

CERTIFICATION OF ENROLLMENT

SENATE BILL 5915

Chapter 372, Laws of 1999

56th Legislature
1999 Regular Session

REPORTS TO THE LEGISLATURE

EFFECTIVE DATE: 7/25/99

Passed by the Senate April 22, 1999
YEAS 45 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House April 14, 1999
YEAS 96 NAYS 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved May 17, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5915** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

May 17, 1999 - 3:47 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5915

AS AMENDED BY THE HOUSE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Senators Patterson and McDonald; by request of Office of Financial Management

Read first time 02/16/1999. Referred to Committee on State & Local Government.

1 AN ACT Relating to reports to the legislature; amending RCW
2 4.24.5502, 13.40.460, 18.20.230, 41.05.021, 43.06.400, 43.20A.375,
3 43.20A.870, 43.41.195, 43.59.150, 43.88.067, 43.180.070, 43.200.080,
4 47.06B.030, 70.24.107, 75.08.510, and 80.36.600; and repealing RCW
5 48.85.050 and 75.46.020.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

15 (~~(2)~~) ~~The department of social and health services, the department~~
16 ~~of corrections, and the indeterminate sentence review board shall each~~
17 ~~prepare and deliver to the legislature, by December 1, 1998, a report~~
18 ~~indicating the number of sex offenders released after July 27, 1997,~~
19 ~~and classified in each level of risk category. The reports shall also~~

1 ~~include information on the number, jurisdictions, and circumstances~~
2 ~~where the risk level classification made by a local law enforcement~~
3 ~~agency or official for specific sex offenders differed from the risk~~
4 ~~level classification made by the department or the indeterminate~~
5 ~~sentence review board for the same offender.))~~

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

8 The secretary, assistant secretary, or the secretary's designee
9 shall manage and administer the department's juvenile rehabilitation
10 responsibilities, including but not limited to the operation of all
11 state institutions or facilities used for juvenile rehabilitation.

12 The secretary or assistant secretary shall:

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

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

18 (a) Public safety;

19 (b) Internal security and staff safety;

20 (c) Rehabilitative resources both within and outside the
21 department;

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

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

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

28 (4) Adopt rules establishing effective disciplinary policies to
29 maintain order within institutions;

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

34 (6) Develop placement criteria: and

35 (a) To avoid assigning youth who present a moderate or high risk of
36 sexually aggressive behavior to the same sleeping quarters as youth
37 assessed as vulnerable to sexual victimization under RCW
38 13.40.470(1)(c); and

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

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

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

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

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

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

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

25 (1) The department of social and health services shall review, in
26 coordination with the department of health, the nursing care quality
27 assurance commission, adult family home providers, boarding home
28 providers, in-home personal care providers, and long-term care
29 consumers and advocates, training standards for administrators and
30 resident caregiving staff. (~~The departments and the commission shall~~
31 ~~submit to the appropriate committees of the house of representatives~~
32 ~~and the senate by December 1, 1998, specific recommendations on~~
33 ~~training standards and the delivery system, including necessary~~
34 ~~statutory changes and funding requirements.)) Any proposed
35 enhancements shall be consistent with this section, shall take into
36 account and not duplicate other training requirements applicable to
37 boarding homes and staff, and shall be developed with the input of
38 boarding home and resident representatives, health care professionals,~~

1 and other vested interest groups. Training standards and the delivery
2 system shall be relevant to the needs of residents served by the
3 boarding home and recipients of long-term in-home personal care
4 services and shall be sufficient to ensure that administrators and
5 caregiving staff have the skills and knowledge necessary to provide
6 high quality, appropriate care.

7 (2) The recommendations on training standards and the delivery
8 system developed under subsection (1) of this section shall be based on
9 a review and consideration of the following: Quality of care;
10 availability of training; affordability, including the training costs
11 incurred by the department of social and health services and private
12 providers; portability of existing training requirements; competency
13 testing; practical and clinical course work; methods of delivery of
14 training; standards for management and caregiving staff training; and
15 necessary enhancements for special needs populations and resident
16 rights training. Residents with special needs include, but are not
17 limited to, residents with a diagnosis of mental illness, dementia, or
18 developmental disability.

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

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

26 (1) The Washington state health care authority is created within
27 the executive branch. The authority shall have an administrator
28 appointed by the governor, with the consent of the senate. The
29 administrator shall serve at the pleasure of the governor. The
30 administrator may employ up to seven staff members, who shall be exempt
31 from chapter 41.06 RCW, and any additional staff members as are
32 necessary to administer this chapter. The administrator may delegate
33 any power or duty vested in him or her by this chapter, including
34 authority to make final decisions and enter final orders in hearings
35 conducted under chapter 34.05 RCW. The primary duties of the authority
36 shall be to: Administer state employees' insurance benefits and
37 retired or disabled school employees' insurance benefits; administer
38 the basic health plan pursuant to chapter 70.47 RCW; study state-

1 purchased health care programs in order to maximize cost containment in
2 these programs while ensuring access to quality health care; and
3 implement state initiatives, joint purchasing strategies, and
4 techniques for efficient administration that have potential application
5 to all state-purchased health services. The authority's duties
6 include, but are not limited to, the following:

7 (a) To administer health care benefit programs for employees and
8 retired or disabled school employees as specifically authorized in RCW
9 41.05.065 and in accordance with the methods described in RCW
10 41.05.075, 41.05.140, and other provisions of this chapter;

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

15 (i) Creation of economic incentives for the persons for whom the
16 state purchases health care to appropriately utilize and purchase
17 health care services, including the development of flexible benefit
18 plans to offset increases in individual financial responsibility;

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

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

26 (iv) Development of recommendations and methods for purchasing
27 medical equipment and supporting services on a volume discount basis;
28 and

29 (v) Development of data systems to obtain utilization data from
30 state-purchased health care programs in order to identify cost centers,
31 utilization patterns, provider and hospital practice patterns, and
32 procedure costs, utilizing the information obtained pursuant to RCW
33 41.05.031;

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

35 (d) To provide information and technical and administrative
36 assistance to the board;

37 (e) To review and approve or deny applications from counties,
38 municipalities, and other political subdivisions of the state to
39 provide state-sponsored insurance or self-insurance programs to their

1 employees in accordance with the provisions of RCW 41.04.205, setting
2 the premium contribution for approved groups as outlined in RCW
3 41.05.050;

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

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

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

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

15 (a) Standardizing the benefit package;

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

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

19 (d) Monitoring the impact of the approach under this subsection
20 with regards to: Efficiencies in health service delivery, cost shifts
21 to subscribers, access to and choice of managed care plans state-wide,
22 and quality of health services. The health care authority shall also
23 advise on the value of administering a benchmark employer-managed plan
24 to promote competition among managed care plans. ~~((The health care
25 authority shall report its findings and recommendations to the
26 legislature by January 1, 1997.~~

27 ~~(3) The health care authority shall, no later than July 1, 1996,
28 submit to the appropriate committees of the legislature, proposed
29 methods whereby, through the use of a voucher type process, state
30 employees may enroll with any health carrier to receive employee
31 benefits. Such methods shall include the employee option of
32 participating in a health care savings account, as set forth in Title
33 48 RCW.))~~

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

36 Beginning in January~~((7))~~ 1984, and in January of every ~~((even-~~
37 ~~numbered))~~ fourth year thereafter, the department of revenue shall
38 submit to the legislature prior to the regular session a listing of the

1 amount of reduction for the current and next biennium in the revenues
2 of the state or the revenues of local government collected by the state
3 as a result of tax exemptions. The listing shall include an estimate
4 of the revenue lost from the tax exemption, the purpose of the tax
5 exemption, the persons, organizations, or parts of the population which
6 benefit from the tax exemption, and whether or not the tax exemption
7 conflicts with another state program. The listing shall include but
8 not be limited to the following revenue sources:

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

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

12 (3) Retail sales and use tax exemptions under chapters 82.08,
13 82.12, and 82.14 RCW;

14 (4) Public utility tax exemptions and deductions under chapter
15 82.16 RCW;

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

17 (6) Leasehold excise tax exemptions under chapter 82.29A RCW;

18 (7) Motor vehicle and special fuel tax exemptions and refunds under
19 chapters 82.36 and 82.38 RCW;

20 (8) Aircraft fuel tax exemptions under chapter 82.42 RCW;

21 (9) Motor vehicle excise tax exclusions under chapter 82.44 RCW;
22 and

23 (10) Insurance premiums tax exemptions under chapter 48.14 RCW.

24 The department of revenue shall prepare the listing required by
25 this section with the assistance of any other agencies or departments
26 as may be required.

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

29 Beginning in January((7)) 1984, and every four years thereafter the
30 governor is requested to review the report from the department of
31 revenue and may submit recommendations to the legislature with respect
32 to the repeal or modification of any tax exemption. The ways and means
33 committees of each house and the appropriate standing committee of each
34 house shall hold public hearings and take appropriate action on the
35 recommendations submitted by the governor.

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

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

3 The state advisory committee shall have the following powers and
4 duties:

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

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

10 (3) To review and make recommendations as to the continued
11 operation, possible consolidation, or elimination of department
12 advisory committees including those required by federal law or
13 specifically created by statute. The review shall include review of
14 the statement of purpose for each advisory committee and the time
15 frames during which the committee is accountable to achieve its stated
16 purposes. (~~The state advisory committee shall conduct the review and
17 report to the appropriate legislative committees no later than January
18 1, 1989.~~)

19 (4) To encourage public awareness and understanding of the
20 department of social and health services and the department's programs
21 and services.

22 (5) To develop agendas to foster periodic meetings with and
23 communication between representatives of program-specific advisory
24 committees.

25 (6) To encourage each regional advisory committee established under
26 RCW 43.20A.360 to send a representative to regular state advisory
27 committee meetings to foster communication between the regional
28 advisory committees and: (a) The state advisory committee, and (b)
29 headquarters of the department.

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

32 The department shall prepare an annual quality assurance report
33 that shall include but is not limited to: (1) Performance outcomes
34 regarding health and safety of children in the children's services
35 system; (2) children's length of stay in out-of-home placement from
36 each date of referral; (3) adherence to permanency planning timelines;
37 and (4) the response time on child protective services investigations

1 differentiated by risk level determined at intake. (~~The report shall~~
2 ~~be provided to the governor and legislature not later than July 1.~~)

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

5 (1) The office of financial management, in consultation with
6 affected parties, shall establish a fund distribution formula for
7 determining allocations to the community networks authorized under RCW
8 70.190.130. The formula shall reflect the local needs assessment for
9 at-risk children and consider:

10 (a) The number of arrests and convictions for juvenile violent
11 offenses;

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

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

15 (d) The number of child and teenage suicides and attempted
16 suicides; and

17 (e) The high school graduation rate.

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

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

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

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

31 (1) The Washington state traffic safety commission shall establish
32 a program for improving bicycle and pedestrian safety, and shall
33 cooperate with the stakeholders and independent representatives to form
34 an advisory committee to develop programs and create public private
35 partnerships which promote bicycle and pedestrian safety. (~~The~~
36 ~~traffic safety commission shall report and make recommendations to the~~
37 ~~legislative transportation committee and the fiscal committees of the~~

1 ~~house of representatives and the senate by December 1, 1998, regarding~~
2 ~~the conclusions of the advisory committee.))~~

3 (2) The bicycle and pedestrian safety account is created in the
4 state treasury. To the extent that private contributions are received
5 by the traffic safety commission for the purposes of bicycle and
6 pedestrian safety programs established under this section, the
7 appropriations from the highway safety account for this purpose shall
8 lapse.

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

11 The office of financial management shall create a report annually
12 ~~((to the legislature))~~ on the amount of fees and other expenses awarded
13 during the preceding fiscal year pursuant to RCW 4.84.340 through
14 4.84.360. The report shall describe the number, nature, and amount of
15 the awards, the claims involved in the controversy, and other relevant
16 information that may aid the legislature in evaluating the scope and
17 impact of the awards.

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

20 The commission shall adopt a general plan of housing finance
21 objectives to be implemented by the commission during the period of the
22 plan. The commission shall adopt a plan no later than December 15,
23 1983. The commission may exercise the powers authorized under this
24 chapter prior to the adoption of the initial plan. In developing the
25 plan, the commission shall consider and set objectives for:

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

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

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

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

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

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

1 (7) The use of financing assistance for economically depressed
2 areas, areas of minority concentration, reservations, and in mortgage-
3 deficient areas;

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

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

9 The plan shall include an estimate of the amount of bonds the
10 commission will issue during the term of the plan and how bond proceeds
11 will be expended.

12 The plan shall be adopted by resolution of the commission following
13 at least one public hearing thereon, notice of which shall be made by
14 mailing to the clerk of the governing body of each county and by
15 publication in the Washington State Register no more than forty and no
16 less than twenty days prior to the hearing. A draft of the plan shall
17 be made available not less than thirty days prior to any such public
18 hearing. At least every two years, the commission shall report to the
19 legislature regarding implementation of the plan.

20 ~~((Prior to December 31, 1983, the commission shall submit the plan
21 to the chief clerk of the house and secretary of the senate for
22 transmittal to and review by the appropriate standing committees.))~~
23 The commission may periodically update the plan. ~~((Proposed changes of
24 the plan shall be submitted to the chief clerk of the house and
25 secretary of the senate for transmittal to and review by the
26 appropriate standing committees. This submittal of proposed changes
27 shall occur at least fourteen days before final adoption of the changes
28 by the commission.))~~

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

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

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

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

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

14 (2) To assume the responsibilities of the state under the perpetual
15 care agreement between the state of Washington and the federal
16 government executed July 29, 1965 and the sublease between the state of
17 Washington and the site operator of the Hanford low-level radioactive
18 waste disposal facility. In order to finance perpetual surveillance
19 and maintenance under the agreement and ensure site closure under the
20 sublease, the department of ecology shall impose and collect fees from
21 parties holding radioactive materials for waste management purposes.
22 The fees shall be established by rule adopted under chapter 34.05 RCW
23 and shall be an amount determined by the department of ecology to be
24 necessary to defray the estimated liability of the state. Such fees
25 shall reflect equity between the disposal facilities of this and other
26 states. A site closure account and a perpetual surveillance and
27 maintenance account is hereby created in the state treasury. The site
28 closure account shall be exclusively available to reimburse, to the
29 extent that moneys are available in the account, the site operator for
30 its costs plus a reasonable profit as agreed by the operator and the
31 state, or to reimburse the state licensing agency and any agencies
32 under contract to the state licensing agency for their costs in final
33 closure and decommissioning of the Hanford low-level radioactive waste
34 disposal facility. If a balance remains in the account after
35 satisfactory performance of closure and decommissioning, this balance
36 shall be transferred to the perpetual surveillance and maintenance
37 account. The perpetual surveillance and maintenance account shall be
38 used exclusively by the state to meet post-closure surveillance and
39 maintenance costs, or for otherwise satisfying surveillance and

1 maintenance obligations. Appropriations are required to permit
2 expenditures and payment of obligations from the site closure account
3 and the perpetual surveillance and maintenance account. All moneys,
4 including earnings from the investment of balances in the site closure
5 and the perpetual surveillance and maintenance account, less the
6 allocation to the state treasurer's service (~~((account-[fund]))~~) fund,
7 pursuant to RCW 43.08.190 accruing under the authority of this section
8 shall be directed to the site closure account until December 31, 1992.
9 Thereafter receipts including earnings from the investment of balances
10 in the site closure and the perpetual surveillance and maintenance
11 account, less the allocation to the state treasurer's service (~~((account~~
12 ~~{fund}))~~) fund, pursuant to RCW 43.08.190 shall be directed to the site
13 closure account and the perpetual surveillance and maintenance account
14 as specified by the department. Additional moneys specifically
15 appropriated by the legislature or received from any public or private
16 source may be placed in the site closure account and the perpetual
17 surveillance and maintenance account;

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

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

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

37 (6) To develop contingency plans for duties and options for the
38 department and other state agencies related to the Hanford low-level
39 radioactive waste disposal facility based on various projections of

1 annual levels of waste disposal. These plans shall include an analysis
2 of expected revenue to the state in various taxes and funds related to
3 low-level radioactive waste disposal and the resulting implications
4 that any increase or decrease in revenue may have on state agency
5 duties or responsibilities. The plans shall be updated annually.
6 (~~The department shall report annually on the plans and on the balances~~
7 ~~in the site closure and perpetual surveillance accounts to the energy~~
8 ~~and utilities committees of the senate and the house of~~
9 ~~representatives.))~~

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

12 The council shall:

13 (1) Develop standards and strategies for coordinating special needs
14 transportation;

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

17 (3) Disseminate and encourage the widespread implementation of
18 successful demonstration projects;

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

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

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

24 (7) Petition the office of financial management to make whatever
25 changes are deemed necessary to identify transportation costs in all
26 executive agency budgets((/

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

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

35 The department of health and the department of corrections shall
36 each adopt rules to implement chapter 345, Laws of 1997. (~~The~~
37 ~~department of health and the department of corrections shall also~~

1 ~~report to the legislature by January 1, 1998, on the following:—(1)~~
2 ~~Changes made in rules and department of corrections and local jail~~
3 ~~policies and procedures to implement chapter 345, Laws of 1997; and (2)~~
4 ~~a summary of the number of times and the circumstances under which~~
5 ~~individual corrections staff and jail staff members were informed that~~
6 ~~a particular offender or detainee had a sexually transmitted disease or~~
7 ~~other communicable disease.))~~ The department of health and the
8 department of corrections shall cooperate with local jail
9 administrators to obtain the information from local jail administrators
10 that is necessary to comply with this section.

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

13 The department shall mark appropriate coho salmon that are released
14 from department operated hatcheries and rearing ponds in such a manner
15 that the fish are externally recognizable as hatchery origin salmon by
16 fishers for the purpose of maximized catch while sustaining wild and
17 hatchery reproduction.

18 The department shall mark all appropriate chinook salmon targeted
19 for contribution to the Washington catch that are released from
20 department operated hatcheries and rearing ponds in such a manner that
21 the fish are externally recognizable as hatchery origin salmon by
22 fishers.

23 The goal of the marking program is: (1) The annual marking by June
24 30, 1997, of all appropriate hatchery origin coho salmon produced by
25 the department with marking to begin with the 1994 Puget Sound coho
26 brood; and (2) the annual marking by June 30, 1999, of all appropriate
27 hatchery origin chinook salmon produced by the department with marking
28 to begin with the 1998 chinook brood. The department may experiment
29 with different methods for marking hatchery salmon with the primary
30 objective of maximum survival of hatchery marked fish, maximum
31 contribution to fisheries, and minimum cost consistent with the other
32 goals.

33 The department shall coordinate with other entities that are
34 producing hatchery chinook and coho salmon for release into public
35 waters to enable the broadest application of the marking program to all
36 hatchery produced chinook and coho salmon. The department shall work
37 with the treaty Indian tribes in order to reach mutual agreement on the
38 implementation of the mass marking program. (~~The department shall~~

1 ~~report to the appropriate legislative committees by January 1, 1999, on~~
2 ~~the progress made in reaching mutual agreement with the treaty Indian~~
3 ~~tribes and any Pacific coast state or province to achieve the goal of~~
4 ~~coast-wide marking of chinook and coho salmon.))~~ The ultimate goal of
5 the program is the coast-wide marking of appropriate hatchery origin
6 chinook and coho salmon, and the protection of all wild chinook and
7 coho salmon, where appropriate.

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

10 (1) The commission shall plan and prepare to implement a program
11 for the preservation and advancement of universal telecommunications
12 service which shall not take effect until the legislature approves the
13 program. The purpose of the universal service program is to benefit
14 telecommunications ratepayers in the state by minimizing implicit
15 sources of support and maximizing explicit sources of support that are
16 specific, sufficient, competitively neutral, and technologically
17 neutral to support basic telecommunications services for customers of
18 telecommunications companies in high-cost locations.

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

21 (a) Estimate the cost of supporting all lines located in high-cost
22 locations and the cost of supporting one primary telecommunications
23 line for each residential or business customer located in high-cost
24 locations;

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

28 (i) All residential and business lines located in high-cost
29 locations;

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

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

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

1 (e) Provide a schedule of all fees and payments proposed or
2 expected to be proposed by the commission under subsection ~~((4))~~
3 (3)(d) of this section.

4 ~~(3) ((The commission shall report by November 1, 1998, to the
5 legislature on these steps taken to prepare for implementation and
6 shall inform the legislature of the estimated cost to support all lines
7 located in high cost locations and the estimated cost to support only
8 one primary line for each residential or business customer located in
9 high cost locations under a universal service program.~~

10 ~~(4))~~ Once a program is approved by the legislature and
11 subsequently established, the following provisions apply unless
12 otherwise directed by the legislature:

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

15 (b) The commission may delegate to the commission secretary or
16 other staff the authority to resolve disputes or make other decisions
17 necessary to the administration of the program;

18 (c) The commission may contract with an independent program
19 administrator subject to the direction and control of the commission
20 and may authorize the establishment of an account or accounts in
21 independent financial institutions should that be necessary for
22 administration of the program;

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

26 (e) The commission may require the carriers participating in the
27 program, as part of their contribution, to pay into the public service
28 revolving fund the costs of the commission attributable to supervision
29 and administration of the program that are not otherwise recovered
30 through fees paid to the commission.

31 ~~((5))~~ (4) The commission shall establish standards for review or
32 testing of all telecommunications carriers' compliance with the program
33 for the purpose of ensuring the support received by a
34 telecommunications carrier is used only for the purposes of the program
35 and that each telecommunications carrier is making its proper
36 contribution to the program. The commission may conduct the review or
37 test, or contract with an independent administrator or other person to
38 conduct the review or test.

1 (~~(6)~~) (5) The commission shall coordinate administration of the
2 program with any federal universal service program and may administer
3 the federal fund in conjunction with the state program if so authorized
4 by federal law.

5 (~~(7)~~) (6) The definitions in this subsection apply throughout
6 this section unless the context clearly requires otherwise.

7 (a) "Telecommunications carrier" has the same meaning as defined in
8 47 U.S.C. Sec. 153(44).

9 (b) "Basic telecommunications services" means the following
10 services:

11 (i) Single-party service;

12 (ii) Voice grade access to the public switched network;

13 (iii) Support for local usage;

14 (iv) Dual tone multifrequency signaling (touch-tone);

15 (v) Access to emergency services (911);

16 (vi) Access to operator services;

17 (vii) Access to interexchange services;

18 (viii) Access to directory assistance; and

19 (ix) Toll limitation services.

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

23 (~~(8)~~) (7) Each telecommunications carrier that provides
24 intrastate telecommunications services shall provide whatever
25 information the commission may reasonably require in order to fulfill
26 the commission's responsibilities under subsection (2) of this section.

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

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

30 and

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

Passed the Senate April 22, 1999.

Passed the House April 14, 1999.

Approved by the Governor May 17, 1999.

Filed in Office of Secretary of State May 17, 1999.