

# HOUSE BILL REPORT

## ESSB 5186

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### As Reported by House Committee On:

Health Care  
Appropriations

**Title:** An act relating to increasing the physical activity of Washington citizens.

**Brief Description:** Increasing the physical activity of the citizens of Washington state.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Kohl-Welles, Keiser, Rockefeller, Doumit, Kline, Regala, McAuliffe, Poulsen, Fraser and Jacobsen).

### Brief History:

#### Committee Activity:

Health Care: 3/24/05, 3/29/05 [DPA];

Appropriations: 4/2/05 [DPA(HC)].

### Brief Summary of Engrossed Substitute Bill (As Amended by House Committee)

- Requires that the transportation element of a comprehensive plan include inventories of existing and planned pedestrian and bicycle facilities.

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## HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass as amended. Signed by 13 members: Representatives Cody, Chair; Campbell, Vice Chair; Morrell, Vice Chair; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander, Appleton, Clibborn, Green, Hinkle, Lantz, Moeller and Schual-Berke.

**Staff:** Chris Blake (786-7392).

### Background:

According to the Department of Health (Department), in 2000 only 27 percent of adults in Washington were moderately physically active in their leisure time. In the Department's *Washington State Nutrition and Physical Activity Plan* (Plan), one of the physical activity objectives is to increase the number of active community environments. The *Plan* recommends that this be accomplished through approaches to urban planning that promote physical activity and transportation policy as well as infrastructure changes that promote non-motorized transit.

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**Summary of Amended Bill:**

Land use elements of comprehensive plans are encouraged to consider using approaches to urban planning that promote physical activity. The transportation element of a comprehensive plan must include an inventory of existing pedestrian sidewalks on major arterial roadways, bicycle lanes, and off-road bicycle or bicycle-pedestrian trails. The transportation element must also contain a pedestrian and bicycle component, including an inventory of existing pedestrian and bicycle facilities and planned improvements to them. Comprehensive transportation programs must include any new or enhanced bicycle or pedestrian facilities identified in the inventory.

The Washington State Parks and Recreation Commission shall maintain policies that increase access to free or low-cost recreational opportunities for physical activities, within allowable resources.

The Superintendent of Public Instruction must promote the adoption of curricula and policies to provide daily physical education for all students. School districts may implement programs to promote daily physical activity.

The Health Care Authority, in coordination with other agencies, is authorized to create a worksite health promotion program for state employees to increase physical activity and engage individuals in their health care decision-making. The Health Care Authority must report on progress by December 1, 2006.

**Amended Bill Compared to Engrossed Substitute Bill:**

The amended bill removes the declaration that the certificate of need program be concerned with building environments that promote physical activity.

Requirements to use urban planning approaches to promote physical activity are replaced with a statement that such approaches should be considered in the land use element. Requirements that comprehensive plans include infrastructure changes to promote non-motorized transit are removed.

The transportation element of comprehensive plans must include an inventory of existing sidewalks, bicycle lanes, and bicycle and pedestrian paths. The transportation element of a comprehensive plan must include a pedestrian and bicycle component that includes an inventory of existing pedestrian and bicycle facilities and planned improvements to pedestrian and bicycle facilities. The requirement that comprehensive transportation programs incorporate infrastructure changes that promote non-motorized transit into the program is removed and replaced with a requirement that the programs include new or enhanced bicycle or pedestrian facilities in the program.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) With over 60 percent of Washington's population being overweight, it is important that people have access to opportunities for physical activity. Decreasing a person's weight can help him or her prevent or manage certain diseases such as diabetes. New federal guidelines recommend that people have at least 30 minutes of daily physical activity. This bill encourages cooperation in planning without using a mandate. By including opportunities for physical activity, communities become more desirable places for businesses to locate. Reducing the weight of residents of Washington will save money in health care costs. This is a good step toward improving access to transportation.

(With concerns) The bill directs local governments to incorporate policy and infrastructure changes to promote non-motorized transit which could subject local governments to legal challenges unless there is greater clarification.

**Testimony Against:** None.

**Persons Testifying:** (In support) Senator Franklin, prime sponsor; Dr. Maxine Hayes, Washington State Department of Health; Dr. Charles Chu, Washington State Board of Health; Tom Fender, Area Agencies on Aging; and Fred Romero, Washington State Parks and Recreation Commission.

(With concerns) Dave Williams, Association of Washington Cities.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Health Care. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Anderson, Assistant Ranking Minority Member.

**Staff:** David Pringle (786-7310).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.