



# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
Supplement No. 10\*

FIFTY-EIGHTH LEGISLATURE

Monday, January 27, 2003

15th Day - 2003 Regular

## SENATE

SB 5044-S	SB 5422	SB 5439
SB 5406	SB 5423	SB 5440
SB 5407	SB 5424	SB 5441
SB 5408	SB 5425	SB 5442
SB 5409	SB 5426	SB 5443
SB 5410	SB 5427	SJM 8007
SB 5411	SB 5428	
SB 5412	SB 5429	
SB 5413	SB 5430	
SB 5414	SB 5431	
SB 5415	SB 5432	
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SB 5420	SB 5437	
SB 5421	SB 5438	

## HOUSE

HB 1001-S	HB 1384	HB 1401	HB 1418
HB 1013-S	HB 1385	HB 1402	HB 1419
HB 1053-S	HB 1386	HB 1403	HB 1420
HB 1063-S	HB 1387	HB 1404	HB 1421
HB 1371	HB 1388	HB 1405	HB 1422
HB 1372	HB 1389	HB 1406	HJM 4007
HB 1373	HB 1390	HB 1407	HJM 4008
HB 1374	HB 1391	HB 1408	HJM 4009
HB 1375	HB 1392	HB 1409	
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## LIST OF BILLS IN DIGEST SUPPLEMENTS

### SENATE

SB 5000	Supp. 1	SB 5032	Supp. 1
SB 5001	Supp. 1	SB 5033	Supp. 1
SB 5002	Supp. 1	SB 5034	Supp. 1
SB 5003	Supp. 1	SB 5035	Supp. 1
SB 5004	Supp. 1	SB 5036	Supp. 1
SB 5005	Supp. 1	SB 5037	Supp. 1
SB 5006	Supp. 1	SB 5038	Supp. 1
SB 5007	Supp. 1	SB 5039	Supp. 1
SB 5008	Supp. 1	SB 5040	Supp. 1
SB 5009	Supp. 1	SB 5041	Supp. 1
SB 5010	Supp. 1	SB 5042	Supp. 1
SB 5011	Supp. 1	SB 5043	Supp. 1
SB 5012	Supp. 1	SB 5044	Supp. 1
SB 5013	Supp. 1	SB 5045	Supp. 1
SB 5014	Supp. 1	SB 5046	Supp. 1
SB 5015	Supp. 1	SB 5047	Supp. 1
SB 5016	Supp. 1	SB 5048	Supp. 1
SB 5017	Supp. 1	SB 5049	Supp. 1
SB 5018	Supp. 1	SB 5050	Supp. 1
SB 5019	Supp. 1	SB 5051	Supp. 1
SB 5020	Supp. 1	SB 5052	Supp. 1
SB 5021	Supp. 1	SB 5053	Supp. 1
SB 5022	Supp. 1	SB 5054	Supp. 1
SB 5023	Supp. 1	SB 5055	Supp. 1
SB 5024	Supp. 1	SB 5056	Supp. 1
SB 5025	Supp. 1	SB 5057	Supp. 1
SB 5026	Supp. 1	SB 5058	Supp. 1
SB 5027	Supp. 1	SB 5059	Supp. 1
SB 5028	Supp. 1	SB 5060	Supp. 1
SB 5029	Supp. 1	SB 5061	Supp. 1
SB 5030	Supp. 1	SB 5062	Supp. 1
SB 5031	Supp. 1	SB 5063	Supp. 1

### HOUSE

HB 1000	Supp. 1	HB 1032	Supp. 1
HB 1001	Supp. 1	HB 1033	Supp. 1
HB 1002	Supp. 1	HB 1034	Supp. 1
HB 1003	Supp. 1	HB 1035	Supp. 1
HB 1004	Supp. 1	HB 1036	Supp. 1
HB 1005	Supp. 1	HB 1037	Supp. 1
HB 1006	Supp. 1	HB 1038	Supp. 1
HB 1007	Supp. 1	HB 1039	Supp. 1
HB 1008	Supp. 1	HB 1040	Supp. 1
HB 1009	Supp. 1	HB 1041	Supp. 2
HB 1010	Supp. 1	HB 1042	Supp. 2
HB 1011	Supp. 1	HB 1043	Supp. 2
HB 1012	Supp. 1	HB 1044	Supp. 2
HB 1013	Supp. 1	HB 1045	Supp. 2
HB 1014	Supp. 1	HB 1046	Supp. 2
HB 1015	Supp. 1	HB 1047	Supp. 2
HB 1016	Supp. 1	HB 1048	Supp. 2
HB 1017	Supp. 1	HB 1049	Supp. 2
HB 1018	Supp. 1	HB 1050	Supp. 2
HB 1019	Supp. 1	HB 1051	Supp. 2
HB 1020	Supp. 1	HB 1052	Supp. 2
HB 1021	Supp. 1	HB 1053	Supp. 2
HB 1022	Supp. 1	HB 1054	Supp. 2
HB 1023	Supp. 1	HB 1055	Supp. 2
HB 1024	Supp. 1	HB 1056	Supp. 2
HB 1025	Supp. 1	HB 1057	Supp. 2
HB 1026	Supp. 1	HB 1058	Supp. 2
HB 1027	Supp. 1	HB 1059	Supp. 2
HB 1028	Supp. 1	HB 1060	Supp. 2
HB 1029	Supp. 1	HB 1061	Supp. 2
HB 1030	Supp. 1	HB 1062	Supp. 3
HB 1031	Supp. 1	HB 1063	Supp. 3

\*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

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**House Bills**

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**HB 1001-S** by House Committee on Judiciary (originally sponsored by Representatives Lantz, Chase, Ruderman, Fromhold, Dickerson, Conway, Schindler, Veloria, O'Brien, Kenney, Campbell, Nixon and Darneille)

Revising voyeurism laws.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Specifies the elements of the crime of voyeurism in the first degree and voyeurism in the second degree.

Declares that voyeurism in the first degree is a class C felony.

Declares that voyeurism in the second degree is a gross misdemeanor.

Provides that, if a person is convicted of a violation of this act, the court may order the destruction of any photograph, motion picture film, digital image, videotape, or any other recording of an image that was made by the person in violation of this act.

Provides that no gross misdemeanor may be prosecuted more than two years after its commission; except that in a prosecution under RCW 9A.44.115(2)(b), if the person who was viewed, photographed, or filmed did not realize at the time that he or she was being viewed, photographed, or filmed, the prosecution must be commenced within one year of the time the person who was viewed or in the photograph or film first learns that he or she was viewed, photographed, or filmed, or within two years after the commission of the offense, whichever is later.

**-- 2003 REGULAR SESSION --**

Jan 20 JUDI - Majority; 1st substitute bill be substituted, do pass.

Jan 21 Passed to Rules Committee for second reading.

**HB 1013-S** by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Morris, Miloscia, Eickmeyer, Linville, Chase, Anderson, Ruderman, Mielke, Conway, Bush, Haigh and Sullivan)

Requiring a performance audit of the utilities and transportation commission.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that: (1) It is the intent of the legislature to encourage congruency among energy policy, technology policy, and economic development policy in order to better serve the citizens of Washington and to improve the economic climate and opportunities throughout the state. This includes policies that support the deployment of current and emerging technologies.

(2) It is further the intent of the legislature that the state continue to support policies that produce affordable energy.

(3) It is further the intent of the legislature to work with the utilities and transportation commission to identify performance measures in the areas of energy and telecommunications regulation.

(4) It is further the intent of the legislature that energy and telecommunications regulation reflect a less costly

regulatory process that can ultimately benefit the consumer, eliminate duplication of functions, and improve government efficiency.

Directs the joint legislative audit and review committee to conduct a performance audit of the utilities and transportation commission focused on its responsibilities regarding telecommunications, energy, and natural gas. The performance audit will include, but not be limited to: (1) An analysis of the roles and responsibilities of the commission as outlined and prescribed in statute, regulations, and commission rules and procedures. The joint committee may recommend changes that should be made in the roles and responsibilities of the commission;

(2) An analysis of the commission's organizational structure and functions and the effect of that organizational structure on the ability of the commission to perform its duties and responsibilities. The analysis will include information on the costs of regulatory activities, the effects of the commission's structures and procedures on its decision timeliness, and how the commission seeks efficiencies in its regulatory activities. The analysis will also include a comparison of other state commissions' organizations, structures, and operating principles.

Provides that, beginning July 1, 2003, through December 31, 2004, every electrical, gas, and telecommunications company subject to a fee under RCW 80.24.010 will pay to the commission a surcharge for the purpose of conducting a performance audit of the utilities and transportation commission by the joint legislative audit and review committee and calculated as a percentage of the fee paid by each company under RCW 80.24.010.

**-- 2003 REGULAR SESSION --**

Jan 22 TTE - Majority; 1st substitute bill be substituted, do pass.

**HB 1053-S** by House (originally sponsored by Representatives Miloscia, Armstrong, Haigh, Simpson, Schoesler, Quall, O'Brien, Kirby, Cox, Eickmeyer, Berkey, McCoy, Ruderman, Hatfield, Sullivan, Morris, Linville, Ahern, Veloria, Bush, Conway, Dickerson, Lovick, Fromhold, Dunshee, Gombosky, Kenney, Kagi, Schual-Berke and Campbell)

Enhancing government accountability.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the citizen oversight board to guide and assist agencies in developing data-driven, valid, and reliable performance standards, measures, outcomes, and goals, designed to manage the money agencies spend, the services they provide, the employees and processes they control, and the businesses, people, and resources they regulate. The board shall seek, review, and recommend best practices for all agencies.

Directs the state auditor to develop and implement a phased-in, recurring plan for conducting performance audits of state agency systems and operations. Audits shall be designed to be completed within a six-month period. In developing this plan, the state auditor shall consult with the citizen oversight board. In conducting audits, the state auditor shall seek input from employees and from the public.

**-- 2003 REGULAR SESSION --**

Jan 23 SG - Majority; 1st substitute bill be substituted, do pass.

**HB 1063-S** by House Committee on Capital Budget (originally sponsored by Representatives Morrell, Alexander, Dunshee, Lovick, Veloria, Upthegrove, Chase, McDermott, Morris, Schual-Berke, Kenney, Cody and Moeller)

Concerning projects to be funded by loans from the public works assistance account.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides authorization for projects recommended by the public works board.

**-- 2003 REGULAR SESSION --**

Jan 22 CB - Majority; 1st substitute bill be substituted, do pass.

**HB 1371** by Representatives Carrell, Newhouse, Sehlin, Boldt, Armstrong, Bush, Skinner, Sullivan, McDonald and McMahan

Authorizing law libraries to deliver services on-line.

Declares that all of the services of any county or regional law library under chapter 27.24 RCW may be delivered through one or more on-line electronic legal research facilities supplied or contracted for by a county or counties.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Judiciary.

**HB 1372** by Representatives Carrell, Ericksen, Cairnes, Roach, Boldt, Delvin, Benson, Upthegrove, Campbell and McMahan

Protecting innocent owners of impounded vehicles.

Provides that, once transfer of ownership in a motor vehicle is perfected by complying with the requirements of this act, the owner is not subject to any liabilities, costs, penalties, or other sanctions that arise under chapter 46.55 RCW for any event or circumstance involving the vehicle that occurs after the time of perfection.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1373** by Representatives Carrell, Newhouse, Mielke, Roach, McMahan, Boldt, Kristiansen, Holmquist, Delvin, Ahern, Pearson, Bush and Campbell

Revising provisions relating to motor vehicle theft.

Revises provisions relating to motor vehicle theft.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1374** by Representatives Carrell, Newhouse, Mielke, Delvin, Boldt, Roach, Holmquist, Benson, Ahern, Condotta and Bush

Providing sentencing enhancements for criminal gang activity.

Finds and declares that: (1) Criminal gang activity is a prevalent problem throughout this state and gang violence has had a tremendous impact on our communities and families;

(2) Gang members often view their gang as their "family." Gangs provide their members with negative guidance and undesirable values. This gang subculture perpetuates itself and leads to increased violence and crime;

(3) Current law does not sufficiently deter criminal street gang activity.

Declares that, by increasing penalties when an offense is committed for the benefit of, at the direction of, or in association with any criminal street gang, with the intent to promote, further, or assist in criminal conduct by gang members, the legislature intends to convey that involvement in criminal street gangs is unacceptable. The legislature intends to deter criminal street gang activity by providing a sentencing enhancement.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Juvenile Justice & Family Law.

**HB 1375** by Representatives Dickerson, Sommers, Cody, Wallace, Campbell and McMahan

Eliminating basic health plan eligibility of persons holding student visas.

Finds that persons studying in the United States as full-time students under temporary visas must show, as a condition of receiving their temporary visa, that they have sufficient funds available for self-support during their entire proposed course of study. For this reason, the legislature finds that it is not appropriate to provide subsidized basic health plan coverage to this group of students.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Health Care.

**HB 1376** by Representatives Romero, Dickerson, Schoesler, Hunt, Linville, Eickmeyer, Lantz, Wallace and Kenney

Exempting the use of certain water storage facilities from the water code permitting requirements.

Exempts rain barrels, cisterns, and other similar facilities for capturing runoff from roofs, paved areas, and other hard surfaces on a single residential, commercial, or industrial property or public facility when the: (1) Total amount of water storage does not exceed ten thousand gallons; and

(2) Water stored is intended to be put to beneficial use.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1377** by Representatives Alexander, Murray, Ericksen and Romero

Staggering vessel registration.

Provides that each registration year may be divided into twelve registration months. Each registration month commences on the day numerically corresponding to the day of the calendar month on which the registration year begins, and terminates on the numerically corresponding day of the next succeeding calendar month.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1378** by Representative Ericksen

Placing large woody debris into rivers and streams.

Provides that any landowner, or any project sponsor or volunteer working on a project from a habitat project list, who is involved in the design or placement of large woody debris into a watercourse to enhance salmon or other fish recovery shall not be held liable for any injury or damages resulting from ordinary negligence associated with these actions, if the placement of the large woody debris is in accordance with the terms of a hydraulic permit and is consistent with generally accepted design guidelines.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Judiciary.

**HB 1379** by Representatives Ericksen, Bush and Anderson

Authorizing agreements for traffic control.

Provides that a city, town, or county may exercise traffic control jurisdiction over any private road or street, or over any limited access road owned or controlled by a special district, that is located within the boundaries of the city, town, or county, if the city, town, or county and the party or parties owning or controlling such road or street provide by written agreement as approved by the governing body of the city, town, or county that the city, town, or county may provide traffic control jurisdiction over the roads or streets encompassed by such agreement.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1380** by Representatives Ericksen, Sump, Mielke, Ahern, Clements, Hatfield, Pearson, Buck, Sullivan and Carrell

Criminalizing interference with certain mining rights and activities.

Declares that a person commits the crime of mineral trespass if the person intentionally and without the permission of the claim holder: (1) Enters a mining claim posted as required in chapter 78.08 RCW and disturbs, removes, or attempts to remove any mineral from the claim site;

(2) Tampers with or disturbs a flume, rocker box, bedrock sluice, sluice box, dredge, quartz mill, or other mining equipment at a posted mining claim; or

(3) Defaces a location stake, side post, corner post, landmark, monument, or posted written notice within a posted mining claim.

Declares that mineral trespass is a gross misdemeanor.

Declares that a person commits the crime of interfering with a lawful small scale mining operation that is in full compliance with state and federal laws if the person intentionally: (1) Interferes with a lawful small scale mining operation; or

(2) Stops, or causes to be stopped, a lawful small scale mining operation.

Provides that interfering with a lawful small scale mining operation is a gross misdemeanor.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1381** by Representatives Ericksen, Shabro, Jarrett, McDonald, Schindler, Kristiansen, Bailey and Buck

Requiring flat license plates.

Provides that all vehicle license number plates issued by the department after the effective date of this act must be flat, digitally printed license number plates, and the department shall contract with a private vendor for the manufacturing of the plates. The digitally printed license number plates may include bar codes to facilitate distribution and inventory control.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1382** by Representatives Ericksen, Woods, McDonald, Anderson, Bush, Ahern, Talcott, Buck, Mielke, Boldt, Carrell, Kristiansen, Pflug, Condotta and McMahan

Restricting HOV lanes only during rush hour workdays.

Restricts HOV lanes only during rush hour workdays.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1383** by Representatives Ericksen, Jarrett, Woods, Schindler, Anderson, Shabro, Ahern, Talcott, Clements, Chandler, Buck, Mielke, Boldt, Carrell, Schoesler, Nixon, Pflug and Holmquist

Providing revenues for transportation projects linked to substantive transportation reforms.

Finds that the public trust must be regained before any additional taxation for transportation is imposed on the public.

Finds that the best way to regain the public trust is to tie substantive reform and accountability measures to specific revenue measures, so that the revenue provisions only become law after the reforms are completed.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1384** by Representatives Ericksen, Anderson, Woods, Schindler, McDonald, Bush, Jarrett, Shabro, Ahern, Talcott, Clements, Chandler, Sehlin, Buck, Mielke, Boldt, Schoesler, Kristiansen, Nixon, Pearson, Pflug, Holmquist and McMahan

Increasing transportation permit efficiency.

Declares that streamlining the permit approval process is essential for reducing project delays and for making the most efficient use of every transportation dollar.

Directs that substantive standards and best management practices governing the construction of transportation projects be jointly agreed upon by both the department and Washington's natural resource agencies. After these substantive standards have been agreed upon, finds that the greatest efficiency and effectiveness in both

protecting our environmental resources and in constructing the transportation infrastructure required to serve Washington's growing population will come from the implementation of these standards by the department itself, with appropriate oversight, as defined in this act, by both natural resource agencies and local governments.

Creates the transportation permit efficiency and accountability committee.

Provides that, every two years the department shall send to the legislature, the governor, the department of ecology, and the department of fish and wildlife a report detailing its self-permitting activities over the previous two years.

Provides that, every four years, the department of fish and wildlife and the department of ecology shall jointly conduct a review of the department's self-permitting practices. The department of ecology and the department of fish and wildlife shall submit a report on the performance of the department to the legislature and the governor. The report must include a recommendation as to whether the department should be decertified from self-permitting.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1385** by Representatives Mielke, Ericksen, Woods, Schindler, Anderson, Shabro, Ahern, Jarrett, Talcott, Clements, Chandler, Buck, Boldt, Benson, Schoesler, Nixon, Pflug, Holmquist and McMahan

Providing incentives to increase transportation revenues by requiring the secretary of transportation to report to the legislature regarding contracting out, and prohibiting collective bargaining agreements with state employees from bargaining away the ability of a state agency to contract out.

Directs the secretary of transportation to report no later than November 30th of every even-numbered year to the house of representatives and senate transportation committees on both current practices regarding contracting out and on further opportunities for contracting out within the department.

Provides that, in recommending programs that might be performed by the private sector, the secretary shall place emphasis on programs that could be undertaken at a lower cost by the private sector than by state employees, and on programs in which the use of the private sector could augment the department's workforce in order to increase the department's capacity to complete projects as quickly as possible.

Provides that departments, agencies, and institutions of higher education are prohibited from bargaining matters pertaining to purchasing by contract.

Provides that the employer and the exclusive bargaining representative shall not bargain over matters pertaining to management rights established in RCW 41.80.040 or over matters pertaining to purchasing services by contract.

Repeals RCW 41.06.380 and 41.06.382.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to State Government.

**HB 1386** by Representatives Mielke, Ericksen, Woods, Schindler, Anderson, Shabro, Ahern, Talcott, Clements, Chandler, Boldt, Benson, Schoesler, Nixon, Pflug, Holmquist and McMahan

Reforming prevailing wage laws.

Provides incentives to increase transportation revenues by reforming prevailing wage laws.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Commerce & Labor.

**HB 1387** by Representatives Ericksen, Jarrett, Woods, Schindler, Anderson, Bush, McDonald, Shabro, Ahern, Bailey, Talcott, Clements, Chandler, Sehlin, Buck, Mielke, Boldt, Benson, Alexander, Newhouse, Nixon, Pflug, Holmquist and McMahan

Enhancing accountability in transportation governance.

Enhances accountability in transportation governance. Repeals RCW 47.01.051 and 47.01.061.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1388** by Representatives Woods, Ericksen, Ahern, Schindler, Jarrett, Bush, Shabro, Anderson, Bailey, Talcott, Clements, Chandler, Mielke, Boldt, Newhouse, Schoesler, Nixon, Pearson, Pflug and McMahan

Providing incentives to increase transportation revenues by reforming laws limiting the provision of passenger-only ferry service.

Finds that the Washington state department of transportation should focus on its core ferry mission of moving automobiles on Washington state's marine highways.

Finds that current statutes impose barriers to entities other than the state operating passenger-only ferries.

Declares an intent to lift those barriers to allow entities other than the state to provide passenger-only ferry service.

Directs the department of transportation to make its terminal, dock, and pier space available to operators of passenger-only ferries if the space can be made available without limiting the operation of car ferries operated by the department. The department may not charge any lease, rent, or fee in excess of amounts necessary to be deemed legally adequate.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1389** by Representatives Jarrett, Ericksen, Woods, Schindler, Anderson, Bush, Kristiansen, Shabro, Ahern, Bailey, McDonald, Talcott, Clements, Chandler, Sehlin, Buck, Mielke, Boldt, Alexander, Newhouse, Schoesler, Nixon, Pearson, Pflug, Campbell and Holmquist

Directing performance audits of the department of transportation.

Provides that, every four years the legislative transportation committee shall undertake independent, objective, and comprehensive performance audits of the department of transportation, to be performed in accordance with government auditing standards.

Requires the department to submit to the transportation commission or its statutory successor, the governor, and the legislature, cost and performance data to accompany the proposed project list developed under RCW 47.05.051. For capacity projects the data must specify the estimated congestion relief in both time and money (opportunity costs). For safety projects, the department shall submit

estimates for both the number of lives saved and the reduced negative economic effects of high-accident areas.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1390** by Representatives Moeller, Jarrett, Lovick, Fromhold, Veloria, Kessler, Pettigrew, Miloscia, McDermott, Dunshee, Upthegrove, DeBolt, Wallace, Wood, Sullivan, Schual-Berke, Kagi and Nixon

Authorizing instant runoff voting.

Declares that "instant runoff voting" means a system of voting whereby voters may rank three or more candidates for the same office in order of preference, so that voters may indicate a first choice, a second choice, and so on for as many of the candidates for the office as they wish, up to the maximum number of choices allowed.

Provides that, in general, instant runoff counting proceeds in the following manner: First by counting all votes. If a candidate receives a majority of votes he or she is elected. If no candidate receives a majority on the first or any subsequent stage then the last place candidate at each stage is eliminated. The next choices on ballots for an eliminated candidate become votes for the candidates indicated in those choices, and this process continues until all but one candidate has been eliminated.

Repeals RCW 29.30.085.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Local Government.

**HB 1391** by Representatives Kagi, Delvin, O'Brien, Campbell, Sullivan, McIntire, Cooper, Moeller, Simpson, Flannigan, Wallace, Wood and Kenney

Adjusting procedures for postconviction DNA testing.

Provides that a person in this state who has been convicted of a felony and is currently serving a term of imprisonment and who has been denied postconviction DNA testing may submit a request to the state Office of Public Defense, which will transmit the request to the county prosecutor in the county where the conviction was obtained.

Directs the prosecutor to inform the requestor and the state Office of Public Defense of the decision, and shall, in the case of an adverse decision, advise the requestor of appeals rights.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1392** by Representatives Kagi, Delvin, O'Brien, Campbell, Sullivan, Moeller, Cooper, Simpson, McIntire, Flannigan, Murray, Darneille, Conway, Wood, Kenney, Kessler, Schual-Berke, Linville and Upthegrove

Consolidating drug sentencing laws.

Consolidates drug sentencing laws.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1393** by Representatives O'Brien, Moeller, Delvin, Sullivan, Kagi, Cooper, Simpson, McIntire, Flannigan and Darneille

Expanding the first-time offender waiver.

Declares an intent to reduce prison overcrowding, reduce recidivism, and save public funds by reinstating the first offender waiver for those charged with drug offenses.

Provides that, offenders who are in prison who were sentenced for a drug offense since July 1, 1988, and who would have been eligible for the first-time offender option under RCW 9.94A.650 had it been in effect at the time of sentencing, may request review by the sentencing court and resentencing to a first-time offender option to include a drug treatment program acceptable to the court. The request for review must include a presentation of an appropriate proposed course of treatment.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1394** by Representatives Kagi, Delvin, O'Brien, Moeller, Sullivan, Cooper, Campbell, McIntire, Flannigan and Wallace

Changing threshold property values for crimes against property.

Revises threshold property values for crimes against property.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1395** by Representatives Sullivan, Bailey, Wood, Chandler and Pflug

Concerning the catering of alcoholic beverages at special events by nonprofit organizations.

Revises provisions relating to the catering of alcoholic beverages at special events by nonprofit organizations.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Commerce & Labor.

**HB 1396** by Representatives Conway, Cairnes, O'Brien, Roach, Hankins, Bush, Ericksen, McDonald, Delvin and Woods

Using vehicles for off-duty employment by state patrol officers.

Provides that Washington state patrol officers engaged in authorized off-duty uniformed employment are authorized to use state patrol vehicles for the purposes of that authorized employment, subject to guidelines adopted by the chief of the Washington state patrol through negotiations with the appropriate bargaining representatives.

Requires that the Washington state patrol be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage to be determined through agreement between the Washington state patrol and the appropriate bargaining representative.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1397** by Representatives Hankins, Lantz, Delvin, Romero, Upthegrove, Jarrett, Schindler, Moeller, Berkey, Wallace, Benson and Sullivan

Clarifying local government land use and zoning powers over gambling activities.

Declares that nothing in chapter 9.46 RCW limits the authority of any city, town, city-county, or county to exercise its land use and zoning powers granted or recognized under the law with respect to any land uses involving gambling activities authorized under this chapter.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Commerce & Labor.

**HB 1398** by Representatives Murray and Jarrett; by request of Office of Financial Management

Revising the agency council on coordinated transportation. Repeals RCW 47.06B.030 and 47.06B.900.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1399** by Representatives Clibborn, Campbell, Ruderman, Wallace, Moeller, Conway, McIntire, Benson, Sullivan, Kenney, Kessler, Schual-Berke, Kagi and Upthegrove; by request of Insurance Commissioner

Requiring the disclosure of gifts made by pharmaceutical manufacturers to persons who prescribe prescription drugs.

Declares that the purpose of this act is to require disclosure and reporting of gifts, grants, and gratuities made by pharmaceutical manufacturers, directly or indirectly, to any person or entity authorized to prescribe, dispense, or purchase prescription drugs in Washington.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Health Care.

**HB 1400** by Representative Grant

Controlling dogs that are a threat to public safety.

Declares an intent to require the sheriff or any deputy sheriff to kill any dog without an identification tag running at large after August 1st of any year and before March 1st of the following year.

Declares that it is the duty of the sheriff or any deputy sheriff to kill any marauding dog or stray, but the stray dog may only be killed if it is demonstrating a propensity, tendency, or disposition to attack unprovoked.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Judiciary.

**HB 1401** by Representatives Grant, Armstrong, Morris, Shabro, Talcott, Hatfield, Condotta, Nixon, Carrell, Kristiansen, Bush, Crouse, Linville, Hinkle, Wallace, Ericksen, Roach, Cairnes, Benson, Skinner, Alexander, Holmquist, Chandler, Newhouse, Cox, Bailey,

Sump, Sehlin, Schoesler, Woods, Pearson, McDonald, Pflug, Campbell, Mielke and McMahan

Updating state law to conform to changes in federal estate tax.

Updates state law to conform to changes in federal estate tax.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Finance.

**HB 1402** by Representatives Campbell, O'Brien and Benson

Allowing arrest of parole violators by law enforcement officers.

Authorizes arrest of parole violators by law enforcement officers.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1403** by Representatives Kenney, Cox, Grant, Fromhold, Jarrett, Conway, McIntire, Benson, Berkey and Upthegrove; by request of State Board for Community and Technical Colleges

Changing exceptional faculty award grants.

Amends RCW 28B.50.839 relating to exceptional faculty award grants.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Higher Education.

**HB 1404** by Representatives Ruderman, Nixon, Lovick, Bush, Sullivan, Dickerson, Miloscia, Morris, Conway, Dunshee, McCoy, Schual-Berke, Jarrett, Flannigan, Simpson, Kenney, Upthegrove, Pettigrew, Kirby, Chase, Talcott, McMahan, McDonald, Tom, Linville, Kagi, Berkey and Campbell

Requiring fuel tax revenue attributable to certain counties to be spent within those counties.

Requires fuel tax revenue attributable to certain counties to be spent within those counties.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1405** by Representatives McMahan, Mielke, Sump, Benson, Cox, Orcutt, Kristiansen, Holmquist, Schoesler, Talcott, Roach, Bush, Bailey, Newhouse, Condotta and Ahern

Limiting health care for inmates with death sentences.

Provides that, for an inmate who has had final disposition of at least one appeal and is under a sentence of death or whose death sentence is under additional appellate review, the department may provide basic, nonemergency health care services, including administration of medication necessary for pain relief or to prevent infection or contagion, but shall not use any public funds to provide a life-saving health care procedure. The department may, however, provide procedures such as cardiopulmonary resuscitation,

the Heimlich maneuver, and other similar, basic emergency life-saving procedures.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1406** by Representatives McMahan, Benson, Sump, Orcutt, Cox, Carrell, Bailey, Kristiansen, Holmquist, Mielke, Roach, Bush, Cairnes, Nixon, Ahern and Pearson

Raising penalties for taking a motor vehicle without permission.

Increases penalties for taking a motor vehicle without permission.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1407** by Representatives McMahan, Carrell, Talcott, Sump, Mielke, Bush, Woods, Ericksen, Bailey, Schoesler, Kristiansen, Cox, Benson, Schindler, Nixon, Condotta, Delvin, Ahern and Pearson

Reaffirming assault as a predicate felony for felony murder.

Does not agree with or accept the court's findings of legislative intent in *State v. Andress*, Docket No. 71170-4 (October 24, 2002), and reasserts that assault has always been and still remains a predicate offense for felony murder in the second degree under the statute. To prevent a misconstruction of the legislature's original intent and the law, the legislature finds in light of *State v. Andress*, Docket No. 71170-4 (October 24, 2002), that it is necessary to add language to RCW 9A.32.050 in order to make the original meaning of the statute and the intent of the legislature as clear as possible. This language is intended to be instructive in nature.

Urges the supreme court to apply this interpretation retroactively to July 1, 1976.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Criminal Justice & Corrections.

**HB 1408** by Representatives McMahan, Carrell, Mielke, Hinkle, Benson, McDonald, Sump, Orcutt, Boldt, Kristiansen, Talcott, Schindler, Lovick, O'Brien, Roach, Bush, Bailey, Holmquist and Pearson

Protecting children from material that is harmful to minors.

Declares an intent to promote the safety and well-being of children by limiting the ability of children to access sexually explicit materials and to ensure the law reinforces and supports the wishes of parents regarding their children's access to such graphic materials.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Judiciary.

**HB 1409** by Representatives Upthegrove, Hunt and Clibborn

Defining "potentially dangerous litter" and making it a civil infraction to improperly dispose of potentially dangerous litter.

Declares that "potentially dangerous litter" means litter that is likely to injure a person or cause damage to a vehicle or other property. "Potentially dangerous litter" includes, but is not limited to: (1) Cigarettes, cigars, or other tobacco products that are capable of starting a fire;

(2) Glass;

(3) A container or other product made predominantly or entirely of glass;

(4) A hypodermic needle or other medical instrument designed to cut or pierce;

(5) Raw human waste, including soiled baby diapers, regardless of whether or not the waste is in a container of any sort; and

(6) Nails or tacks.

Declares that it is a class 1 civil infraction as provided in RCW 7.80.120 for a person to discard, in violation of this act, potentially dangerous litter in any amount.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Fisheries, Ecology & Parks.

**HB 1410** by Representatives Fromhold, Delvin, Conway, Moeller, Wallace, Sullivan and Kenney

Authorizing certain PUDs to operate an electrical appliance repair service.

Provides that a public utility district located within a county that has a contiguous border with the state of Oregon and a population of three hundred forty thousand or more that provides electrical, water, and sewer service to its customers may operate an electrical appliance repair service.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Commerce & Labor.

**HB 1411** by Representatives Fromhold, Wallace, Kenney, Moeller, Boldt and Sullivan

Using revenues under the county conservation futures levy.

Declares that conservation futures are a useful tool for counties to preserve lands of public interest for future generations. Counties are encouraged to use some conservation futures as one tool for salmon restoration purposes.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Local Government.

**HB 1412** by Representatives Schual-Berke, Skinner, Linville, Benson, Nixon, Conway, Jarrett, Kagi, Chase, Cody, Darneille and Kenney

Creating the children's environmental health and protection advisory council.

Creates the children's environmental health and protection advisory council.



**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Fisheries, Ecology & Parks.

**HB 1413** by Representatives Mielke, Orcutt, Boldt, McMahan, Pearson, Ahern, Benson, Sullivan and Campbell

Allowing disabled veterans free noncommercial truck licenses.

Provides that, for purposes of this act, "personal use vehicle" means any vehicle used solely for personal purposes, including vehicles subject to RCW 46.16.070 if the vehicle is not used for commercial purposes.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Transportation.

**HB 1414** by Representatives Mielke, Moeller, McMahan, Orcutt, Boldt, Ahern, Pearson and Kristiansen

Authorizing county commissioners to be elected by district.

Provides that, in a noncharter county west of the crest of the Cascade mountains with a population greater than three hundred thousand, the commissioners shall be elected by commissioner district.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Local Government.

**HB 1415** by Representatives Mielke, O'Brien, Orcutt, Schindler, McMahan, Boldt and Pearson

Exempting certain persons from RCW 77.32.155.  
Exempts certain persons from RCW 77.32.155.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Fisheries, Ecology & Parks.

**HB 1416** by Representatives Mielke, O'Brien, Boldt, McMahan, Schindler and Woods

Adjusting the time of restoration of a juvenile's driving privilege.

Adjusts the time of restoration of a juvenile's driving privilege.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Juvenile Justice & Family Law.

**HB 1417** by Representatives Mielke, Ahern, McMahan, Boldt and Pearson

Providing for the election of library trustees.  
Provides for the election of library trustees.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Local Government.

**HB 1418** by Representatives Quall, Schoesler, Blake, Sump, Morris, Grant, Hatfield, Sehlin, Bailey and Linville

Exempting drainage infrastructure from certain environmental requirements.

Provides that, for the purposes of this act, "drainage infrastructure" includes dikes, drains, tide gates, flood gates, pumps, drainage tiles, and drainage pipe that protect land used for agricultural uses.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1419** by Representatives Quall, Schoesler, Blake, Sump, Grant, Eickmeyer, Orcutt, Morris, Hatfield, Sehlin, Benson, Sullivan, Bailey, Pearson and Linville

Providing for compensating property owners for damages caused by conditions in hydraulic project approvals.

Declares that, in any action brought pursuant to this act, a defense is available to a political subdivision of this state that its act was mandated by a change in statute or state rule or regulation and that such a change became effective subsequent to the filing of an application for a permit.

Provides that, in addition to the action authorized by RCW 64.40.020, an owner of a property interest in public or private property has an action for harm resulting from a condition imposed by the department of fish and wildlife in an approval issued according to chapter 77.55 RCW for a hydraulic project or other work if implementation of the condition: (1) Is a requirement of the approval issued by the department under chapter 77.55 RCW for a hydraulic project or other work on the owner's property or on property affected by operation of the tide gate;

(2) Results in a change in the operating characteristics of a tide gate; and

(3) Harms the property interest of either the owner obtaining the approval or the owner of property affected by the operation of the tide gate.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1420** by Representatives Quall, Schoesler, Eickmeyer, Sump, Grant, Kristiansen, Hunt, Blake, McDermott, Hatfield, Sehlin, Bailey and Linville

Allowing special districts to provide drainage ditches and tide gates.

Authorizes special districts to provide drainage ditches and tide gates.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1421** by Representatives Quall, Schoesler, Morris, Sehlin, Hatfield, Benson, Sullivan, Bailey and Linville

Creating a program for restoration and enhancement of salmonid habitat on publicly owned lands.

Finds that while it has authorized regulatory approaches by state and local governments to protect fish habitat and other critical areas, it has not required nor authorized regulatory approaches to be taken to restore or enhance fish habitat.

Finds that there are hundreds of acres primarily outside the dikes within the county under public ownership primarily under the management control of the department of natural resources and the department of fish and wildlife that have the potential to provide equal or greater value as fish habitat that have not been examined.

Declares that the purpose of this act is to require a concerted effort be made to fully use the potential to restore and enhance fishery habitat on these publicly owned lands as the highest priority.

Recognizes that this effort needs to involve representatives from a wide spectrum of the public and the involved agencies, and that it be comprised primarily by people who have first-hand knowledge of the area and who understand its history.

Creates a program for restoration and enhancement of salmonid habitat on publicly owned lands in Skagit county.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HB 1422** by Representatives Pflug, Jarrett, Priest, Morris, Cox, Skinner and McDonald

Focusing public investment in higher education on priority academic disciplines.

Declares that it is the policy of the state that a greater focus of the public investment in higher education be to support educational and degree programs in priority academic disciplines. Priority academic disciplines are those that prepare individuals for occupations necessary for the state's overall economic and social well-being over the medium and long term.

Declares that, beginning with the 2003-2005 biennium, it is the intent to begin implementation of this policy at the four-year institutions of higher education through the state funds appropriated to each college and university.

Intends to create an ongoing process for reprioritization of the public investment in higher education.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Higher Education.

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**House Joint Memorials**

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**HJM 4007** by Representatives Hinkle, Chopp, Haigh, Woods, Dunshee, Kirby, Boldt, O'Brien, Armstrong, DeBolt, Ahern, Newhouse, Simpson, Holmquist, Cairnes, Sump, Pearson, Shabro, Delvin, Hudgins, Linville, Conway, Skinner, Sullivan and Kenney

Requesting the issuance of an American coalminers stamp.

Requests that the United States Postal service issue a postage stamp commemorating American coalminers, which would hold the promise of illustrating a colorful and historically rich segment of society for the benefit of school children, stamp collectors, educators, and the public.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Agriculture & Natural Resources.

**HJM 4008** by Representatives Simpson, Cody, Miloscia, Dunshee, Veloria, Darneille, Hudgins, Moeller, Dickerson, Hunt, McIntire, Cooper, Flannigan, Chase, Ruderman, Pettigrew, McDermott, Conway and Kenney

Opposing a preemptive attack on Iraq.

Urges the United States to work through the United Nations Security Council and reaffirm our nation's commitment to the rule of law in all international relationships.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to State Government.

**HJM 4009** by Representatives Mielke, Orcutt, McMahan, Ahern, Boldt, O'Brien, Pearson, Schindler, Woods and Upthegrove

Requesting Congress to eliminate the requirement for collection of social security numbers on recreational license applications.

Requests Congress to eliminate the requirement for collection of social security numbers on recreational license applications.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Fisheries, Ecology & Parks.

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**Senate Bills**

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**SB 5044-S** by Senate Committee on Government Operations & Elections (originally sponsored by Senators Rasmussen, Roach, Winsley, Kastama and Schmidt)

Giving notice of the termination of a tenancy.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any tenant who is a member of the armed forces, including the national guard and armed forces reserves, or that tenant's spouse or dependant, may terminate a rental agreement with less than twenty days' notice if the tenant receives reassignment or deployment orders that do not allow a twenty-day notice.

Provides that any tenant who is a member of the armed forces, including the national guard and armed forces reserves, or that tenant's spouse or dependent, may terminate a tenancy for a specified time if the tenant receives reassignment or deployment orders. The tenant shall provide notice of the reassignment or deployment order to the landlord no later than seven days after receipt.

**-- 2003 REGULAR SESSION --**

Jan 23 GO - Majority; 1st substitute bill be substituted, do pass.

Jan 24 Passed to Rules Committee for second reading.

**SB 5406** by Senators Deccio, Thibaudeau, Kline, Kohl-Welles, Winsley, Eide and McAuliffe; by request of Governor Locke

Making prescription drugs more available.

Declares an intent to develop a program to promote access to affordable prescription drug coverage to low-income persons who do not otherwise have adequate coverage to purchase necessary and appropriate prescription drugs.

Establishes a program to be known as the medicaid senior prescription drug program. Neither the benefits of, nor the eligibility for, the program is considered to be an entitlement.

Declares that eligibility for this program is limited to persons: (1) Who are age sixty-five and older; (2) whose family income does not exceed two hundred percent of the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services; (3) who do not otherwise have insurance that provides prescription drug coverage; and (4) who otherwise are eligible under Title XIX and the state's federal prescription drug waiver program.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Health & Long-Term Care.

**SB 5407** by Senators Horn, Prentice, Honeyford and Benton

Regulating motorsports vehicle dealer franchises.

Recognizes it is in the best interest for manufacturers and dealers of motorsports vehicles to conduct business with each other in a fair, efficient, and competitive manner.

Declares the public interest is best served by dealers being assured of the ability to manage their business enterprises under a contractual obligation with manufacturers where dealers do not experience unreasonable interference and are assured of the ability to transfer ownership of their business without undue constraints.

Declares an intent to impose a regulatory scheme and to regulate competition in the motorsports vehicle industry to the extent necessary to balance fairness and efficiency. These actions will permit motorsports vehicle dealers to better serve consumers and allow dealers to devote their best competitive efforts and resources to the sale and services of the manufacturer's products to consumers.

Repeals RCW 46.94.001, 46.94.005, 46.94.010, 46.94.020, 46.94.030, 46.94.040, 46.94.050, 46.94.060, and 46.94.900.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Commerce & Trade.

**SB 5408** by Senators Swecker and Fraser

Requiring continuing education for land surveyors.

Provides that, beginning January 1, 2005, the department of licensing may not renew a certificate of registration for a land surveyor unless the registrant verifies to the board that he or she has completed at least fifteen

hours of continuing professional development per year of the registration period.

Requires that, by January 1, 2004, the board shall adopt rules governing continuing professional development for land surveyors that are generally patterned after the model rules of the national council of examiners for engineering and surveying.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Commerce & Trade.

**SB 5409** by Senators Mulliken, T. Sheldon, Roach, Fairley, Schmidt, Kline, Swecker, Reardon, Deccio, Doumit, McCaslin, Parlette, Esser, Rasmussen and Shin

Providing for direct petition annexations.

Recognizes that on March 14, 2002, the Washington state supreme court decided in *Grant County Fire Protection District No. 5 v. City of Moses Lake*, 145 Wn.2d 702 (2002), that the petition method of annexation authorized by RCW 35.13.125 through 35.13.160 and 35A.14.120 through 35A.14.150 is unconstitutional.

Recognizes that on October 11, 2002, the Washington state supreme court granted a motion for reconsideration of this decision.

Declares an intent to provide a new method of direct petition annexation that enables property owners and registered voters to participate in an annexation process without the constitutional defect identified by the court.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Land Use & Planning.

**SB 5410** by Senators Stevens, Eide, Keiser, Brandland, Reardon, Roach, Prentice, Regala, Rasmussen, McCaslin, Benton, Winsley, T. Sheldon, Schmidt, Esser, Oke and Shin

Revising information available on the statewide registered sex offender web site.

Revises RCW 4.24.550 pertaining to information available on the statewide registered sex offender web site.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Children & Family Services & Corrections.

**SB 5411** by Senators Rasmussen, Hale, Brandland, Haugen, Reardon, Kline, Prentice, Regala, McCaslin, Carlson, Winsley and Schmidt

Authorizing nonpartisan sheriffs.

Provides for nonpartisan sheriffs.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5412** by Senators Brandland, Kline, Winsley, Haugen, Prentice, Reardon, Rasmussen, Eide and McCaslin

Requiring biometric identifiers from applicants for driver's licenses and identicards.

Provides that, no later than July 1, 2004, the department shall require a biometric identifier from every person applying for an original, renewal, or duplicate driver's license or identicard.

Provides that, no later than July 1, 2004, the department shall implement a one-to-many and one-to-one biometric matching system for the purpose of preventing multiple licenses or cards from being issued to one person, and to help prevent identity theft.

Requires the biometric matching system selected by the department to be capable of highly accurate one-to-many and one-to-one matching, and shall be compliant with biometric standards established by the American association of motor vehicle administrators.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Judiciary.

**SB 5413** by Senators Benton, Prentice, Reardon, Doumit, Honeyford, Mulliken, Rossi, Zarelli, Finkbeiner, Shin, Esser and Kohl-Welles

Allowing out-of-state licensees to practice commercial real estate.

Provides that an out-of-state broker, for a fee, commission, or other valuable consideration, or in the expectation, or upon the promise of receiving or collecting a fee, commission, or other valuable consideration, may perform those acts that require a license under chapter 18.85 RCW, with respect to commercial real estate, provided that the out-of-state broker does all of the following: (1) Works in cooperation with a Washington real estate broker who holds a valid, active license issued under this chapter;

(2) Enters into a written agreement with the Washington broker that includes the terms of cooperation, oversight by the Washington broker, compensation, and a statement that the out-of-state broker and its agents will agree to adhere to the laws of Washington;

(3) Furnishes the Washington broker with a copy of the out-of-state broker's current license in good standing from any jurisdiction where the out-of-state broker maintains an active real estate license;

(4) Consents to jurisdiction that legal actions arising out of the conduct of the out-of-state broker or its agents may be commenced against the out-of-state broker in the court of proper jurisdiction of any county in Washington where the cause of action arises or where the plaintiff resides;

(5) Includes the name of the Washington broker on all advertising in accordance with RCW 18.85.230(8); and

(6) Deposits all documentation required by this act and records and documents related to the transaction with the Washington broker, for a period of three years after the date the documentation is provided, or the transaction occurred, as appropriate.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Financial Services, Insurance & Housing.

**SB 5414** by Senators Deccio, Thibaudeau, Winsley, McCaslin, Keiser, Swecker, T. Sheldon, Morton, Stevens, Brandland, Mulliken, Franklin, B. Sheldon, Regala, Fraser, Carlson, Kline, Parlette, Schmidt, McAuliffe, Oke, Rasmussen and Shin

Informing voters of the fiscal and policy impacts of state ballot measures.

Requires that, for a ballot measure that proposes to reduce, in any way, revenues for state government or indirectly for local governments, the ballot measure proponents shall explain clearly in a prepared statement which government services or programs should be reduced or eliminated as a result of the decrease in revenues.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5415** by Senators Carlson, Spanel, Kohl-Welles and Shin; by request of State Board for Community and Technical Colleges

Changing exceptional faculty award grants.

Revises RCW 28B.50.839 relating to exceptional faculty award grants.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Higher Education.

**SB 5416** by Senators McAuliffe, Eide, Kohl-Welles and Rasmussen

Changing the disposition of proceeds from the rental or lease of school district real property.

Directs amounts required to be expended for general maintenance, utility, insurance costs, and other costs associated with the lease or rental of such property to be deposited in the district's general fund.

Directs additional amounts to be deposited in the district's general fund for general maintenance, utility, insurance costs, and other costs directly associated with district property; the district's debt service fund; and/or the district's capital projects fund.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Education.

**SB 5417** by Senators Reardon, Kastama, Schmidt, Eide, Esser, Benton and Shin

Requiring an independent audit of state government.

Declares an intent to provide greater accountability to the public through an independent performance audit of government agencies.

Finds that performance audit findings may include the identification of potential cost savings and ways to improve service delivery.

Directs the state auditor to contract for a performance audit of the executive branch of state government.

Requires the performance audit to include an examination of the efficiency and effectiveness of major management policies, practices, and functions across all executive branch agencies.

Requires the audit to include, but not be limited to, the following: (1) Planning, budgeting, and program evaluation policies and practices;

(2) Personnel systems operations and management;

(3) State purchasing operations and management policies and practices;

(4) Information processing and telecommunications systems policy, organization, and management; and

(5) Organizational and staffing patterns, especially in terms of the ratio of managers and supervisors to nonmanagement personnel.

Requires the state auditor to report the results of the audit to the legislature by September 1, 2004.

Provides that the legislature shall establish a joint committee on government accountability.

Appropriates the sum of five million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2004, from the general fund to the state auditor for the purposes of this act.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5418** by Senators Sheahan, Johnson, T. Sheldon, Rossi, Reardon, Parlette, Schmidt, Shin, Horn, Haugen, Mulliken, Prentice, Stevens, Swecker, McCaslin, Benton, Roach, Winsley, Esser and Oke

Updating state law to conform to changes in federal estate tax.

Revises state law to conform to changes in federal estate tax.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

**SB 5419** by Senators Deccio, Thibaudeau, Roach, Keiser, Kohl-Welles and McAuliffe

Limiting overtime work by health care facility employees of the state.

Limits overtime work by health care facility employees of the state.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Health & Long-Term Care.

**SB 5420** by Senators McAuliffe, Regala, Eide, Prentice, Franklin, B. Sheldon, Rasmussen, Kohl-Welles, Fairley, Fraser, Doumit, Shin, Jacobsen and Schmidt

Creating a special education teachers' conditional scholarship program.

Creates a special education teachers' conditional scholarship program.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Higher Education.

**SB 5421** by Senators B. Sheldon, Fraser, Thibaudeau, Kline, Kohl-Welles and Rasmussen

Requiring newborn hearing screening.

Directs the department of health to require a hearing screening of all newborn infants before they are discharged from the hospital. However, no screening shall be provided to any newborn infant whose parent or guardian objects upon the grounds that a hearing screening conflicts with their religious tenets and practices.

Requires audiologists, clinicians, attending physicians, or other persons performing the screening to report the results of the screening to the department of health.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Health & Long-Term Care.

**SB 5422** by Senators Benton, Prentice and Keiser; by request of Insurance Commissioner

Selling single premium credit insurance.

Provides that an insurer or licensee may not issue or sell any single premium credit insurance product in connection with a residential mortgage loan unless: (1) The term of the single premium credit insurance policy is the same as the term of the loan;

(2) The debtor is given the option to buy credit insurance paid with monthly premiums; and

(3) The single premium credit insurance policy provides for a full refund of premiums to the debtor if the credit insurance is canceled within sixty days of the date of the loan.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Financial Services, Insurance & Housing.

**SB 5423** by Senators Swecker, Kohl-Welles, Roach, Rasmussen, Mulliken, T. Sheldon and Oke

Modifying the taxation of physical fitness services.

Revises the taxation of physical fitness services.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

**SB 5424** by Senators Rossi and Fairley; by request of Department of Revenue

Modifying excise tax interest provisions.

Revises excise tax interest provisions.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

**SB 5425** by Senators Winsley, Prentice, Benton, Kohl-Welles, Carlson, B. Sheldon, Brown, Schmidt, Rossi, West and Sheahan; by request of Lieutenant Governor

Increasing the authorized total outstanding indebtedness of the higher education facilities authority.

Increases the authorized total outstanding indebtedness of the higher education facilities authority from five hundred million dollars to one billion dollars.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

**SB 5426** by Senators Oke and Doumit

Concerning the direct retail sale of sturgeon and tuna.

Revises provisions relating to the direct retail sale of sturgeon and tuna.

Requires the holder of a direct retail endorsement to notify the department at least twenty-four hours prior to conducting an in-person sale of salmon, sturgeon, tuna, or crab. The notification must provide the intended location of sale and the approximate sales hours.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Parks, Fish & Wildlife.

**SB 5427** by Senators Rossi, Benton, Hewitt, Zarelli, Johnson, Stevens, McCaslin, Morton, Hale, Mulliken, Parlette, Roach, Schmidt, Brandland, Sheahan, Esser and Oke

Controlling state expenditures.

Revises provisions relating to the state expenditure limit.

Repeals RCW 43.33A.220 and 43.135.051.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

**SB 5428** by Senators Finkbeiner, Haugen, Horn and Shin; by request of Department of Licensing

Allowing alternative means of renewing driver's licenses.

Authorizes renewal of driver's licenses and identicards by alternative means.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Highways & Transportation.

**SB 5429** by Senators Mulliken, Prentice and Horn; by request of Department of Licensing

Authorizing the Performance Registration Information Systems Management Program (PRISM).

Provides for the Performance Registration Information Systems Management Program (PRISM).

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Highways & Transportation.

**SB 5430** by Senators Swecker, Haugen, Horn, Schmidt and Esser; by request of Department of Licensing

Verifying lawful residency of driver's license applicants.

Revises provisions relating to verification that applicants for driver's licenses, permits, and identicards are lawfully within the United States.

Authorizes the department to adopt rules to establish procedures for: (1) Verifying that a driver's license, permit, or identicard applicant's presence in the United States is authorized under federal law, including appropriate documentation of that status;

(2) issuance of temporary licenses or permits pending verification of status; and

(3) appeals hearings from denials and cancellation of licenses, permits, or identicards based on the requirement that a licensee, permit holder, or identicard holder be lawfully within the United States.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Highways & Transportation.

**SB 5431** by Senators Oke, Prentice, Horn, Haugen and Rasmussen; by request of Department of Licensing

Updating laws on drugs and alcohol use by commercial drivers.

Updates laws on drugs and alcohol use by commercial drivers.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Highways & Transportation.

**SB 5432** by Senators Roach, Kastama, Stevens and Fairley

Modifying the sale of real property by water-sewer districts.

Provides that, as an alternative to the requirements under RCW 57.08.016, a water-sewer district may dispose of easements or other interests in real property by private sale, even when the estimated value exceeds the sum of two thousand five hundred dollars, when the potential buyer owns real property abutting or adjacent to the real property, and when the board of commissioners has determined that no productive use could be made of the property other than by incorporation with the abutting or adjacent real property.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5433** by Senators Roach, Kastama, Stevens and Fairley

Modifying water-sewer district bidding provisions.

Provides that, as an alternative to bidding requirements, a water-sewer district may let contracts for purchase of materials, supplies, or equipment with the suppliers designated on current state agency, county, city, or town purchasing rosters for the materials, supplies, or equipment, when the roster has been established in accordance with the competitive bidding law for purchases applicable to the state agency, county, city, or town. The price and terms for purchases shall be as described on the applicable roster.

-- 2003 REGULAR SESSION --

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5434** by Senator Swecker

Concerning certified electricians.

Provides that a certified electrician who is not licensed as an electrical contractor may perform installation, repair, or maintenance of wires and equipment for a nonprofit corporation, as defined in RCW 24.03.005, provided that these repairs are performed for no compensation. Certified electricians who perform such repairs are subject to department permitting and inspections.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Commerce & Trade.

**SB 5435** by Senators Haugen, Horn and Benton

Regulating special license plates.

Finds that the legislature has seen an increase in the demand from constituent groups seeking recognition and funding through the establishment of commemorative or special license plates. The high cost of implementing a new special license plate series coupled with the uncertainty of the state's ability to recoup its costs, has led the legislature to delay the implementation of new special license plates.

Declares an intent to create a mechanism that will allow for the evaluation of special license plate requests and establish a funding policy that will alleviate the financial burden currently placed on the state. Using these two strategies, the legislature will be better equipped to efficiently process special license plate legislation.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Highways & Transportation.

**SB 5436** by Senators Kohl-Welles, Rasmussen, Jacobsen, Winsley, Thibaudeau, McAuliffe, Prentice and Kline

Regarding foods and beverages sold at public schools.

Finds that, while the United States department of agriculture regulates the nutritional content of meals sold in schools under its school breakfast and lunch program, limited standards are in place to regulate "competitive foods," which are often high in added sugars, sodium, and saturated fat content. However, the United States department of agriculture does call for states and local entities to add restrictions on competitive foods, as necessary.

Provides that, at elementary and middle schools, the sale of all foods on school grounds during regular school hours shall be approved for compliance with the nutrition standards in this act by the person or persons responsible for implementing these provisions as designated by the school district.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Education.

**SB 5437** by Senators Benton, Schmidt, Zarelli, Shin, Carlson, Stevens and West

Allowing all parties to appeal from adverse decisions of school district regional committees.

Authorizes all parties to appeal from adverse decisions of school district regional committees.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Education.

**SB 5438** by Senators Benton, Carlson, West, Mulliken, Schmidt, Esser and Oke

Providing sales and use tax exemptions on construction of new manufacturing facilities that increase employment of Washington citizens.

Provides sales and use tax exemptions on construction of new manufacturing facilities that increase employment of Washington citizens.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Economic Development.

**SB 5439** by Senator Jacobsen

Imposing a tax on nonresident athletes.

Provides that a tax equal to one percent of the income determined under this act is imposed on an individual who is a nonresident of Washington and who is an athlete or entertainer.

Provides that revenue collected under this act will be deposited in the youth athletic facility account created in RCW 43.99N.060.

Declares that this tax shall not take effect unless a state income tax is approved by the voters of Washington state.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Ways & Means.

**SB 5440** by Senators Jacobsen and Kline

Creating the position of poet laureate.

Provides that the poet laureate shall engage in activities to promote and encourage poetry within the state, including but not limited to a minimum of twenty readings, workshops, lectures, and/or presentations for Washington educational institutions and communities in geographically diverse areas over a two-year term.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5441** by Senators Roach and Esser

Allowing initiative and referendum petitions on 8 1/2 by 11 paper.

Authorizes initiative and referendum petitions on 8½ by 11 paper.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Government Operations & Elections.

**SB 5442** by Senators Roach, Oke and Rasmussen

Increasing penalties for manufacturing methamphetamine. Increases penalties for manufacturing methamphetamine.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Judiciary.

**SB 5443** by Senators Roach, Kastama and Schmidt

Revising the requirements for absentee ballots.

Revises the requirements for absentee ballots.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Government  
Operations & Elections.

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**Senate Joint Memorials**

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**SJM 8007** by Senators Fraser, Kohl-Welles,  
McCaslin, Franklin, Regala, Fairley, B.  
Sheldon, Kline, Winsley, Rasmussen, Haugen, Spanel,  
McAuliffe, Prentice, Brown, Thibaudeau, Jacobsen, Keiser  
and Eide

Urging adoption of a treaty fighting discrimination against  
women.

Requests that President Bush and Secretary of State  
Powell place the United Nations Convention on the  
Elimination of All Forms of Discrimination Against Women  
in the highest category of priority in order to accelerate the  
treaty's passage through the Senate Foreign Relations  
Committee and the full United States Senate with the goal of  
ratification by the United States; and that the Washington  
State Legislature exhort the Senate Foreign Relations  
Committee to pass this treaty favorably out of Committee  
and urge it be approved by the full Senate.

**-- 2003 REGULAR SESSION --**

Jan 24 First reading, referred to Judiciary.







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# LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

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## SENATE

SB 5396	Supp.	9
SB 5397	Supp.	9
SB 5398	Supp.	9
SB 5399	Supp.	9
SB 5400	Supp.	9
SB 5401	Supp.	9
SB 5402	Supp.	9
SB 5403	Supp.	9
SB 5404	Supp.	9
SB 5405	Supp.	9
SJM 8000	Supp.	2
SJM 8001	Supp.	3
SJM 8002	Supp.	3
SJM 8003	Supp.	7
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SJM 8005	Supp.	9
SJM 8006	Supp.	9
SJR 8200	Supp.	1
SJR 8201	Supp.	1
SJR 8202	Supp.	2
SJR 8203	Supp.	3
SJR 8204	Supp.	3
SJR 8205	Supp.	5
SJR 8206	Supp.	5
SJR 8207	Supp.	6
SJR 8208	Supp.	6
SJR 8209	Supp.	8
SJR 8210	Supp.	9
SCR 8400	Supp.	1
SCR 8401	Supp.	4
SCR 8402	Supp.	5

## HOUSE