



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 16

### SIXTIETH LEGISLATURE

**Tuesday, February 5, 2008**

**23rd Day - 2008 Regular Session**

|               |                        |                      |                      |                      |                      |                      |           |
|---------------|------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-----------|
| <b>SENATE</b> | SB 6389-S<br>SB 6730-S | SB 6453-S<br>SB 6908 | SB 6454-S<br>SB 6909 | SB 6481-S<br>SB 6910 | SB 6538-S<br>SB 6911 | SB 6549-S<br>SB 6912 | SB 6695-S |
| <b>HOUSE</b>  | HB 3336<br>HB 3343     | HB 3337<br>HB 3344   | HB 3338              | HB 3339              | HB 3340              | HB 3341              | HB 3342   |

This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2008>.

### House Bills

**HB 3336** by Representatives Schual-Berke, Hunt, Cody, Chase, Roberts, Green, Appleton, Sommers, Dunshee, Williams, Moeller, Pedersen, Lantz, Pettigrew, Kenney, Darneille, Kagi, Loomis, Hasegawa, Sells, Dickerson, Wood, and Ormsby

Providing public funding for supreme court campaigns.

Introduces a voluntary pilot project to provide an alternative source of financing candidates for the Washington supreme court who demonstrate public support and voluntarily accept strict fundraising and spending limits.

Requires, by January 1, 2013, the public disclosure commission to report to the governor and to the appropriate committees of the legislature on the effectiveness of this act.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to State Government & Tribal Affairs.

**HB 3337** by Representatives Moeller, Conway, Chase, Green, Cody, Hudgins, Hasegawa, Kenney, Hunt, Sells, Wood, and Ormsby

Concerning the application of chapter 39.12 RCW to construction projects that involve tax incentives, loans, or public land or property that is sold or leased.

Provides projects covered by chapter 39.12 RCW include, but are not limited to, any work, construction, alteration, repair, or improvement other than ordinary maintenance that involves tax incentives established by the state or any county, municipality, or political subdivision created by its laws; loans provided by the state or any county, municipality, or political subdivision created by its laws; sales of public land or property to a private entity for less than fair market value by the state or any county, municipality, or political subdivision created by its laws; or leases of public land or property to a private entity by the

state or any county, municipality, or political subdivision created by its laws.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Commerce & Labor.

**HB 3338** by Representative Morris

Regarding the use of emerging technologies to create animal identification lists or databases.

Provides this state shall not establish nor participate in the use of emerging technologies to create national animal identification lists or databases.

Provides nothing in this act may be construed as prohibiting the state from establishing or participating in disease control programs specifically designed to address a known disease in a specific species of livestock. However, consent from the owner of livestock is necessary to collect or access information about the owner's livestock.

Provides nothing in this act may be construed as prohibiting the state from operating livestock identification, brand registration, and inspection programs as authorized by chapters 16.57, 16.58, and 43.23 RCW.

Requires disease programs that utilize databases or emerging technologies to provide for full and informed consent of all participants, including disclosure of the entire program, the possible uses of information collected thereunder, and every entity or person to whom such information may be disclosed.

Provides no services, compensation, favors, payments, credits, benefits, licenses, permits, certifications, insurance or risk management coverage, special consideration, or other incentives may be provided by any public or private person, directly or indirectly, to any participant in an animal identification or premises registration program based solely on that person's participation in such program.

Provides no services, compensation, favors, payments, credits, benefits, licenses, permits, certifications, insurance or risk management coverage, special consideration, or other incentives may be denied, revoked, or limited by any public or private person, directly or indirectly, based solely on that person's lack of participation in an animal identification or premises registration program.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Agriculture & Natural Resources.

**HB 3339** by Representatives Ahern, O'Brien, Kretz, McCune, Bailey, Ross, Pearson, Schindler, Warnick, Crouse, Smith, Herrera, and Roach

Requiring public notification for persons who have admitted to committing sex offenses under oath.

Provides that if a law enforcement agency becomes aware that a person has admitted, under oath, to committing a sex offense, the law enforcement agency must notify the public of this information.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Judiciary.

**HB 3340** by Representatives McCune, Loomis, and Roach

Requiring safety belts on new school buses purchased on or after September 1, 2008.

Provides that every new school bus purchased on or after September 1, 2008, must be equipped with safety belts for use by each person riding the bus.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Transportation.

**HB 3341** by Representatives Ericksen and Roach

Allowing purchases under the voluntary green power program to count toward the state's renewable energy targets.

Provides that the requirements of annual targets for qualifying utilities may be met with eligible renewable resources or renewable energy credits obtained for and used in an optional pricing program.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Technology, Energy & Communications.

**HB 3342** by Representatives Ericksen and Roach

Creating an incentive for utilities to promote renewable energy.

Provides that, until December 31, 2018, utilities may promote voluntary programs to purchase qualified alternative energy resources and may recover their marketing and administrative costs plus a rate of return that reflects the amount the market will bear for the qualified alternative energy resource.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Technology, Energy & Communications.

**HB 3343** by Representative Chase

Providing construction standards for state construction projects.

Declares that it is the goal of the legislature that new state construction projects or state construction projects that are considered substantial redevelopment adhere to the 65/10/0 project design standard and will not significantly harm the aquatic environment and anadromous fisheries.

Provides that in order to accomplish the intent of this act, all new state construction projects or state construction projects that are considered substantial redevelopment must meet certain criteria, including design standards.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to State Government & Tribal Affairs.

**HB 3344** by Representatives Seaquist, Fromhold, and Green

Changing the nursing facility medicaid payment system.

Provides that component rate allocations in direct care, therapy care, support services, and operations shall be adjusted for economic trends and conditions by three and seven-tenths percent for the July 1, 2008, rate setting: (1) Beginning on July 1, 2009, and for subsequent odd-numbered July 1st rate periods, direct care, therapy care, support services, and operations rate allocations shall be adjusted for economic trends and conditions by the factor determined by sum of the United States consumer price indicator from the midpoint of the cost year through December 31st of the rate year;

(2) Beginning on July 1, 2010, and for subsequent even-numbered July 1st rate periods, direct care, therapy care, support services, and operations rate allocations shall be adjusted by a factor determined by the forecasted United States consumer price indicator for the year in which the rate period commences.

Provides that effective July 1, 2008, the property component rate allocation for all facilities shall be set by using the total resident days from the most recent cost report period.

Requires the department of social and health services to establish for each medicaid nursing facility a financing allowance component rate allocation to be rebased annually, effective July 1st, in accordance with certain provisions of this act.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Appropriations.

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## Senate Bills

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**SB 6389-S** by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Schoesler, Hobbs, Rasmussen, Marr, Franklin, and Kilmer)

Exempting certain military housing from property and leasehold excise taxes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that all leasehold interests in any property belonging exclusively to the United States as that term is used in RCW 84.36.010 shall be exempt from taxes imposed pursuant to RCW 82.29A.030 and 82.29A.040.

-- 2008 REGULAR SESSION --

Feb 1 WM - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 6453-S** by Senate Committee on Early Learning & K-12 Education (originally sponsored by

Senators Tom, McAuliffe, Rasmussen, Oemig, Kline, and Shin)

Clarifying the timeline for release of education records to the department of social and health services.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that education records of juveniles shall be transmitted to the department of social and health services within two school days after receiving the request.

-- 2008 REGULAR SESSION --

Feb 1 EDU - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 6454-S** by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Tom, McAuliffe, Rasmussen, Kline, Shin, Kohl-Welles, and Rockefeller)

Creating programs to improve educational outcomes for students in foster care.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires, subject to the availability of funds appropriated for this purpose, the Puget Sound educational service district to designate a foster care program supervisor to coordinate programs and services for students in foster care.

Requires the superintendent of public instruction to provide an annual aggregate report to the legislature on the educational experiences and progress of students in children's administration out-of-home care.

Provides, subject to the availability of funds appropriated for this purpose, the Puget Sound educational service district shall create a grant program for local school districts to improve stability and educational outcomes for students in foster care. Grants shall be awarded to school districts with the highest incidence of child protective services removals and foster care placements under chapter 13.34 RCW.

Provides, subject to availability of funds appropriated specifically for this purpose, the department of social and health services, within the children's administration, shall fund two school district-based foster care recruitment pilots in one or more of the school districts with the highest number of child protective services removals and out-of-home placements under chapter 13.34 RCW.

Makes appropriations.

-- 2008 REGULAR SESSION --

Feb 1 EDU - Majority; 1st substitute bill be substituted, do pass.  
And refer to Ways & Means.  
Minority; do not pass.  
Minority; without recommendation.  
Referred to Ways & Means.

**SB 6481-S** by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Benton, Schoesler, Hewitt, McCaslin, Delvin, Morton, Stevens, Swecker, Pflug, and Roach)

Excluding the value of rebates from sales and use taxation.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Excludes a rebate given by a manufacturer on a motor vehicle and assigned to a seller by a buyer from sales and use taxation.

-- 2008 REGULAR SESSION --

Feb 1 FI - Majority; 1st substitute bill be substituted, do pass.  
On motion, referred to Ways & Means.

**SB 6538-S** by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Tom, Hobbs, Rasmussen, Kauffman, Kastama, Murray, and Shin; by request of Superintendent of Public Instruction)

Creating programs to improve reading instruction.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the Washington state adolescent reading program.

Requires that, statewide, a reading specialist shall be hired at each educational service district, with two specialists hired in the Puget Sound educational service district. These reading specialists are responsible for providing training and information to school district curriculum directors, middle, junior high, and high school principals, classroom teachers, English language learner teachers, paraprofessionals who assist students in learning to read, and other individuals who are assisting students to read.

Orders the office of the superintendent of public instruction to create a school-based assistance program that has three different levels of support depending on the number of students who have not met the reading standard on the Washington assessment of student learning.

-- 2008 REGULAR SESSION --

Jan 31 EDU - Majority; 1st substitute bill be substituted, do pass.  
And refer to Ways & Means.  
Minority; do not pass.  
Referred to Ways & Means.

**SB 6549-S** by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Hobbs, Tom, Weinstein, Franklin, Zarelli, Parlette, Jacobsen, and Kohl-Welles)

Creating the sustainable environment culminating project grant program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the sustainable environment culminating project grant program to establish an organized regional approach to providing environmentally related culminating projects for students that connect school academics with natural resource career possibilities.

Declares that, subject to the availability of funds, the office of the superintendent of public instruction shall work with the nonprofit grant recipients under this act to implement a statewide online project database in which students can find project opportunities through connections with community-based and agency resources and where students can post their own projects and continue or build on the work of other student projects.

-- 2008 REGULAR SESSION --

Feb 1 EDU - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.  
Minority; without recommendation.  
Referred to Ways & Means.

**SB 6695-S** by Senate Committee on Consumer Protection & Housing (originally sponsored by Senators Weinstein and Kline)

Concerning distressed home transactions.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Defines "distressed home" to mean a home in danger of foreclosure or in the process of being foreclosed.

Provides that a distressed home consulting transaction must adhere to certain requirements.

Provides the duties of a distressed home consultant.

Provides that a violation under this act is an unfair method of competition and in a private right of action, a court may double or triple the award of damages.

-- 2008 REGULAR SESSION --

Feb 1 CPH - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 6730-S** by Senate Committee on Higher Education (originally sponsored by Senators Kilmer, Delvin, Shin, and Kohl-Welles)

Regarding child care at institutions of higher education.

**(DIGEST OF PROPOSED 1ST SUBSTITUTE)**

Declares the intent to adopt policies that leverage existing resources and maximize educational outcomes by supporting affordable, accessible, and quality child care programs.

Specifies the authority of the higher education coordinating board and the state board for community and technical colleges to administer child care programs.

-- 2008 REGULAR SESSION --

Jan 31 HIE - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

**SB 6908** by Senators Rasmussen, Holmquist, King, Hobbs, Roach, Shin, Benton, Weinstein, Kastama, Zarelli, Delvin, Pflug, Carrell, and Stevens

Encouraging the meaning and history of the pledge of allegiance to be taught annually.

Encourages educators to annually teach the meaning and history of the pledge of allegiance.

Instructs the superintendent of public instruction to adopt rules to provide guidance for complying with this act.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Early Learning & K-12 Education.

**SB 6909** by Senators Marr, Keiser, and Parlette

Changing the nursing facility medicaid payment system.

Provides that component rate allocations in direct care, therapy care, support services, and operations shall be adjusted for economic trends and conditions by three and

seven-tenths percent for the July 1, 2008, rate setting: (1) Beginning on July 1, 2009, and for subsequent odd-numbered July 1st rate periods, direct care, therapy care, support services, and operations rate allocations shall be adjusted for economic trends and conditions by the factor determined by sum of the United States consumer price indicator from the midpoint of the cost year through December 31st of the rate year;

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Provides that effective July 1, 2008, the property component rate allocation for all facilities shall be set by using the total resident days from the most recent cost report period.

Requires the department of social and health services to establish for each medicaid nursing facility a financing allowance component rate allocation to be rebased annually, effective July 1st, in accordance with certain provisions of this act.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Health & Long-Term Care.

**SB 6910** by Senators Shin, Brandland, Berkey, Delvin, Hobbs, Schoesler, Kilmer, Spanel, and Sheldon

Authorizing Western Washington University to confer honorary doctoral degrees.

Authorizes Western Washington University to confer honorary doctoral degrees upon persons other than graduates of the institution, in recognition of their learning, devotion to education, literature, art, or science.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Higher Education.

**SB 6911** by Senators Franklin, Kline, and Kohl-Welles

Studying Washington's fiscal resources, structure, and needs.

Requires the Washington state institute for public policy to facilitate and staff a group of Washington citizens to become the committee on Washington's finances.

Requires the committee to conduct a study to determine the best ways to identify and fund the necessary services for Washington's citizens.

Requires the committee to present a final report of the findings of the study and the alternatives developed by the committee to the ways and means committee in the senate and the finance committee in the house of representatives by November 30, 2009.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Ways & Means.

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**SB 6912** by Senators Haugen, Swecker, Berkey, McAuliffe, Marr, Kilmer, Rasmussen, Hargrove, and Fraser

Providing property tax relief for senior citizens and persons retired by reason of physical disability by increasing the income thresholds.

Provides property tax relief for senior citizens and persons retired by reason of physical disability by increasing the income thresholds.

-- 2008 REGULAR SESSION --

Feb 4 First reading, referred to Ways & Means.