislature passed EHB 1091. The bill provided an additional temporary unemployment benefit to unemployed individuals. The U.S. Department of Labor has determined that the non-charging provision of the legislation is out of conformity with federal law. The committee will work with the Employment Security Department to examine the conformity issue in light of the federal decision, and look at options to bring the system back into conformity.

PROJECT: **Oil Refinery Regulation**

COMPLETION DATE: December 2011

STAFF: Edith Rice

REFERENCES: NA

DESCRIPTION: As the result of a deadly explosion at the Anacortes Tesoro Refinery in April 2010, the Department of Labor and Industries and the U.S. Chemical Safety Board investigated possible causes for the explosion, which resulted in the deaths of seven employees. The resulting reports raised numerous safety and regulatory issues.

Committee staff will explore the current regulatory scheme along with the recommendations made by investigators. Existing federal and state standards will be reviewed along with industry "best practices." Staff will review recommendations from industry members, union representatives, and regulators regarding inspections, standards, enforcement, and penalties. A site visit may be planned pending approval. A work session will be planned to update committee members on any new developments and to consider developing industry specific safety codes. Committee staff will prepare legislation as requested.

PROJECT: **Workforce Development**

COMPLETION DATE: December 2011

STAFF: Ingrid Mungia/Mac Nicholson

REFERENCES: NA

DESCRIPTION: Washington State's unemployment rate has been near or above 9 percent since January of 2009.

The committee will examine causes of, and ways to reduce, unemployment in the state. The examination will include a review of workforce training programs, apprenticeship programs, and programs aimed at younger workers and veterans.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7426

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Natural Resources & Marine Waters Committee

Workplan Summary – 2011 Interim

PROJECT: **Discover Pass Implementation and Revenue**

COMPLETION DATE: December 2011

STAFF: Sherry McNamara

REFERENCES: [2SSB 5622 \(2011\)](#)

DESCRIPTION: 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 Departments of Natural Resources and Fish and Wildlife and the State Parks and Recreation Commission.

Staff will track and monitor the implementation of the 2SSB 5622, and the revenue from the sale of the Discover Pass and day-use permit; and provide information, support, and drafting services to members as requested.

PROJECT: **The Incentives to Promote Recreational Access to Private Land**

COMPLETION DATE: December 2011

STAFF: Sherry McNamara

REFERENCES: [SB 5388 \(2011\)](#), [SB 5062 \(2009\)](#), [SB 5067 \(2009\)](#)

DESCRIPTION: Recreational and tourism-related activities, including public access to private lands for camping, picnicking, canoeing, viewing wildlife and scenery, boating, hiking, and bicycling are of benefit to Washington citizens and the state economy. Providing incentives for this access to private land has been the subject of recent bills, and could be an effective tool for enhancing public access opportunities.

Staff will research and explore potential incentives to private landowners who provide public access to their properties for recreational and tourism-related activities; and provide information, support, and drafting services to members as requested.

PROJECT: **Natural Resources and Environmental Permit Processing**

COMPLETION DATE: December 2011

STAFF: Curt Gavigan

REFERENCES: [SB 5158 \(2011\)](#), [2SSB 5360 \(2011\)](#), [SSB 5266 \(2011\)](#), [SSB 5862 \(2011\)](#), [HB 1562 \(2011\)](#), [2SHB 1662 \(2011\)](#)

DESCRIPTION: A number of state agencies, including the Departments of Ecology, Natural Resources, and Fish & Wildlife, administer regulatory permits for projects that may affect natural resources and the environment. Local governments and federal agencies also administer relevant permits. A person seeking to conduct a project may have to apply for multiple permits from multiple agencies, each with different application timelines and processes. In recent sessions, the Legislature has considered bills relating to natural resources and environmental permit processing, including proposals relating to interagency coordination and the development of resources that could enhance process efficiency.

Staff will review natural resources and environmental permit processes under current law; review and analyze relevant permitting process options, including proposals relating to multi-agency permitting, Internet-based permitting, and incentives to enhance permitting efficiency; and provide information, support, and drafting services to members as requested.

PROJECT: **Oil Spill Issues and Bill Implementation**

COMPLETION DATE: December 2011 STAFF: Curt Gavigan

REFERENCES: [SB 5439 \(2011\)](#), [E2SHB 1186 \(2011\)](#)

DESCRIPTION: During the 2011 session, the Legislature passed E2SHB 1186 which triggers several processes related to the prevention and management of oil spills in the state. Among other requirements, the Department of Ecology (DOE) must evaluate and update planning standards for oil spill response equipment. Additionally, DOE must complete rulemaking to improve the effectiveness of non-dedicated spill response vessels', such as fishing and other commercial vessels participation in spill response activities. The deadline for implementation of these requirements is December 31, 2012.

Staff will track and monitor the implementation of the E2SHB 1186 and provide information, support, and drafting services to members as requested.

PROJECT: **Natural Resources Agency Administration and Back-Office Function Consolidation**

COMPLETION DATE: December 2011 STAFF: Curt Gavigan

REFERENCES: [E2SSB 5669 \(2011\)](#)

DESCRIPTION: During the 2011 session, the Legislature considered E2SSB 5669 which, among other things, established a process directing state natural resources agencies to conduct certain actions involving the consolidation of administrative regions, services, and functions. E2SSB 5669 was not enacted by the Legislature in 2011. However, the Senate Statewide Summary and Agency Detail for the 2011-2013 Omnibus Operating Budget indicates that reductions to certain natural resources agencies are associated with anticipated administrative consolidation and collocation activities.

Staff will monitor relevant budget implementation activities by natural resources agencies and provide information, support, and drafting services to members as requested.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7419

DATE TBA	Full Committee	Eastern	Agenda Items to be announced.
TIME TBA	Tour/Briefing/Meeting	Washington	

DATE TBA	Full Committee	Western	Agenda Items to be announced.
TIME TBA	Tour/Briefing/Meeting	Washington	

December	Full Committee	Olympia, WA	Agenda Items to be announced.
Legislative Assembly	Work Session		
TIME TBA			

Senate Transportation Committee

Workplan Summary – 2011 Interim

PROJECT: **Adjustment to Capital Projects System–Local Grant Programs**

COMPLETION DATE: January 2012

STAFF: Amanda Cecil

REFERENCES: [Section 204\(8\), Chapter 247, Laws Of 2010 \(Indirectly\)](#)

DESCRIPTION: Senate Transportation Committee staff will work with counterparts from the Washington State Department of Transportation (WSDOT), House Transportation Committee, and the Legislative Evaluation and Accountability Program Committee to integrate the following grant projects into the capital projects system: (1) regional mobility, (2) bicycle and pedestrian safety, and (3) safe routes to schools. This project will also include changing the title of WSDOT's "Rail and Public Transportation" Program to just "Rail" because "Public Transportation" is identified as its own program within WSDOT. Committee staff will also look at how the Freight Mobility Strategic Investment Board projects are displayed in the capital projects system to determine the utility of displaying the projects in a separate project list.

PROJECT: **Citizen's Guide to the Transportation Budget**

COMPLETION DATE: January 2012

STAFF: Catherine Nicolai/LEAP
Committee

REFERENCES: [ESHB 1175](#)

DESCRIPTION: The "Citizen's Guide to the Washington State Transportation Budget" is provided as a resource for citizens, members of the Senate and their staff, and other interested persons to provide a brief overview of the transportation budget, outline the budget's components, the budget process, and describe the agencies, goods, and services it funds. The Senate Transportation Committee staff expects to have the guide completed and available to the public, as well as online, prior to the start of the 2012 Legislative Session.

PROJECT: **Mega-Projects and Tolling**

COMPLETION DATE: January 2012

STAFF: Kelly Simpson (and other committee
staff as appropriate)

REFERENCES: [EHB 1382](#), [SSB 5700](#)

DESCRIPTION: Senate Transportation Committee staff will monitor and report to legislators as necessary on the implementation of the state's first all-electronic tolling project on the SR 520 bridge, anticipated to open in 2011. Additionally, Engrossed House Bill 1382 authorizes tolling on I-405 between Bellevue and I-5. WSDOT and the Transportation Commission will be developing the capital and operating elements of this project through 2011 and beyond, including developing traffic and revenue studies and a finance plan prior to the 2012 session. Committee staff will monitor and provide input as necessary on the I-405

tolling project. Committee staff will also attend quarterly project update meetings and periodic project tours on a wide selection of transportation projects, including mega-projects.

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

COMPLETION DATE: January 2012

STAFF: Kelly Simpson

REFERENCES: [ESHB 1175 - Sec. 204\(4\)](#)

DESCRIPTION: The 2011-2013 transportation budget directs the Joint Transportation Committee (JTC) to conduct a study to evaluate the potential for financing transportation projects using public-private partnerships. The study must compare the costs, advantages, and disadvantages of various forms of public-private partnerships with conventional financing. The study must also identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers. The study will be supported by a Staff Workgroup comprised of staff from the JTC, House and Senate Transportation Committees, the Office of Financial Management, WSDOT, the Transportation Commission, and the State Treasurer's Office. Senate Transportation Committee staff will participate in the Staff Workgroup, monitor the study, and assist with draft legislation as appropriate.

PROJECT: **Transportation Advisory Group**

COMPLETION DATE: January 2012

STAFF: David Ward

REFERENCES: [ESHB 1175, Bill Signing Announcement](#)

DESCRIPTION: The Governor is forming a Transportation Advisory Group (TAG) to meet over the interim to develop a statewide transportation system ten-year investment and funding strategy for 2012. In addition to other stakeholder interests, the TAG will include the chairs and ranking minority members of the House and Senate Transportation Committees. The TAG will review statewide transportation program needs; review current statewide transportation funding, trends and shortfalls; review transportation investment priorities; comment on top transportation investment priorities; and recommend the most promising investment options to address top priorities.

PROJECT: **Washington State Ferries Studies**

COMPLETION DATE: January 2012

STAFF: Janice Baumgardt

REFERENCES: [ESHB 1175 - Sec. 204\(4\) And 221\(16\)](#)

DESCRIPTION: The Joint Transportation Committee (JTC) was directed to study the three following issues related to the Washington State Ferries (WSF): (1) the most appropriate WSF fare structure and media, (2) the management organization structure at WSF, and (3) the use of liquid natural gas on existing WSF vessels and on the planned 144-car class vessels. Senate Transportation Committee staff will work with JTC staff on the studies, including draft legislation if required. Additionally, by September 1, 2011, the transportation committees of the Legislature, WSF, and the Office of Financial Management are directed to make recommendations regarding an appropriate budget structure for WSF.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7300

January 04, 2012 10:00 a.m.	Joint Transportation Committee	Olympia, WA	Agenda Items to be announced.
June 15-16, 2011 8:00 a.m.	Joint Transportation Committee Tour/Briefing	Walla Walla, WA	Agenda Items to be announced.
July 13, 2011 10:00 a.m.	Joint Transportation Committee	Seattle, WA	Agenda Items to be announced.
September 8:00 a.m.	Joint Transportation Committee Tour/Briefing	Wenatchee, WA	Agenda Items to be announced.
October 19, 2011 10:30 a.m.	Joint Transportation Committee	Aberdeen, WA	Agenda Items to be announced.
November 16, 2011 10:00 a.m.	Joint Transportation Committee	Bellevue, WA	Agenda Items to be announced.
December Legislative Assembly	Full Committee Work Session	Olympia, WA	Agenda Items to be announced.
December 7, 2011 10:00 a.m.	Joint Transportation Committee Work Session	Olympia, WA	Agenda Items to be announced.

Senate Ways & Means Committee

Workplan Summary – 2011 Interim

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

COMPLETION DATE: January 2012

STAFF: Devon Nichols

REFERENCES: LEAP Staff

DESCRIPTION: The Senate Ways & Means Committee and Legislative Evaluation and Accountability Program Committee (LEAP) will publish a Citizen's Guide to the Budget. Members, legislative staff, and the general public use the guide to answer basic questions about the Washington State biennial budget. The guide is published on an annual basis because of significant changes in supplemental budget sessions. The guide will be updated before the 2012 Legislative Session.

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

COMPLETION DATE: January 2012

STAFF: Dianne Criswell/Dean Carlson

REFERENCES: NA

DESCRIPTION: The Senate Ways & Means committee staff will update the Legislative Guide to Washington State Property Taxes to reflect recent changes. The guide serves as a resource for members, legislative staff, and the general public.

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

COMPLETION DATE: January 2012

STAFF: Elise Greef/Susan Mielke/
Kim Cushing

REFERENCES: LEAP Staff

DESCRIPTION: 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.

PROJECT: **Legislative Budget Notes**

COMPLETION DATE: September 2011

STAFF: Senate Ways & Means/House Ways
& Means/LEAP Staff

REFERENCES: NA

DESCRIPTION: Legislative fiscal staff in the Senate and House will work with LEAP staff to prepare the "Legislative Budget Notes," a publication which represents the official record of legislative action on the omnibus operating, transportation, and capital budgets. The Legislative Budget Notes are 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 budget documents.

PROJECT: 2012 Operating and Capital Budget Development and Analysis of Agency and Governor Budget Requests

COMPLETION DATE: December 2011 STAFF: Senate Ways & Means Committee Staff

REFERENCES: NA

DESCRIPTION: Senate Ways & Means staff will prepare for development of the 2012 supplemental operating and capital Senate budget proposals by: (1) working with the Office of Financial Management and House Ways & Means staff in creating an agreed-upon carry forward level of previous budgets; (2) reviewing 2011 agency budget requests; (3) evaluating the Governor's budget proposal submitted in December 2011; and (4) creating various budget policy options related to member interests.

PROJECT: Caseload Forecast Council Technical (Staff) Workgroups

COMPLETION DATE: December 2011 STAFF: Megan Atkinson/Michael Bezanson/
Elise Greef/Richard Ramsey/
Tim Yowell

REFERENCES: NA

DESCRIPTION: Staff will monitor changes and trends and provide input regarding caseload forecasts for entitlement programs for the public schools, medical assistance, long-term care, developmental disabilities, foster care, adoption support, general assistance, and corrections and juvenile rehabilitation. The caseload forecasts are used to develop the majority of the budgets for these programs. The workgroups meet periodically and include staff from the Senate Ways & Means Committee, House Ways & Means Committee, Caseload Forecast Council, Office of Financial Management, and the Department of Social and Health Services.

PROJECT: K-12 Educator Compensation Workgroup

COMPLETION DATE: December 2011 STAFF: Elise Greef/Susan Mielke

REFERENCES: NA

DESCRIPTION: [RCW 28A.400.201](#) requires the Office of the Superintendent of Public Instruction and the Office of Financial Management to convene a technical working group to recommend the details of an enhanced K-12 educator salary allocation model that aligns state expectations for educator development and certification with the compensation system and establishes recommendations for a concurrent implementation schedule. The Legislature and the Quality Education Council will oversee the group's work. Legislative staff will monitor the working group and provide assistance as necessary.

PROJECT: Average Daily Attendance

COMPLETION DATE: December 2011 STAFF: Elise Greef/Juliana Roe

REFERENCES: [ESHB 1087 \(C 50 L 11 E1\)](#)

DESCRIPTION: Washington State currently uses a student count method to determine school district funding that is based on a monthly count date which looks at the number of students in attendance on the fourth school day of September and the first school day of October through May. Other states have used a method based on Average Daily Attendance (ADA). The rationale for exploring an ADA based student count is to provide districts with a financial incentive to maintain students' enrollment after the September count has been completed and to more accurately adjust, or target, resources to districts based on the students they serve throughout the course of the school year.

Staff will review other states' methods, including financial impacts on school districts if such information is available, and compile information as to what method has been most successful.

PROJECT: **Home Visiting**

COMPLETION DATE: December 2011 STAFF: Michael Bezanson/Kim Cushing

REFERENCES: [ESSB 6444 \(2010\)](#), [ESHB 1087 \(2011\)](#)

DESCRIPTION: 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 (Account) to leverage state dollars for home visiting by requiring private dollars as a match. Department of Early Learning 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.

PROJECT: **Alternative Learning Experience Programs**

COMPLETION DATE: December 2011 STAFF: Elise Greef/Juliana Roe

REFERENCES: [ESHB 1087 \(C 50 L 11 E1\)](#)

DESCRIPTION: Alternative Learning Experience (ALE) programs are education delivery or instructional programs that often include online learning. It has been suggested that ALE funding levels should be reduced by eliminating money that would go to traditional brick and mortar school jobs such as secretaries, janitors, building and grounds staff, and security guards. However, many ALE programs operate out of a building at which students attend classes, labs, meetings with teachers, and study halls.

Staff will research the different types of ALE programs and draft legislation that separates ALE programs that use brick and mortar from those that are primarily online programs.

Committee Meeting Schedule – 2011 Interim

For more information please contact the committee at (360) 786-7715

December	Full Committee	Olympia	Agenda Items to be announced.
Legislative Assembly	Work Session		

Additional Electronic Resources

[Senate Website](#)

[Senate Committee Services Website](#)

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

[TVW Archives](#)

Task Forces/Groups with Legislative Members

(Senate & House Creating Groups of June 16, 2011)

Bill # (companion)	What is it?	Prime Sponsor	Composition	Report due	Terminates	Status
SHB 1793	Restricting Access to Juvenile Records	Rep. Darneille	4 Senators 4 Representatives 9 others	12/15/2011	1/1/2012	C 333, L 11
E2SHB 1795	Jt. Select TF on Baccalaureate Funding Formula (Sec. 29)	Rep. Carlyle	4 Senators 4 Representatives	1/16/2012	6/30/2012	C 10, L 11 1st Special Session Partial Veto
HCR 4404 [SSB 5508 similar]	Joint Legislative Select Committee On Health Reform Implementation	Rep. Schmick	5 Senators 5 Representatives	N/A	Extends date of the existing Committee to 6/30/2014	Filed with Secretary of State
SSB 5181	Commission on State Debt	Senator Parlette	2 Senators 2 Representatives 8 Others	12/1/2011	N/A	C 46, L11 1st Special Session
E2SSB 5182	Higher Education Steering Committee (Sec. 302)	Senator White	2 Senators 2 Representatives	12/1/2011	6/1/2012	C 11, L 11 1st Special Session Partial Veto
SSB 5459	Task Force on Future Uses of RHC's (Sec. 8)	Senator Kline	2 Senators 2 Representatives 8 Others	12/1/2012	N/A	C 30, L 11 1st Special Session Partial Veto
ESSB 5749	Advanced Tuition Payment (GET) Advisory Comm. (Sec. 6)	Senator Brown	4 Senators 4 Representatives	N/A	N/A	C 12, L 11 1st Special Session Partial Veto
ESB 5764	Innovate Washington Board of Directors	Senator Kastama	2 Senators 2 Representatives Governor Pres. of UW & WSU Dir. Dept. Commerce 9 Others	Odd years beginning 12/1/2013	N/A	C 14, L 11 1st Special Session Partial Veto
SSB 5921	Legislative TF Overseeing WorkFirst (Sec. 2)	Senator Regala	4 Senators 4 Representatives 6 Others	Initial: 6/30/2012; annual	6/30/2014	C 42, L 11 1st Special Session Partial Veto

SB 5942	Spirits Distribution Advisory Committee (Sec. 4)	Senator Hewitt	2 Senator-Designees 2 Representative-Designees State Treasurer	Within 180 days	N/A	C 45, L 11 1st Special Session
Requested by Governor [Cf. HB 1448 , HB 1773 & SB 5332]	Study Group on Civil and Criminal Retrocession of Powers to Tribal Governments	Gov. letter 4/22/2011 to Sen. Rockefeller & Rep. McCoy	2 Senators 2 Representatives Min. 13 others	N/A	N/A	Subject to F&O Approval
Requested by Governor	Transportation Advisory Group (10-year strategy)	N/A	2 Senators 2 Representatives Others	N/A	N/A	Subject to F&O Approval