

2 **SB 5915** - H COMM AMD **ADOPTED 04/14/99**  
3 By Committee on State Government

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 4.24.5502 and 1997 c 364 s 7 are each amended to read  
8 as follows:

9 ((~~(1)~~)) The department of corrections, the department of social and  
10 health services, and the indeterminate sentence review board shall  
11 jointly develop, by September 1, 1997, a consistent approach to risk  
12 assessment for the purposes of implementing chapter 364, Laws of 1997,  
13 including consistent standards for classifying sex offenders into risk  
14 levels I, II, and III.

15 (~~((2) The department of social and health services, the department  
16 of corrections, and the indeterminate sentence review board shall each  
17 prepare and deliver to the legislature, by December 1, 1998, a report  
18 indicating the number of sex offenders released after July 27, 1997,  
19 and classified in each level of risk category. The reports shall also  
20 include information on the number, jurisdictions, and circumstances  
21 where the risk level classification made by a local law enforcement  
22 agency or official for specific sex offenders differed from the risk  
23 level classification made by the department or the indeterminate  
24 sentence review board for the same offender.))~~)

25 **Sec. 2.** RCW 13.40.460 and 1997 c 386 s 54 are each amended to read  
26 as follows:

27 The secretary, assistant secretary, or the secretary's designee  
28 shall manage and administer the department's juvenile rehabilitation  
29 responsibilities, including but not limited to the operation of all  
30 state institutions or facilities used for juvenile rehabilitation.

31 The secretary or assistant secretary shall:

32 (1) Prepare a biennial budget request sufficient to meet the  
33 confinement and rehabilitative needs of the juvenile rehabilitation  
34 program, as forecast by the office of financial management;

1 (2) Create by rule a formal system for inmate classification. This  
2 classification system shall consider:

3 (a) Public safety;

4 (b) Internal security and staff safety;

5 (c) Rehabilitative resources both within and outside the  
6 department;

7 (d) An assessment of each offender's risk of sexually aggressive  
8 behavior as provided in RCW 13.40.470; and

9 (e) An assessment of each offender's vulnerability to sexually  
10 aggressive behavior as provided in RCW 13.40.470;

11 (3) Develop agreements with local jurisdictions to develop regional  
12 facilities with a variety of custody levels;

13 (4) Adopt rules establishing effective disciplinary policies to  
14 maintain order within institutions;

15 (5) Develop a comprehensive diagnostic evaluation process to be  
16 used at intake, including but not limited to evaluation for substance  
17 addiction or abuse, literacy, learning disabilities, fetal alcohol  
18 syndrome or effect, attention deficit disorder, and mental health;

19 (6) Develop placement criteria: and

20 (a) To avoid assigning youth who present a moderate or high risk of  
21 sexually aggressive behavior to the same sleeping quarters as youth  
22 assessed as vulnerable to sexual victimization under RCW  
23 13.40.470(1)(c); and

24 (b) To avoid placing a juvenile offender on parole status who has  
25 been assessed as a moderate to high risk for sexually aggressive  
26 behavior in a department community residential program with another  
27 child who is: (i) Dependent under chapter 13.34 RCW, or an at-risk  
28 youth or child in need of services under chapter 13.32A RCW; and (ii)  
29 not also a juvenile offender on parole status; and

30 (7) Develop a plan to implement, by July 1, 1995:

31 (a) Substance abuse treatment programs for all state juvenile  
32 rehabilitation facilities and institutions;

33 (b) Vocational education and instruction programs at all state  
34 juvenile rehabilitation facilities and institutions; and

35 (c) An educational program to establish self-worth and  
36 responsibility in juvenile offenders. This educational program shall  
37 emphasize instruction in character-building principles such as:  
38 Respect for self, others, and authority; victim awareness;  
39 accountability; work ethics; good citizenship; and life skills(~~;~~and

1       ~~(8) Study, in conjunction with the superintendent of public~~  
2 ~~instruction, educators, and superintendents of state facilities for~~  
3 ~~juvenile offenders, the feasibility and value of consolidating within~~  
4 ~~a single entity the provision of educational services to juvenile~~  
5 ~~offenders committed to state facilities. The assistant secretary shall~~  
6 ~~report his or her findings to the legislature by December 1, 1995)).~~

7       **Sec. 3.** RCW 18.20.230 and 1998 c 272 s 2 are each amended to read  
8 as follows:

9       (1) The department of social and health services shall review, in  
10 coordination with the department of health, the nursing care quality  
11 assurance commission, adult family home providers, boarding home  
12 providers, in-home personal care providers, and long-term care  
13 consumers and advocates, training standards for administrators and  
14 resident caregiving staff. ~~((The departments and the commission shall~~  
15 ~~submit to the appropriate committees of the house of representatives~~  
16 ~~and the senate by December 1, 1998, specific recommendations on~~  
17 ~~training standards and the delivery system, including necessary~~  
18 ~~statutory changes and funding requirements.)) Any proposed  
19 enhancements shall be consistent with this section, shall take into  
20 account and not duplicate other training requirements applicable to  
21 boarding homes and staff, and shall be developed with the input of  
22 boarding home and resident representatives, health care professionals,  
23 and other vested interest groups. Training standards and the delivery  
24 system shall be relevant to the needs of residents served by the  
25 boarding home and recipients of long-term in-home personal care  
26 services and shall be sufficient to ensure that administrators and  
27 caregiving staff have the skills and knowledge necessary to provide  
28 high quality, appropriate care.~~

29       (2) The recommendations on training standards and the delivery  
30 system developed under subsection (1) of this section shall be based on  
31 a review and consideration of the following: Quality of care;  
32 availability of training; affordability, including the training costs  
33 incurred by the department of social and health services and private  
34 providers; portability of existing training requirements; competency  
35 testing; practical and clinical course work; methods of delivery of  
36 training; standards for management and caregiving staff training; and  
37 necessary enhancements for special needs populations and resident  
38 rights training. Residents with special needs include, but are not

1 limited to, residents with a diagnosis of mental illness, dementia, or  
2 developmental disability.

3 ~~((3) The department of social and health services shall report to  
4 the appropriate committees of the house of representatives and the  
5 senate by December 1, 1998, on the cost of implementing the proposed  
6 training standards for state-funded residents, and on the extent to  
7 which that cost is covered by existing state payment rates.))~~

8 **Sec. 4.** RCW 41.05.021 and 1997 c 274 s 1 are each amended to read  
9 as follows:

10 (1) The Washington state health care authority is created within  
11 the executive branch. The authority shall have an administrator  
12 appointed by the governor, with the consent of the senate. The  
13 administrator shall serve at the pleasure of the governor. The  
14 administrator may employ up to seven staff members, who shall be exempt  
15 from chapter 41.06 RCW, and any additional staff members as are  
16 necessary to administer this chapter. The administrator may delegate  
17 any power or duty vested in him or her by this chapter, including  
18 authority to make final decisions and enter final orders in hearings  
19 conducted under chapter 34.05 RCW. The primary duties of the authority  
20 shall be to: Administer state employees' insurance benefits and  
21 retired or disabled school employees' insurance benefits; administer  
22 the basic health plan pursuant to chapter 70.47 RCW; study state-  
23 purchased health care programs in order to maximize cost containment in  
24 these programs while ensuring access to quality health care; and  
25 implement state initiatives, joint purchasing strategies, and  
26 techniques for efficient administration that have potential application  
27 to all state-purchased health services. The authority's duties  
28 include, but are not limited to, the following:

29 (a) To administer health care benefit programs for employees and  
30 retired or disabled school employees as specifically authorized in RCW  
31 41.05.065 and in accordance with the methods described in RCW  
32 41.05.075, 41.05.140, and other provisions of this chapter;

33 (b) To analyze state-purchased health care programs and to explore  
34 options for cost containment and delivery alternatives for those  
35 programs that are consistent with the purposes of those programs,  
36 including, but not limited to:

37 (i) Creation of economic incentives for the persons for whom the  
38 state purchases health care to appropriately utilize and purchase

1 health care services, including the development of flexible benefit  
2 plans to offset increases in individual financial responsibility;

3 (ii) Utilization of provider arrangements that encourage cost  
4 containment, including but not limited to prepaid delivery systems,  
5 utilization review, and prospective payment methods, and that ensure  
6 access to quality care, including assuring reasonable access to local  
7 providers, especially for employees residing in rural areas;

8 (iii) Coordination of state agency efforts to purchase drugs  
9 effectively as provided in RCW 70.14.050;

10 (iv) Development of recommendations and methods for purchasing  
11 medical equipment and supporting services on a volume discount basis;  
12 and

13 (v) Development of data systems to obtain utilization data from  
14 state-purchased health care programs in order to identify cost centers,  
15 utilization patterns, provider and hospital practice patterns, and  
16 procedure costs, utilizing the information obtained pursuant to RCW  
17 41.05.031;

18 (c) To analyze areas of public and private health care interaction;

19 (d) To provide information and technical and administrative  
20 assistance to the board;

21 (e) To review and approve or deny applications from counties,  
22 municipalities, and other political subdivisions of the state to  
23 provide state-sponsored insurance or self-insurance programs to their  
24 employees in accordance with the provisions of RCW 41.04.205, setting  
25 the premium contribution for approved groups as outlined in RCW  
26 41.05.050;

27 (f) To appoint a health care policy technical advisory committee as  
28 required by RCW 41.05.150;

29 (g) To establish billing procedures and collect funds from school  
30 districts and educational service districts under RCW 28A.400.400 in a  
31 way that minimizes the administrative burden on districts; and

32 (h) To promulgate and adopt rules consistent with this chapter as  
33 described in RCW 41.05.160.

34 (2) On and after January 1, 1996, the public employees' benefits  
35 board may implement strategies to promote managed competition among  
36 employee health benefit plans. Strategies may include but are not  
37 limited to:

38 (a) Standardizing the benefit package;

39 (b) Soliciting competitive bids for the benefit package;

1 (c) Limiting the state's contribution to a percent of the lowest  
2 priced qualified plan within a geographical area;

3 (d) Monitoring the impact of the approach under this subsection  
4 with regards to: Efficiencies in health service delivery, cost shifts  
5 to subscribers, access to and choice of managed care plans state-wide,  
6 and quality of health services. The health care authority shall also  
7 advise on the value of administering a benchmark employer-managed plan  
8 to promote competition among managed care plans. ~~((The health care  
9 authority shall report its findings and recommendations to the  
10 legislature by January 1, 1997.~~

11 ~~(3) The health care authority shall, no later than July 1, 1996,  
12 submit to the appropriate committees of the legislature, proposed  
13 methods whereby, through the use of a voucher type process, state  
14 employees may enroll with any health carrier to receive employee  
15 benefits. Such methods shall include the employee option of  
16 participating in a health care savings account, as set forth in Title  
17 48 RCW.))~~

18 **Sec. 5.** RCW 43.06.400 and 1987 c 472 s 16 are each amended to read  
19 as follows:

20 Beginning in January~~((7))~~ 1984, and in January of every ~~((even-~~  
21 ~~numbered))~~ fourth year thereafter, the department of revenue shall  
22 submit to the legislature prior to the regular session a listing of the  
23 amount of reduction for the current and next biennium in the revenues  
24 of the state or the revenues of local government collected by the state  
25 as a result of tax exemptions. The listing shall include an estimate  
26 of the revenue lost from the tax exemption, the purpose of the tax  
27 exemption, the persons, organizations, or parts of the population which  
28 benefit from the tax exemption, and whether or not the tax exemption  
29 conflicts with another state program. The listing shall include but  
30 not be limited to the following revenue sources:

31 (1) Real and personal property tax exemptions under Title 84 RCW;

32 (2) Business and occupation tax exemptions, deductions, and credits  
33 under chapter 82.04 RCW;

34 (3) Retail sales and use tax exemptions under chapters 82.08,  
35 82.12, and 82.14 RCW;

36 (4) Public utility tax exemptions and deductions under chapter  
37 82.16 RCW;

38 (5) Food fish and shellfish tax exemptions under chapter 82.27 RCW;

- 1 (6) Leasehold excise tax exemptions under chapter 82.29A RCW;
- 2 (7) Motor vehicle and special fuel tax exemptions and refunds under
- 3 chapters 82.36 and 82.38 RCW;
- 4 (8) Aircraft fuel tax exemptions under chapter 82.42 RCW;
- 5 (9) Motor vehicle excise tax exclusions under chapter 82.44 RCW;
- 6 and
- 7 (10) Insurance premiums tax exemptions under chapter 48.14 RCW.

8 The department of revenue shall prepare the listing required by  
9 this section with the assistance of any other agencies or departments  
10 as may be required.

11 The department of revenue shall present the listing to the ways and  
12 means committees of each house in public hearings.

13 Beginning in January((7)) 1984, and every four years thereafter the  
14 governor is requested to review the report from the department of  
15 revenue and may submit recommendations to the legislature with respect  
16 to the repeal or modification of any tax exemption. The ways and means  
17 committees of each house and the appropriate standing committee of each  
18 house shall hold public hearings and take appropriate action on the  
19 recommendations submitted by the governor.

20 As used in this section, "tax exemption" means an exemption,  
21 exclusion, or deduction from the base of a tax; a credit against a tax;  
22 a deferral of a tax; or a preferential tax rate.

23 **Sec. 6.** RCW 43.20A.375 and 1988 c 49 s 2 are each amended to read  
24 as follows:

25 The state advisory committee shall have the following powers and  
26 duties:

27 (1) To serve in an advisory capacity to the secretary on all  
28 matters pertaining to the department of social and health services.

29 (2) To acquaint themselves fully with the operations of the  
30 department and periodically recommend such changes to the secretary as  
31 they deem advisable.

32 (3) To review and make recommendations as to the continued  
33 operation, possible consolidation, or elimination of department  
34 advisory committees including those required by federal law or  
35 specifically created by statute. The review shall include review of  
36 the statement of purpose for each advisory committee and the time  
37 frames during which the committee is accountable to achieve its stated  
38 purposes. (~~The state advisory committee shall conduct the review and~~

1 ~~report to the appropriate legislative committees no later than January~~  
2 ~~1, 1989.)~~)

3 (4) To encourage public awareness and understanding of the  
4 department of social and health services and the department's programs  
5 and services.

6 (5) To develop agendas to foster periodic meetings with and  
7 communication between representatives of program-specific advisory  
8 committees.

9 (6) To encourage each regional advisory committee established under  
10 RCW 43.20A.360 to send a representative to regular state advisory  
11 committee meetings to foster communication between the regional  
12 advisory committees and: (a) The state advisory committee, and (b)  
13 headquarters of the department.

14 **Sec. 7.** RCW 43.20A.870 and 1997 c 386 s 47 are each amended to  
15 read as follows:

16 The department shall prepare an annual quality assurance report  
17 that shall include but is not limited to: (1) Performance outcomes  
18 regarding health and safety of children in the children's services  
19 system; (2) children's length of stay in out-of-home placement from  
20 each date of referral; (3) adherence to permanency planning timelines;  
21 and (4) the response time on child protective services investigations  
22 differentiated by risk level determined at intake. ~~((The report shall~~  
23 ~~be provided to the governor and legislature not later than July 1.))~~

24 **Sec. 8.** RCW 43.41.195 and 1994 sp.s. c 7 s 319 are each amended to  
25 read as follows:

26 (1) The office of financial management, in consultation with  
27 affected parties, shall establish a fund distribution formula for  
28 determining allocations to the community networks authorized under RCW  
29 70.190.130. The formula shall reflect the local needs assessment for  
30 at-risk children and consider:

31 (a) The number of arrests and convictions for juvenile violent  
32 offenses;

33 (b) The number of arrests and convictions for crimes relating to  
34 juvenile drug offenses and alcohol-related offenses;

35 (c) The number of teen pregnancies and parents;

36 (d) The number of child and teenage suicides and attempted  
37 suicides; and



1 (e) The high school graduation rate.

2 (2) In developing the formula, the office of financial management  
3 shall reserve five percent of the funds for the purpose of rewarding  
4 community networks.

5 (3) The reserve fund shall be used by the council to reward  
6 community networks that show exceptional reductions in: State-funded  
7 out-of-home placements, violent criminal acts by juveniles, substance  
8 abuse, teen pregnancy and male parentage, teen suicide attempts, or  
9 school dropout rates.

10 ~~((4) The office of financial management shall submit the  
11 distribution formula to the family policy council and to the  
12 appropriate committees of the legislature by December 20, 1994.))~~

13 **Sec. 9.** RCW 43.59.150 and 1998 c 165 s 3 are each amended to read  
14 as follows:

15 (1) The Washington state traffic safety commission shall establish  
16 a program for improving bicycle and pedestrian safety, and shall  
17 cooperate with the stakeholders and independent representatives to form  
18 an advisory committee to develop programs and create public private  
19 partnerships which promote bicycle and pedestrian safety. ~~((The  
20 traffic safety commission shall report and make recommendations to the  
21 legislative transportation committee and the fiscal committees of the  
22 house of representatives and the senate by December 1, 1998, regarding  
23 the conclusions of the advisory committee.))~~

24 (2) The bicycle and pedestrian safety account is created in the  
25 state treasury. To the extent that private contributions are received  
26 by the traffic safety commission for the purposes of bicycle and  
27 pedestrian safety programs established under this section, the  
28 appropriations from the highway safety account for this purpose shall  
29 lapse.

30 **Sec. 10.** RCW 43.88.067 and 1995 c 403 s 905 are each amended to  
31 read as follows:

32 The office of financial management shall create a report annually  
33 ~~((to the legislature))~~ on the amount of fees and other expenses awarded  
34 during the preceding fiscal year pursuant to RCW 4.84.340 through  
35 4.84.360. The report shall describe the number, nature, and amount of  
36 the awards, the claims involved in the controversy, and other relevant

1 information that may aid the legislature in evaluating the scope and  
2 impact of the awards.

3 **Sec. 11.** RCW 43.180.070 and 1983 c 161 s 7 are each amended to  
4 read as follows:

5 The commission shall adopt a general plan of housing finance  
6 objectives to be implemented by the commission during the period of the  
7 plan. The commission shall adopt a plan no later than December 15,  
8 1983. The commission may exercise the powers authorized under this  
9 chapter prior to the adoption of the initial plan. In developing the  
10 plan, the commission shall consider and set objectives for:

11 (1) The use of funds for single-family and multifamily housing;

12 (2) The use of funds for new construction, rehabilitation,  
13 including refinancing of existing debt, and home purchases;

14 (3) The housing needs of low-income and moderate-income persons and  
15 families, and of elderly or mentally or physically handicapped persons;

16 (4) The use of funds in coordination with federal, state, and local  
17 housing programs for low-income persons;

18 (5) The use of funds in urban, rural, suburban, and special areas  
19 of the state;

20 (6) The use of financing assistance to stabilize and upgrade  
21 declining urban neighborhoods;

22 (7) The use of financing assistance for economically depressed  
23 areas, areas of minority concentration, reservations, and in mortgage-  
24 deficient areas;

25 (8) The geographical distribution of bond proceeds so that the  
26 benefits of the housing programs provided under this chapter will be  
27 available to address demand on a fair basis throughout the state;

28 (9) The use of financing assistance for implementation of cost-  
29 effective energy efficiency measures in dwellings.

30 The plan shall include an estimate of the amount of bonds the  
31 commission will issue during the term of the plan and how bond proceeds  
32 will be expended.

33 The plan shall be adopted by resolution of the commission following  
34 at least one public hearing thereon, notice of which shall be made by  
35 mailing to the clerk of the governing body of each county and by  
36 publication in the Washington State Register no more than forty and no  
37 less than twenty days prior to the hearing. A draft of the plan shall  
38 be made available not less than thirty days prior to any such public

1 hearing. At least every two years, the commission shall report to the  
2 legislature regarding implementation of the plan.

3 ~~((Prior to December 31, 1983, the commission shall submit the plan  
4 to the chief clerk of the house and secretary of the senate for  
5 transmittal to and review by the appropriate standing committees.))~~  
6 The commission may periodically update the plan. ~~((Proposed changes of  
7 the plan shall be submitted to the chief clerk of the house and  
8 secretary of the senate for transmittal to and review by the  
9 appropriate standing committees. This submittal of proposed changes  
10 shall occur at least fourteen days before final adoption of the changes  
11 by the commission.))~~

12 The commission shall adopt rules designed to result in the use of  
13 bond proceeds in a manner consistent with the plan. These rules shall  
14 be adopted and in full force and effect by February 1, 1984. The  
15 commission may periodically update its rules.

16 The commission is not required to adopt a plan or rules for the use  
17 of the proceeds of bonds issued prior to February, 1984. This section  
18 is designed to deal only with the use of bond proceeds and nothing in  
19 this section shall be construed as a limitation on the commission's  
20 authority to issue bonds.

21 **Sec. 12.** RCW 43.200.080 and 1991 sp.s. c 13 s 60 are each amended  
22 to read as follows:

23 The director of ecology shall, in addition to the powers and duties  
24 otherwise imposed by law, have the following special powers and duties:

25 (1) To fulfill the responsibilities of the state under the lease  
26 between the state of Washington and the federal government executed  
27 September 10, 1964, covering one thousand acres of land lying within  
28 the Hanford reservation near Richland, Washington. The department of  
29 ecology may sublease to private or public entities all or a portion of  
30 the land for specific purposes or activities which are determined,  
31 after public hearing, to be in agreement with the terms of the lease  
32 and in the best interests of the citizens of the state consistent with  
33 any criteria that may be developed as a requirement by the legislature;

34 (2) To assume the responsibilities of the state under the perpetual  
35 care agreement between the state of Washington and the federal  
36 government executed July 29, 1965 and the sublease between the state of  
37 Washington and the site operator of the Hanford low-level radioactive  
38 waste disposal facility. In order to finance perpetual surveillance

1 and maintenance under the agreement and ensure site closure under the  
2 sublease, the department of ecology shall impose and collect fees from  
3 parties holding radioactive materials for waste management purposes.  
4 The fees shall be established by rule adopted under chapter 34.05 RCW  
5 and shall be an amount determined by the department of ecology to be  
6 necessary to defray the estimated liability of the state. Such fees  
7 shall reflect equity between the disposal facilities of this and other  
8 states. A site closure account and a perpetual surveillance and  
9 maintenance account is hereby created in the state treasury. The site  
10 closure account shall be exclusively available to reimburse, to the  
11 extent that moneys are available in the account, the site operator for  
12 its costs plus a reasonable profit as agreed by the operator and the  
13 state, or to reimburse the state licensing agency and any agencies  
14 under contract to the state licensing agency for their costs in final  
15 closure and decommissioning of the Hanford low-level radioactive waste  
16 disposal facility. If a balance remains in the account after  
17 satisfactory performance of closure and decommissioning, this balance  
18 shall be transferred to the perpetual surveillance and maintenance  
19 account. The perpetual surveillance and maintenance account shall be  
20 used exclusively by the state to meet post-closure surveillance and  
21 maintenance costs, or for otherwise satisfying surveillance and  
22 maintenance obligations. Appropriations are required to permit  
23 expenditures and payment of obligations from the site closure account  
24 and the perpetual surveillance and maintenance account. All moneys,  
25 including earnings from the investment of balances in the site closure  
26 and the perpetual surveillance and maintenance account, less the  
27 allocation to the state treasurer's service ((~~account~~{~~fund~~}) fund,  
28 pursuant to RCW 43.08.190 accruing under the authority of this section  
29 shall be directed to the site closure account until December 31, 1992.  
30 Thereafter receipts including earnings from the investment of balances  
31 in the site closure and the perpetual surveillance and maintenance  
32 account, less the allocation to the state treasurer's service ((~~account~~  
33 {~~fund~~}) fund, pursuant to RCW 43.08.190 shall be directed to the site  
34 closure account and the perpetual surveillance and maintenance account  
35 as specified by the department. Additional moneys specifically  
36 appropriated by the legislature or received from any public or private  
37 source may be placed in the site closure account and the perpetual  
38 surveillance and maintenance account;

1 (3) To assure maintenance of such insurance coverage by state  
2 licensees, lessees, or sublessees as will adequately, in the opinion of  
3 the director, protect the citizens of the state against nuclear  
4 accidents or incidents that may occur on privately or state-controlled  
5 nuclear facilities;

6 (4) To institute a user permit system and issue site use permits,  
7 consistent with regulatory practices, for generators, packagers, or  
8 brokers using the Hanford low-level radioactive waste disposal  
9 facility. The costs of administering the user permit system shall be  
10 borne by the applicants for site use permits. The site use permit fee  
11 shall be set at a level that is sufficient to fund completely the  
12 executive and legislative participation in activities related to the  
13 Northwest Interstate Compact on Low-Level Radioactive Waste Management;

14 (5) To make application for or otherwise pursue any federal funds  
15 to which the state may be eligible, through the federal resource  
16 conservation and recovery act or any other federal programs, for the  
17 management, treatment or disposal, and any remedial actions, of wastes  
18 that are both radioactive and hazardous at all Hanford low-level  
19 radioactive waste disposal facilities; and

20 (6) To develop contingency plans for duties and options for the  
21 department and other state agencies related to the Hanford low-level  
22 radioactive waste disposal facility based on various projections of  
23 annual levels of waste disposal. These plans shall include an analysis  
24 of expected revenue to the state in various taxes and funds related to  
25 low-level radioactive waste disposal and the resulting implications  
26 that any increase or decrease in revenue may have on state agency  
27 duties or responsibilities. The plans shall be updated annually.  
28 (~~The department shall report annually on the plans and on the balances~~  
29 ~~in the site closure and perpetual surveillance accounts to the energy~~  
30 ~~and utilities committees of the senate and the house of~~  
31 ~~representatives.~~)

32 **Sec. 13.** RCW 47.06B.030 and 1998 c 173 s 3 are each amended to  
33 read as follows:

34 The council shall:

35 (1) Develop standards and strategies for coordinating special needs  
36 transportation;

37 (2) Identify and develop, fund as resources are made available, and  
38 monitor coordinated transportation pilot projects;

1 (3) Disseminate and encourage the widespread implementation of  
2 successful demonstration projects;

3 (4) Identify and address barriers to transportation coordination;

4 (5) Recommend to the legislature changes in law to assist  
5 coordination of transportation services;

6 (6) Act as an information clearinghouse and advocate for  
7 coordinated transportation;

8 (7) Petition the office of financial management to make whatever  
9 changes are deemed necessary to identify transportation costs in all  
10 executive agency budgets(

11 ~~(8) Report to the legislature by December 1, 1998, on council  
12 activities including, but not limited to, what demonstration projects  
13 have been undertaken, how coordination affected service levels, and  
14 whether these efforts produced savings that allowed expansion of  
15 services. Reports must be made once every two years thereafter, and  
16 other times as the council deems necessary)).~~

17 **Sec. 14.** RCW 70.24.107 and 1997 c 345 s 6 are each amended to read  
18 as follows:

19 The department of health and the department of corrections shall  
20 each adopt rules to implement chapter 345, Laws of 1997. ((The  
21 department of health and the department of corrections shall also  
22 report to the legislature by January 1, 1998, on the following: (1)  
23 Changes made in rules and department of corrections and local jail  
24 policies and procedures to implement chapter 345, Laws of 1997; and (2)  
25 a summary of the number of times and the circumstances under which  
26 individual corrections staff and jail staff members were informed that  
27 a particular offender or detainee had a sexually transmitted disease or  
28 other communicable disease.)) The department of health and the  
29 department of corrections shall cooperate with local jail  
30 administrators to obtain the information from local jail administrators  
31 that is necessary to comply with this section.

32 **Sec. 15.** RCW 75.08.510 and 1998 c 250 s 2 are each amended to read  
33 as follows:

34 The department shall mark appropriate coho salmon that are released  
35 from department operated hatcheries and rearing ponds in such a manner  
36 that the fish are externally recognizable as hatchery origin salmon by

1 fishers for the purpose of maximized catch while sustaining wild and  
2 hatchery reproduction.

3 The department shall mark all appropriate chinook salmon targeted  
4 for contribution to the Washington catch that are released from  
5 department operated hatcheries and rearing ponds in such a manner that  
6 the fish are externally recognizable as hatchery origin salmon by  
7 fishers.

8 The goal of the marking program is: (1) The annual marking by June  
9 30, 1997, of all appropriate hatchery origin coho salmon produced by  
10 the department with marking to begin with the 1994 Puget Sound coho  
11 brood; and (2) the annual marking by June 30, 1999, of all appropriate  
12 hatchery origin chinook salmon produced by the department with marking  
13 to begin with the 1998 chinook brood. The department may experiment  
14 with different methods for marking hatchery salmon with the primary  
15 objective of maximum survival of hatchery marked fish, maximum  
16 contribution to fisheries, and minimum cost consistent with the other  
17 goals.

18 The department shall coordinate with other entities that are  
19 producing hatchery chinook and coho salmon for release into public  
20 waters to enable the broadest application of the marking program to all  
21 hatchery produced chinook and coho salmon. The department shall work  
22 with the treaty Indian tribes in order to reach mutual agreement on the  
23 implementation of the mass marking program. (~~The department shall  
24 report to the appropriate legislative committees by January 1, 1999, on  
25 the progress made in reaching mutual agreement with the treaty Indian  
26 tribes and any Pacific coast state or province to achieve the goal of  
27 coast-wide marking of chinook and coho salmon.~~) The ultimate goal of  
28 the program is the coast-wide marking of appropriate hatchery origin  
29 chinook and coho salmon, and the protection of all wild chinook and  
30 coho salmon, where appropriate.

31 **Sec. 16.** RCW 80.36.600 and 1998 c 337 s 1 are each amended to read  
32 as follows:

33 (1) The commission shall plan and prepare to implement a program  
34 for the preservation and advancement of universal telecommunications  
35 service which shall not take effect until the legislature approves the  
36 program. The purpose of the universal service program is to benefit  
37 telecommunications ratepayers in the state by minimizing implicit  
38 sources of support and maximizing explicit sources of support that are

1 specific, sufficient, competitively neutral, and technologically  
2 neutral to support basic telecommunications services for customers of  
3 telecommunications companies in high-cost locations.

4 (2) In preparing a universal service program for approval by the  
5 legislature, the commission shall:

6 (a) Estimate the cost of supporting all lines located in high-cost  
7 locations and the cost of supporting one primary telecommunications  
8 line for each residential or business customer located in high-cost  
9 locations;

10 (b) Determine the assessments that must be made on all  
11 telecommunications carriers, and the manner of collection, to provide  
12 support for:

13 (i) All residential and business lines located in high-cost  
14 locations;

15 (ii) Only one primary line for each residential or business  
16 customer located in high-cost locations;

17 (c) Designate those telecommunications carriers serving high-cost  
18 locations that are eligible to receive support for the benefit of their  
19 customers in those locations;

20 (d) Adopt or prepare to adopt all necessary rules for  
21 administration of the program; and

22 (e) Provide a schedule of all fees and payments proposed or  
23 expected to be proposed by the commission under subsection ((+4))  
24 (3)(d) of this section.

25 ~~(3) ((The commission shall report by November 1, 1998, to the  
26 legislature on these steps taken to prepare for implementation and  
27 shall inform the legislature of the estimated cost to support all lines  
28 located in high-cost locations and the estimated cost to support only  
29 one primary line for each residential or business customer located in  
30 high-cost locations under a universal service program.~~

31 (+4)) Once a program is approved by the legislature and  
32 subsequently established, the following provisions apply unless  
33 otherwise directed by the legislature:

34 (a) All transfers of money necessary to provide the support shall  
35 be outside the state treasury and not be subject to appropriation;

36 (b) The commission may delegate to the commission secretary or  
37 other staff the authority to resolve disputes or make other decisions  
38 necessary to the administration of the program;



1 (c) The commission may contract with an independent program  
2 administrator subject to the direction and control of the commission  
3 and may authorize the establishment of an account or accounts in  
4 independent financial institutions should that be necessary for  
5 administration of the program;

6 (d) The expenses of an independent program administrator shall be  
7 authorized by the commission and shall be paid out of contributions by  
8 the telecommunications carriers participating in the program;

9 (e) The commission may require the carriers participating in the  
10 program, as part of their contribution, to pay into the public service  
11 revolving fund the costs of the commission attributable to supervision  
12 and administration of the program that are not otherwise recovered  
13 through fees paid to the commission.

14 ~~((+5))~~ (4) The commission shall establish standards for review or  
15 testing of all telecommunications carriers' compliance with the program  
16 for the purpose of ensuring the support received by a  
17 telecommunications carrier is used only for the purposes of the program  
18 and that each telecommunications carrier is making its proper  
19 contribution to the program. The commission may conduct the review or  
20 test, or contract with an independent administrator or other person to  
21 conduct the review or test.

22 ~~((+6))~~ (5) The commission shall coordinate administration of the  
23 program with any federal universal service program and may administer  
24 the federal fund in conjunction with the state program if so authorized  
25 by federal law.

26 ~~((+7))~~ (6) The definitions in this subsection apply throughout  
27 this section unless the context clearly requires otherwise.

28 (a) "Telecommunications carrier" has the same meaning as defined in  
29 47 U.S.C. Sec. 153(44).

30 (b) "Basic telecommunications services" means the following  
31 services:

- 32 (i) Single-party service;
- 33 (ii) Voice grade access to the public switched network;
- 34 (iii) Support for local usage;
- 35 (iv) Dual tone multifrequency signaling (touch-tone);
- 36 (v) Access to emergency services (911);
- 37 (vi) Access to operator services;
- 38 (vii) Access to interexchange services;
- 39 (viii) Access to directory assistance; and

1 (ix) Toll limitation services.

2 (c) "High-cost location" means a location where the cost of  
3 providing telecommunications services is greater than a benchmark  
4 established by the commission by rule.

5 (~~(8)~~) (7) Each telecommunications carrier that provides  
6 intrastate telecommunications services shall provide whatever  
7 information the commission may reasonably require in order to fulfill  
8 the commission's responsibilities under subsection (2) of this section.

9 NEW SECTION. **Sec. 17.** The following acts or parts of acts are  
10 each repealed:

11 (1) RCW 48.85.050 and 1995 1st sp.s. c 18 s 80 & 1993 c 492 s 462;

12 and

13 (2) RCW 75.46.020 and 1998 c 246 s 3."

14 Correct the title.

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