



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 39

SIXTIETH LEGISLATURE

Monday, March 5, 2007

57th Day - 2007 Regular Session

SENATE	SB 5053-S	SB 5076-S	SB 5090-S	SB 5106-S	SB 5145-S	SB 5340-S	SB 5342-S
	SB 5352-S	SB 5353-S	SB 5406-S	SB 5443-S	SB 5465-S	SB 5511-S	SB 5557-S
	SB 5559-S	SB 5585-S	SB 5587-S	SB 5601-S	SB 5642-S	SB 5716-S	SB 5920-S
	SB 5971-S	SB 5974-S	SB 6013-S	SB 6016-S	SB 6052-S	SB 6073-S	SB 6145
HOUSE	HB 1050-S	HB 1106-S2	HB 1178-S2	HB 1188-S	HB 1503-S	HB 1562-S	HB 1605-S
	HB 1733-S	HB 1738-S	HB 1826-S	HB 1837-S	HB 1846-S	HB 1885-S	HB 1910-S
	HB 1965-S	HB 2066-S	HB 2107-S	HB 2171-S	HB 2219-S	HJM 4008-S	

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=2007>.

House Bills

HB 1050-S by House Committee on Education (originally sponsored by Representatives Upthegrove, Quall, Kagi, Pedersen, Morrell, Kenney, P. Sullivan, Jarrett, Simpson, Wallace, Cody, McDermott, Linville, Moeller, Morris, Springer, Wood, Santos, Schual-Berke, Williams, Ormsby, and Hasegawa)

Allowing certain students with disabilities to participate in graduation ceremonies.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that by September 1, 2007, each school district that operates a high school shall permit any student meeting the following criteria to participate in commencement exercises with the student's graduating class and be recognized for their accomplishments: (1) The student is receiving services under chapter 28A.155 RCW;

(2) The student's individualized education program prescribes continued special education or related services beyond the fourth year of high school; and

(3) The student has attended four years of high school.

Declares that a student's participation in commencement exercises under this act shall not affect the student's possible future receipt of a high school diploma, a certificate of individual achievement under RCW 28A.155.045, or a certificate of academic achievement under RCW 28A.655.061.

-- 2007 REGULAR SESSION --

- Jan 23 Public hearing in committee.
- Feb 23 Executive session in committee.
ED - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.
Made eligible to be placed on second reading.

HB 1106-S2 by House Committee on Appropriations (originally sponsored by Representatives Campbell, Chase, Hankins, Morrell, Appleton, Hudgins, McDermott, and Wallace)

Requiring reporting of hospital-acquired infections in health care facilities.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires reporting of hospital-acquired infections in health care facilities.

-- 2007 REGULAR SESSION --

- Jan 25 Public hearing in committee.
- Feb 8 Executive session in committee.
- Feb 22 Public hearing in committee.
- Feb 26 Executive session in committee.
APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 28 Passed to Rules Committee for second reading.
Placed on second reading by Rules Committee.

HB 1178-S2 by House Committee on Appropriations (originally sponsored by Representatives Rolfes, Linville, Simpson, Wallace, Kenney, Ericks, and Green; by request of Governor Gregoire)

Revising provisions for contracts with associate development organizations for economic development services.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares an intent to bolster the partnership between state and local economic development efforts, provide increased funding for local economic development services, and increase local economic development service effectiveness, efficiency, and outcomes.

Requires contracting associate development organizations to provide the department with measures of their performance. Annual reports shall include information

on the impact of the contracting organization on employment, wages, tax revenue, and capital investment. Specific measures shall be developed in the contracting process between the department and the contracting organization every two years. Performance measures should be consistent across regions to allow for statewide evaluation.

Provides that contracts with associate development organizations shall be awarded according to the following annual schedule: (1) For associate development associations in urban counties, which are counties other than rural counties as defined in RCW 43.160.020, a locally matched one dollar per capita allocation totaling no more than four hundred thousand dollars per organization each state fiscal year;

(2) For associate development associations in rural counties, as defined in RCW 43.160.020, a per county base allocation of thirty thousand dollars and a locally matched seventy cents per capita allocation.

Provides that the act shall be null and void if appropriations are not approved.

-- 2007 REGULAR SESSION --

Jan 24 Public hearing in committee.
 Feb 12 Executive session in committee.
 Feb 22 Public hearing in committee.
 Feb 26 Executive session in committee.
 APP - Majority; 2nd substitute bill be substituted, do pass.
 Feb 28 Passed to Rules Committee for second reading.

HB 1188-S by House Committee on Education (originally sponsored by Representatives McCoy, Barlow, Grant, Sells, Roberts, Flannigan, Ormsby, Conway, Santos, and Lantz)

Requiring physical activity opportunities every school day. (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs all public schools to provide to students, in each of grades kindergarten through twelve, opportunities for at least forty minutes of physical activity each school day, except that where there are fewer than three instructional hours in a school day, schools must provide opportunities for at least thirty minutes of physical activity each school day. Such opportunities may include recess, a physical education class, or other school activities, but must in all instances allow students to be physically active. Opportunities to participate in school athletic programs, where the activity occurs before or after instructional hours, do not satisfy this requirement.

-- 2007 REGULAR SESSION --

Feb 2 Public hearing in committee.
 Feb 23 Executive session in committee.
 ED - Majority; 1st substitute bill be substituted, do pass.
 Feb 28 Passed to Rules Committee for second reading.
 Placed on second reading by Rules Committee.

HB 1503-S by House Committee on Commerce & Labor (originally sponsored by Representatives

Conway, McCoy, Wood, Campbell, Williams, Green, Kenney, Moeller, Ormsby, and Chase)

Regarding injured worker medical rights.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in all hearings, actions, or proceedings before the board of industrial insurance appeals, or before any court on appeal from the board of industrial insurance appeals, the claimant shall be deemed to waive the physician-patient privilege under RCW 5.60.060, subject to the limitations imposed pursuant to court rules and this act.

Provides that, once an appeal has been filed with the board, the department and the employer, as well as the representatives of each, may not have ex parte contact, to discuss the facts or issues in question in the appeal, with any medical provider who has provided treatment to the claimant unless written authorization for such contact is given by the claimant or the claimant's representative. This also applies to medical providers who examined the claimant for consultative purposes at the request of either the claimant or a treating medical provider unless the examination request was initiated by the department.

Repeals RCW 51.32.114.

-- 2007 REGULAR SESSION --

Feb 1 Public hearing in committee.
 Feb 23 Executive session in committee.
 CL - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Feb 28 Referred to Appropriations.

HB 1562-S by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Green, Williams, Moeller, and Wood)

Establishing industrial insurance medical and chiropractic advisory committees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes industrial insurance medical and chiropractic advisory committees.

-- 2007 REGULAR SESSION --

Jan 30 Public hearing in committee.
 Feb 22 Executive session in committee.
 CL - Majority; 1st substitute bill be substituted, do pass.
 Feb 28 Passed to Rules Committee for second reading.

HB 1605-S by House Committee on Select Committee on Puget Sound (originally sponsored by Representatives Eickmeyer, Haigh, Upthegrove, Blake, Lantz, Seaquist, Linville, Chase, Pedersen, Morris, Wood, and Rolfes)

Regarding the extension of sewer services in aquatic rehabilitation zone one.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions regarding the extension of sewer services in aquatic rehabilitation zone one.

-- 2007 REGULAR SESSION --

Feb 7 Public hearing in committee.
 Feb 27 Executive session in committee.
 PUGT - Majority; 1st substitute bill be substituted, do pass.

Feb 28 Passed to Rules Committee for second reading.
Made eligible to be placed on second reading.

HB 1733-S by House Committee on Human Services (originally sponsored by Representatives Conway, Kirby, Darneille, and Chase)

Modifying provisions relating to state community justice facilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the department to prepare a projected list of counties and rural multicounty geographic areas in which community facilities need to be sited during the fiscal year beginning July 1, 2007, and every biennium thereafter starting with the biennium beginning July 1, 2008, and transmit the list to the office of financial management and the counties on the list. The list may be updated as needed. In preparing the list, the department shall make substantial efforts to provide for the equitable distribution of community facilities among counties. The department shall give great weight to the following factors in determining equitable distribution: (1) The locations of existing community facilities owned or operated by, or operated under contract with, the department in each county;

(2) The number and proportion of juvenile offenders committed to the department residing in the county or rural multicounty geographic area; and

(3) The number of juvenile registered sex offenders classified as level II or III and juvenile sex offenders registered as homeless per thousand persons residing in the county.

Provides that, after twelve months have passed since the city or county receives notice that the county has been included on the list of projected potential sites for a work release facility or community facility for juvenile offenders, and the county and cities within have failed to establish a process for siting a work release facility or community facility for juvenile offenders, notwithstanding RCW 36.70A.103 or any other law, this act preempts and supersedes local plans, development regulations, permitting requirements, inspection requirements, and all other laws as necessary to enable the department of corrections to site, construct, renovate, occupy, and operate a work release facility or to enable the department of social and health services to operate a community facility for juvenile offenders within the county.

-- 2007 REGULAR SESSION --

Feb 8 Public hearing in committee.
Feb 27 Executive session in committee.
HS - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Feb 28 Referred to Appropriations.

HB 1738-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives B. Sullivan and Chase)

Regarding ballast water management.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the department, in consultation with the ballast water work group, or a similar collaborative forum, to adopt by rule standards for the discharge of ballast water

into the waters of the state and their implementation timelines. The standards are intended to ensure that the discharge of ballast water poses minimal risk of introducing nonindigenous species. In developing these standards, the department shall consider the extent to which the requirement is technologically and practically feasible. Where practical and appropriate, the standards must be compatible with standards set by the United States coast guard, the federal clean water act (33 U.S.C. Sec. 1251-1387), or the international maritime organization.

Requires the ballast water work group to: (1) Provide a report to the legislature by July 1, 2009, on the progress of the work group on the tasks listed in this act, and report on compliance with this act, and recommendations for improvements, if any, to the ballast water program;

(2) Work with the state of Oregon to develop a consistent, coordinated, and enforceable ballast water management program for the Columbia river that is acceptable to both states;

(3) Advise the department as it develops a program to establish and maintain an inventory of introduced nonindigenous plants and animals in state waters in and adjacent to ports, harbors, oil transfer facilities, grain elevators, and other ship berthing facilities and evaluate the effectiveness of the program and a program to assess vessel specific risks;

(4) Help the department review the needs of the ballast water program, including research investments, and identify unmet needs. Work through the Puget Sound action team and the department's internal budget development process to secure needed funds;

(5) Help the department develop and align the state program with national and regional ballast water management programs;

(6) Assist the department by developing a workable technical and financial assistance program to support the shipping industry comply with state ballast water laws and rules; and

(7) Work with the United States coast guard and the department of ecology to improve coordination and integration of vessel inspection procedures among agencies that board and inspect vessels and identify ways to minimize apparent duplication of effort, work more effectively with vessel masters and crew, and recommend changes to state law to streamline the program, if needed.

Repeals RCW 77.120.060, 77.120.080, and 77.120.090.

-- 2007 REGULAR SESSION --

Jan 29 Public hearing in committee.
Feb 26 Executive session in committee.
AGNR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Feb 28 Referred to Appropriations.

HB 1826-S by House Committee on Health Care & Wellness (originally sponsored by Representatives Seaquist, Hinkle, Morrell, Moeller, and Ormsby; by request of Department of Social and Health Services)

Modifying provisions affecting medical benefits.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires health insurers, including private insurers, group health plans, service benefit plans, managed care

organizations, pharmacy benefit managers, or other parties that are, by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service, as a condition of doing business in Washington, to increase their effort to share information with the department and accept the department's timely claims consistent with 42 U.S.C. 1396a(a)(25).

Requires health insurers, as a condition of doing business in Washington, to: (1) Provide, with respect to individuals who are eligible for, or are provided, medical assistance under chapter 74.09 RCW, upon the request of the medical assistance administration, information to determine during what period the individual or their spouses or their dependants may be, or may have been, covered by a health insurer and the nature of coverage that is or was provided by the health insurer, including the name, address, and identifying number of the plan, in a manner prescribed by the medical assistance administration;

(2) Accept the medical assistance administration's right to recovery and the assignment to the medical assistance administration of any right of an individual or other entity to payment from the party for an item or service for which payment has been made under chapter 74.09 RCW;

(3) Respond to any inquiry by the medical assistance administration regarding a claim for payment for any health care item or service that is submitted not later than three years after the date of the provision of such health care item or service;

(4) Agree not to deny a claim submitted by the medical assistance administration on the basis of the date of submission of the claim, the type or format of the claim form, or a failure to present proper documentation at the point-of-sale that is the basis of the claim, if: (a) the claim is submitted by the medical assistance administration within the three-year period beginning on the date the item or service was furnished; and (b) any action by the medical assistance administration to enforce its rights with respect to such claim is commenced within six years of the medical assistance administration's submission of such claim; and

(5) Agree that the prevailing party in any legal action to enforce these provisions receives attorneys' fees as well as related collection fees and costs incurred in the enforcement of these provisions.

-- 2007 REGULAR SESSION --

- Feb 15 Public hearing in committee.
- Feb 26 Executive session in committee.
HCW - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.

HB 1837-S by House Committee on Health Care & Wellness (originally sponsored by Representatives Newhouse, Cody, and Schual-Berke)

Concerning the transport of certain nonambulatory persons.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of health to prepare guidelines for the public and vehicle operators relating to: (1) Appropriate situations in which vehicles other than ambulances may be used to transport individuals who rely

upon personal mobility aids in the normal course of their lives; and

(2) Methods for properly securing personal mobility aids on vehicles other than ambulances and determining if they are adequately secured.

-- 2007 REGULAR SESSION --

- Feb 13 Public hearing in committee.
- Feb 26 Executive session in committee.
HCW - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.

HB 1846-S by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Sommers, Hunter, Fromhold, Kenney, Moeller, Simpson, and Ormsby)

Requiring participants seeking financing from the health care facilities authority to agree to return anticipated savings to the public.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires participants seeking financing from the health care facilities authority to agree to return anticipated savings to the public.

-- 2007 REGULAR SESSION --

- Feb 5 Public hearing in committee.
- Feb 26 Executive session in committee.
HCW - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 28 Referred to Capital Budget.
- Mar 2 Scheduled for public hearing in committee. (Subject to change)

HB 1885-S by House Committee on Higher Education (originally sponsored by Representatives Goodman, Springer, Rodne, Jarrett, Eddy, Ericks, Hunter, O'Brien, Dunshee, Lovick, Anderson, Hasegawa, Miloscia, Kessler, Ormsby, and Kenney)

Expanding the applied baccalaureate degree pilot program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that, by February 2008, the college board shall select up to two colleges to develop and offer programs of study leading to an applied baccalaureate degree. At least one of the colleges selected must be a technical college. The college board shall use the objective selection criteria developed under RCW 28B.50.810(1) and (3) to make the selection.

-- 2007 REGULAR SESSION --

- Feb 19 Public hearing in committee.
- Feb 26 Executive session in committee.
HE - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Referred to Appropriations.

HB 1910-S by House Committee on Housing (originally sponsored by Representatives Ormsby,

Fromhold, Miloscia, Dunshee, Kenney, Appleton, Darneille, Hasegawa, and Morrell)

Modifying property tax exemption provisions relating to new and rehabilitated multiple-unit dwellings in urban centers to provide affordable housing requirements.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises property tax exemption provisions relating to new and rehabilitated multiple-unit dwellings in urban centers to provide affordable housing requirements.

-- 2007 REGULAR SESSION --

- Feb 5 Public hearing in committee.
- Feb 26 Executive session in committee.
HOUS - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 28 Referred to Finance.

HB 1965-S by House Committee on Local Government (originally sponsored by Representatives Eddy and Curtis)

Authorizing major industrial development within industrial land banks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions authorizing major industrial development within industrial land banks.

-- 2007 REGULAR SESSION --

- Feb 13 Public hearing in committee.
- Feb 26 Executive session in committee.
LG - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.
Made eligible to be placed on second reading.

HB 2066-S by House Committee on Select Committee on Environmental Health (originally sponsored by Representatives Hunt, Campbell, Upthegrove, and Schual-Berke; by request of Department of Health)

Clarifying the regulatory authority for on-site sewage systems.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of this act is to establish, in a single state agency, comprehensive regulation of the design, operation, and maintenance of large on-site sewage systems, and their operators, that provides both public health and environmental protection.

Declares the permitting and continuing oversight of large on-site sewage systems.

Directs the state department of health to establish standards and rules for the siting, design, construction, installation, operation, maintenance, and repair of large on-site sewage systems, and to enforce the standards and rules established.

Amends chapters 70.118 and 70.05 RCW to enhance local health officer enforcement authority regarding on-site systems.

Exempts operators certified by the department of health.

Amends RCW 36.94.010 to clarify its applicability to large on-site sewage systems.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
- Feb 27 Executive session in committee.
ENVH - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Referred to Appropriations.

HB 2107-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Schual-Berke, B. Sullivan, Blake, Newhouse, Dickerson, Strow, Kagi, Orcutt, McCoy, Cody, and VanDeWege)

Authorizing the use of innovative settlement agreements in lieu of appeal for violations of chapters 90.48 and 90.56 RCW.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the department, with the assistance of the attorney general, is authorized to offer the option of an innovative settlement agreement in lieu of appeal for all violators of chapter 90.48 RCW or chapter 90.56 RCW except in cases of: (1) Criminal violations;

(2) Cases where the violation is not corrected; or

(3) Violators that have unpaid penalties under chapter 90.48 RCW or chapter 90.56 RCW.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 AGNR - Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.

HB 2171-S by House Committee on Commerce & Labor (originally sponsored by Representatives Eddy, Conway, Campbell, Hankins, Sells, Ormsby, Moeller, Ericks, Roberts, Darneille, Hunt, Blake, Kessler, Rolfes, Flannigan, O'Brien, Hurst, Buri, Williams, Grant, Chandler, Hasegawa, Simpson, Santos, Barlow, Morrell, Fromhold, Priest, Lantz, Strow, B. Sullivan, Cody, Hinkle, Eickmeyer, Haigh, Anderson, Appleton, Kenney, Chase, McCoy, Walsh, Haler, Kelley, Springer, Newhouse, Dunshee, Linville, McIntire, Lovick, Sump, Kirby, Schual-Berke, Kagi, Quall, Ahern, Pettigrew, VanDeWege, Condotta, Green, Seaquist, Dickerson, P. Sullivan, and Sommers)

Regarding crane safety.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses provisions relating to crane safety.

-- 2007 REGULAR SESSION --

- Feb 20 Public hearing in committee.
- Feb 23 Executive session in committee.
CL - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Feb 28 Referred to Appropriations.
- Mar 2 Committee relieved of further consideration.
Passed to Rules Committee for second reading.

HB 2219-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Orcutt, B. Sullivan, Kessler, and Kretz)

Regarding forest practices regulations that apply to small forest landowners.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions regarding forest practices regulations that apply to small forest landowners.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
 Feb 26 Executive session in committee.
 AGNR - Majority; 1st substitute bill be substituted, do pass.
 Feb 28 Referred to Capital Budget.
 Mar 2 Scheduled for public hearing and executive session in committee. (Subject to change)
 CB - Executive action taken by committee.

House Joint Memorials

HJM 4008-S by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Campbell, Green, Appleton, Hasegawa, VanDeWege, Ormsby, Moeller, Chase, Cody, Wood, Miloscia, Williams, Hunt, Dickerson, Morrell, Sells, Flannigan, Ericks, and Kenney)

Requesting that Congress enact the Employee Free Choice Act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Supports the Employee Free Choice Act which would:
 (1) Authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them;

(2) Provide for first contract mediation and arbitration; and

(3) Establish meaningful penalties for violations of a worker's freedom to choose a union.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
 Feb 23 Executive session in committee.
 CL - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Feb 28 Passed to Rules Committee for second reading.

Senate Bills

SB 5053-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Keiser, Kohl-Welles, and Kline)

Creating the office of the ombudsman for workers of industrial insurance self-insured employers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the office of the ombudsman for workers of industrial insurance self-insured employers.

Requires that any ombudsman authorized by chapter 51.14 RCW shall have training or experience, or both, in the following areas: (1) Industrial insurance including self-insurance programs;

(2) The legal system;

(3) Dispute or problem resolution techniques, including investigation, mediation, and negotiation.

Declares that the ombudsman program shall have the following powers and duties: (1) To act as an advocate for injured workers of self-insured employers;

(2) To offer and provide information on industrial insurance as appropriate to workers of self-insured employers;

(3) To identify, investigate, and facilitate resolution of industrial insurance complaints from workers of self-insured employers;

(4) To maintain a statewide toll-free telephone number for the receipt of complaints and inquiries; and

(5) To refer complaints to the department when appropriate.

Requires that to provide start-up funding for the ombudsman's office, the department shall impose a one-time assessment on all self-insurers. The amount of the assessment shall be determined by the department and shall not exceed the amount needed to pay the start-up costs.

Provides that ongoing funding for the office shall be obtained as part of an annual administrative assessment of self-insurers under RCW 51.44.150. This assessment shall be proportionately based on the number of claims for each self-insurer during the past year.

Directs the ombudsman to provide the governor with an annual report that includes the following: (1) A description of the issues addressed during the past year and a very brief description of case scenarios in a form that does not compromise confidentiality;

(2) An accounting of the monitoring activities by the ombudsman; and

(3) An identification of the deficiencies in the industrial insurance system related to self-insurers, if any, and recommendations for remedial action in policy or practice.

Provides that the first annual report shall be due on or before October 1, 2008. Subsequent reports shall be due on or before October 1st.

-- 2007 REGULAR SESSION --

- Jan 25 Public hearing in committee.
 Feb 26 Executive session in committee.
 Feb 27 LCRD - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Minority; without recommendation.
 Passed to Rules Committee for second reading.

SB 5076-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Honeyford, Rasmussen, Schoesler, Clements, Shin, Sheldon, and Parlette)

Increasing protections for agricultural operations, activities, and practices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to enhance the protection of agricultural operations and activities from nuisance lawsuits, and to further the clear legislative directive of the state growth management act to maintain and enhance the agricultural industry and conserve productive agricultural lands.

-- 2007 REGULAR SESSION --

Jan 22 Public hearing in committee.
Feb 26 Executive session in committee.
Feb 27 ARED - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5090-S by Senate Committee on Economic Development, Trade & Management (originally sponsored by Senators Kastama, Shin, Franklin, Kilmer, Marr, Kauffman, Murray, and Rasmussen; by request of Governor Gregoire)

Promoting innovation partnership zones.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of community, trade, and economic development to administer an innovation partnership zone program consisting of innovation partnership zone grants and technical assistance and planning grants. The director shall disburse innovation partnership zone grants. Innovation partnership zone grants must be used to facilitate the collaboration between research teams, industry, and workforce training providers that will lead to the formation and financing of new innovative firms, the commercialization of research results, and the movement of firms and industry clusters into globally competitive niches. The grants will be awarded consistent with the following criteria and such other criteria as the director develops in consultation with the Washington state economic development commission: (1) Each grant must be matched by a commitment of financial support from the private sector equal to or greater than fifty percent of the requested grant amount;

(2) Eligible grant applicants may include associate development organizations, port districts, workforce development councils, educational or research institutions, and local jurisdictions;

(3) No more than two partnership zone grants shall be awarded during the biennium ending June 30, 2009, to recipients in the central Puget Sound region, a minimum of two such grants shall be awarded in eastern Washington and a minimum of one such grant shall be awarded in western Washington outside the central Puget Sound region;

(4) Applicants for innovation partnership zone grants must: (a) identify the geographic area within which they will concentrate their efforts, using commonly available data and maps, that will lend itself to a distinct identity; (b) show the presence within the innovation partnership zone of research capacity, including research teams focused on emerging technologies and their commercialization or faculty and researchers that could increase their focus on commercialization of technology if provided the appropriate technical assistance; (c) show, using labor market information from the employment security department and local labor markets as well as data on revenue growth rates, wage levels, and other factors, a substate geographic concentration of firms within the

proposed innovation partnership zone that are important to the economic prosperity of the state and have comparative competitive advantage or the potential for comparative competitive advantage; (d) demonstrate training capacity either within the zone or readily accessible to the zone. The training capacity requirement may be met by the same institution as the research capacity requirement, to the extent both are associated with an educational institution in the proposed zone; (e) demonstrate the support of a local jurisdiction, a research institution, an educational institution, an industry or cluster association, a workforce development council, and an associate development organization, port, or chamber of commerce; (f) disclose the service delivery mechanisms to be used to allow industry associations, cluster associations, and businesses to access the technical assistance, advisory, research, and commercialization capabilities of research teams; (g) detail how training services will be coordinated and delivered to industry associations, cluster associations, and businesses; and (h) describe the methods by which the applicant will facilitate the competitiveness of firms, the commercialization of research, and the upgrading of worker skills within the innovation partnership zone.

Appropriates the sum of ten million dollars for the fiscal year ending June 30, 2009, from the general fund to the innovation partnership fund for the purposes of this act.

Appropriates the sum of five million dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2009, from the state building construction account to the department of community, trade, and economic development for the purposes of this act.

-- 2007 REGULAR SESSION --

Jan 24 Public hearing in committee.
Feb 23 Executive session in committee.
Feb 27 EDTM - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.
Feb 28 Public hearing in committee.
Mar 2 Scheduled for public hearing in committee. (Subject to change)

SB 5106-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Jacobsen, Kohl-Welles, Murray, and Rasmussen)

Requiring emergency preparedness planning for service animals and household pets.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the governor, through the Washington state emergency management division of the military department in consultation with but not limited to the Washington animal response management team established under the Washington comprehensive emergency management plan, representatives of local emergency management, and the department of agriculture, shall adopt rules no later than twelve months following the effective date of this act in accordance with the federal pets evacuation and transportation standards act of 2006, 109 P.L. 308, 120 Stat. 1725, and pending federal emergency management agency guidelines. The state emergency management plan, including rules, regulations, and guidelines, shall include provisions to support the needs of individuals with household pets or service animals in a

major disaster or emergency and shall be reviewed and updated at least every two years.

Requires each county and municipality in the state in accordance with existing federal requirements to prepare a written emergency management plan with all appropriate annexes necessary to implement the plan.

Provides that, when engaged in emergency management activities, an emergency responder may make every practicable attempt under the circumstances, without endangering human life, to rescue a service animal or household pet.

Provides that the act shall be null and void if appropriations are not approved.

-- 2007 REGULAR SESSION --

- Jan 11 Executive session in committee.
- Jan 16 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 GO - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5145-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen and Rasmussen)

Clarifying existing requirements for conservation of agricultural lands.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the decision of the Washington state supreme court in *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000) reflects the original and continuing intent of the legislature regarding designation and conservation of agricultural lands under the growth management act, when it says that the act creates an agricultural conservation imperative that imposes an affirmative duty on local governments to designate and conserve agricultural lands in order to assure the maintenance and enhancement of the agricultural resource industry, and, again, when it says that agricultural lands are protected not for the sake of their ecological role but to ensure the viability of the resource-based industries that depend upon them.

Declares that allowing conversion of resource lands to other uses or allowing incompatible uses impairs the viability of the agricultural industry.

Declares an intent to clarify the existing requirements of the growth management act that pertain to conservation of agricultural lands, in order to help assure that comprehensive plans and corresponding development regulations adopted by local governments conserve agricultural lands according to the original and continuing intent of the growth management act as reflected in *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000).

Provides that wetland mitigation banking projects may be permitted by conditional or special use on agricultural lands, including agricultural lands of long-term commercial significance, if the local government has adopted the criteria for evaluating such projects established by rule by the department. "Wetland mitigation banking project" means any private or public project on a site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved expressly for the purpose of

providing compensatory mitigation in advance of authorized impacts to similar resources.

Requires that, by January 1, 2008, the department shall provide a written report on the recommended criteria to the chief clerk of the house of representatives and the secretary of the senate.

-- 2007 REGULAR SESSION --

- Jan 22 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 ARED - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5340-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Swecker, Fairley, Kohl-Welles, Shin, Pridemore, McAuliffe, Regala, Murray, Spanel, Franklin, Rockefeller, Kauffman, and Keiser)

Defining disability in the Washington law against discrimination.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the supreme court, in its opinion in *McClarty v. Totem Electric*, 157 Wn.2d 214, 137 P.3d 844 (2006), was incorrect, in that it failed to recognize that the law against discrimination affords to Washington residents protections that are wholly independent of those afforded by the federal Americans with Disabilities Act of 1990, and that the law against discrimination has provided such protections for many years prior to passage of the federal act.

Declares that "disability" means the presence of a sensory, mental, or physical impairment that: (1) Is medically cognizable or diagnosable; or

- (2) Exists as a record or history; or
- (3) Is perceived to exist whether or not it exists in fact.

-- 2007 REGULAR SESSION --

- Jan 12 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 27 JUD - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.
- Mar 1 Made eligible to be placed on second reading.

SB 5342-S by Senate Committee on Judiciary (originally sponsored by Senators Kline and Kohl-Welles)

Modifying drug court provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any county that establishes a drug court pursuant to this act may design and implement a policy: (1) That would allow an offender, who has previously been convicted of a serious violent offense, to participate in the drug court program; and/or

(2) That would allow an offender, who has previously been convicted of a sex offense, to participate in the drug court program.

-- 2007 REGULAR SESSION --

- Jan 23 Public hearing in committee.
- Feb 23 Executive session in committee.

Feb 27 JUD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
Mar 1 Made eligible to be placed on second reading.

SB 5352-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Keiser, Fairley, Kohl-Welles, and Franklin)

Revising provisions affecting disciplinary actions involving health professionals

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, with respect to the use of expert testimony in a hearing on charges: (1) Each party may designate, identify, or call to testify at hearing no more than one expert witness on any issue presented;

(2) No expert testimony shall be permitted by any party unless the following information is exchanged in written form with counsel for the other party: (a) a curriculum vitae setting forth the qualifications of the expert; (b) a brief narrative statement of the general substance of the testimony that the expert is expected to give, including any opinion testimony and its basis; (c) a representation that the expert has agreed to testify at the hearing;

(3) A statement of the expert's hourly and daily fee for providing testimony and for consulting with the party who retained his or her services.

-- 2007 REGULAR SESSION --

Jan 24 Public hearing in committee.
Feb 23 Executive session in committee.
Feb 27 JUD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

SB 5353-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Swecker, and Pridemore)

Changing provisions concerning municipal courts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to municipal courts.

-- 2007 REGULAR SESSION --

Jan 19 Public hearing in committee.
Feb 23 Executive session in committee.
Feb 27 JUD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.

SB 5406-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kline, Fairley, and Fraser)

Revising state employee whistleblower protection provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises state employee whistleblower protection definitions.

-- 2007 REGULAR SESSION --

Feb 6 Public hearing in committee.
Feb 26 Executive session in committee.
Feb 27 GO - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5443-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles and Keiser; by request of Department of Labor & Industries)

Suppressing workers' compensation claims.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that employers shall not engage in the suppression of industrial insurance claims for their employees.

Provides that, for the purposes of this act, claim suppression is defined as expressly or repeatedly inducing employees to fail to report injuries, inducing employees to treat injuries in the course of employment as off-the-job injuries, or otherwise acting to suppress legitimate industrial insurance claims.

Provides that, in determining whether an employer has engaged in claim suppression, the department shall consider the employer's history of compliance with industrial insurance reporting requirements, and whether there are employment-related incentives to discourage employees from reporting injuries or filing claims. The department will have the burden of proving claims suppression by a preponderance of the evidence.

Provides that an employer found to have engaged in claim suppression shall be subject to a penalty of at least two hundred fifty dollars, not to exceed two thousand five hundred dollars, for each offense. The penalty shall be payable to the supplemental pension fund.

-- 2007 REGULAR SESSION --

Jan 22 Public hearing in committee.
Jan 25 Public hearing in committee.
Feb 26 Executive session in committee.
Feb 27 LCRD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

SB 5465-S by Senate Committee on Judiciary (originally sponsored by Senators Schoesler, Kline, Carrell, and Hatfield)

Clarifying the process for restoration of the right to possess firearms.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Clarifies the process for restoration of the right to possess firearms.

-- 2007 REGULAR SESSION --

Jan 30 Public hearing in committee.
Feb 23 Executive session in committee.
Feb 27 JUD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

SB 5511-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Sheldon, Kastama, Clements, Rasmussen, and Shin)

Requiring state agencies to allow volunteer firefighters to respond when called to duty.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that an agency must allow an employee who is a volunteer firefighter to respond, without pay, to a fire, natural disaster, or medical emergency when called to duty. The agency may choose to grant leave with pay.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 GO - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5557-S by Senate Committee on Economic Development, Trade & Management (originally sponsored by Senators Hargrove, Prentice, Zarelli, Hatfield, Brandland, Brown, Poulsen, Pridemore, and McAuliffe)

Concerning restrictions on certain public facilities for economic development purposes in rural counties.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions concerning restrictions on certain public facilities for economic development purposes in rural counties.

-- 2007 REGULAR SESSION --

- Feb 9 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 27 EDTM - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.
- Mar 1 Public hearing in committee.

SB 5559-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Murray, and Keiser)

Concerning the employment of youth soccer referees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions concerning the employment of youth soccer referees.

-- 2007 REGULAR SESSION --

- Feb 19 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 LCRD - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5585-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Tom, Keiser, Weinstein, Oemig, Kohl-Welles, Marr, Fraser, Prentice, and Franklin)

Concerning parent and child health services provided by the department of health.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in order to promote healthy birth outcomes and reduce the number of unintended pregnancies, Washington state reaffirms its commitment to encourage health plan coverage of family planning as an essential component of the health care system and to provide public health funding for preventive family planning services for women and men with family incomes up to two hundred fifty percent of the federal poverty level.

Provides that, within funds appropriated specifically for this purpose, the department of health shall provide, through its contracted local family planning agencies, family planning services to women and men in accordance with eligibility requirements established by the department. Funds appropriated to the department for this purpose shall be used to provide family planning services to men and women not otherwise eligible for family planning services under the medicaid program administered under chapter 74.09 RCW, and for family planning services not otherwise covered by the medicaid program under chapter 74.09 RCW.

-- 2007 REGULAR SESSION --

- Feb 15 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 HEA - Majority; 1st substitute bill be substituted, do pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.

SB 5587-S by Senate Committee on Judiciary (originally sponsored by Senators Honeyford and Roach)

Modifying the judicial conduct commission.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that no commission member or alternate who participates in an investigation or initial proceeding leading to a finding of probable cause may participate in any further proceedings, including a public hearing on that cause.

Requires all discovery prior to a public hearing to be conducted pursuant to the rules of civil procedure promulgated by the Washington state supreme court. Any jurist subject to proceedings before the commission shall be entitled to obtain discovery pursuant to these rules from the commission, its staff, and other persons involved in the investigation or analysis leading to a determination of probable cause.

Declares that all members and alternates shall be subject to the code of judicial conduct as promulgated by the Washington state supreme court.

-- 2007 REGULAR SESSION --

- Jan 31 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 27 JUD - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5601-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Oemig, Kline, Roach, Swecker, Rockefeller,

Berkey, Kohl-Welles, and Parlette; by request of Secretary of State)

Mandating primary election voters' pamphlets.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires primary election voters' pamphlets.

Directs the secretary of state to work with local jurisdictions to publish a joint voters' pamphlet when practicable.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 GO - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
Referred to Ways & Means.

SB 5642-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Rockefeller, Franklin, and Tom)

Addressing cigarette ignition propensity.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that cigarettes may not be sold or offered for sale in this state or offered for sale or sold to persons located in this state unless the cigarettes have been tested in accordance with the test method and meet the performance standard specified in this act, a written certification has been filed by the manufacturer with the state director of fire protection in accordance with this act, and the cigarettes have been marked in accordance with this act.

Provides that a manufacturer, wholesale dealer, agent, or any other person or entity who knowingly sells or offers to sell cigarettes, other than through retail sale, in violation of this act, for a first offense is liable to a civil penalty not to exceed ten thousand dollars per each sale of the cigarettes, and for a subsequent offense is liable to a civil penalty not to exceed twenty-five thousand dollars per each sale of the cigarettes. However, in no case may the penalty against such a person or entity exceed one hundred thousand dollars during any thirty-day period.

Provides that the implementation and substance of the New York fire safety standards for cigarettes, New York Executive Law section 156-c, Fire Safety Standards for Cigarettes, shall be persuasive authority in the implementation of this act.

-- 2007 REGULAR SESSION --

- Feb 19 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 LCRD - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5716-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Kastama, Franklin, and Kline; by request of Insurance Commissioner)

Regulating retainer health care practices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a retainer practice may charge a retainer fee as consideration for being available to provide and

providing all primary care services that are within the scope of the provider's license to a retainer subscriber during a specified service period if the retainer health care practice deposits the fee in one or more identifiable trust accounts and distributes the fee to the retainer practice at the end of the specified service period.

Provides that a retainer practice may charge a retainer fee as consideration for being available to provide and providing primary care services to a retainer subscriber during a specified service period if the retainer health care practice deposits the fee in one or more identifiable trust accounts and distributes the fee to the retainer practice at the end of the specified service period.

Provides that the instrument creating the trust and governing the trust account must provide that: (1) All retainer fees are held in trust for and remain the property of the retainer subscriber until the end of the service period for which they are charged, at which time they become the property of the retainer health care practice.

(2) All unearned retainer fees will immediately be returned to the retainer subscriber, upon the occurrence of any event that prevents the provision of the health care services as contemplated by the retainer agreement.

Requires a retainer practice to: (1) Promptly notify a retainer subscriber of the receipt of his or her retainer fee;

(2) Render appropriate accounts to retainer subscribers regarding the funds; and

(3) Promptly refund to the retainer subscriber all unearned retainer fees upon the occurrence of any event that prevents the provision of the health care services as contemplated by the retainer agreement.

Requires every retainer health care practice to maintain the following records for a period of five years, and upon request must make the following records available to the commissioner for review: (1) Forms of contracts between the retainer practice and retainer subscribers;

(2) Documents relating to the creation and maintenance of any retainer fee trust accounts. However, any patient's personal identifying information may be withheld, unless otherwise authorized by the patient;

(3) All advertising relating to the retainer practice and its services; and

(4) All records relating to retainer fees received by the retainer health care practice. However, any patient's personal identifying information may be withheld, unless otherwise authorized by the patient.

Directs the commissioner to adopt rules in accordance with chapter 34.05 RCW establishing a standardized disclosure form to be distributed to all retainer subscribers with their enrollment forms. Such form will inform the subscriber patient of their financial rights and responsibilities to the retainer practice as provided for in this act, will encourage that the retainer patient obtain and maintain insurance for services not provided by the retainer practice, and that the provider will not bill a carrier for services covered under the retainer agreement. Such a standardized disclosure form shall be deemed sufficient disclosure of a retainer practice's obligations under this act.

-- 2007 REGULAR SESSION --

- Feb 19 Public hearing in committee.
- Feb 26 Executive session in committee.
- Feb 27 HEA - Majority; 1st substitute bill be substituted, do pass.
Minority; without recommendation.

Passed to Rules Committee for second reading.

SB 5920-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Keiser, Shin, and Rasmussen; by request of Governor Gregoire)

Establishing a pilot program for vocational rehabilitation services.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes a pilot program for vocational rehabilitation services.

-- 2007 REGULAR SESSION --

Feb 15 Public hearing in committee.
Feb 22 Executive session in committee.
Feb 26 LCRD - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
On motion, referred to Rules.
Mar 1 Placed on second reading by Rules Committee.

SB 5971-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kauffman, Franklin, Sheldon, Shin, Kilmer, Hobbs, Kline, Kohl-Welles, and Rasmussen)

Analyzing and remedying racial disproportionality and racial disparity in child welfare.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the secretary of the department of social and health services to convene an advisory committee to analyze and make recommendations on the disproportionate representation of children of color in the child welfare and juvenile justice systems of Washington.

Requires the department to collaborate with the Washington institute for public policy and private sector entities to develop a methodology for the advisory committee to follow in conducting a baseline analysis of data from the child welfare and juvenile justice systems to determine whether racial disproportionality and racial disparity exist in these systems.

Requires, at a minimum, the advisory committee to examine and analyze: (1) The level of involvement of children of color at each stage in the state's child welfare and juvenile justice systems, including the points of entry and exit, and each point at which a treatment decision is made;

(2) The number of children of color in low-income or single-parent families involved in the state's child welfare and juvenile justice systems;

(3) The family structures of families involved in the state's child welfare and juvenile justice systems; and

(4) The outcomes for children in the existing systems. This analysis shall be disaggregated by racial and ethnic group, and by geographic region.

Provides that, not later than September 1, 2007, the advisory committee created in this act shall report to the secretary of the department of social and health services on the results of the analysis. If the results of the analysis indicate disproportionality or disparity exists for any racial or ethnic group in any region of the state, the committee, in conjunction with the secretary of the department of social

and health services, shall develop a plan for remedying the disproportionality or disparity.

Requires that, not later than January 1, 2008, the secretary shall report the results of the analysis conducted under this act and shall describe the remediation plan required under this act to the appropriate committees of the legislature with jurisdiction over policy and fiscal matters relating to children, families, and human services. Beginning January 1, 2009, the secretary shall report annually to the appropriate committees of the legislature on the implementation of the remediation plan, including any measurable progress made in reducing and eliminating racial disproportionality and disparity in the state's child welfare and juvenile justice systems.

-- 2007 REGULAR SESSION --

Feb 20 Public hearing in committee.
Feb 23 Executive session in committee.
Feb 26 HSC - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5974-S by Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove)

Revising provisions concerning the juvenile chemical dependency disposition alternative.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that inpatient treatment may not exceed one hundred twenty days in RCW 13.40.165.

Provides that with the exception of youth committed to the department of social and health services, juvenile rehabilitation administration, when an adjudicated offender is ordered to be confined pursuant to a disposition or modification order, the court may grant credit for time served or to be served in a voluntary substance abuse or mental health inpatient treatment facility, even though such facility is not a "detention facility" as defined by RCW 13.40.020.

-- 2007 REGULAR SESSION --

Feb 20 Public hearing in committee.
Feb 23 Executive session in committee.
Feb 26 HSC - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6013-S by Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove)

Creating the institutions review commission.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that state institutions serve a critical role in the delivery of services and long-term residential care for the people of the state of Washington. Maintaining the capital needs and assessing the need for efficiencies, consolidation, expansion, reduction, closure, and replacement of state institutions requires both long-term planning and financing. A fair, objective, and factual assessment of the capital facilities is a critical part of how to best meet the needs of the clients of the institutions and the citizens of Washington. However, the state lacks an independent review process for state institutions with

excess capacity or with alternative service delivery models to meet state policy.

Finds that independent evidence-based facts are crucial to any decision that affects Washington citizens who reside in state institutions; and that a fair and objective analysis of the independent evidence-based facts will be better for the clients of the institutions.

Declares an intent to create an institutions review commission as an independent entity to review state institutions on a regular basis.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 26 HSC - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 6016-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala and Kohl-Welles)

Concerning good cause reasons for failure to participate in WorkFirst program components.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 74.08A.270 relating to good cause reasons for failure to participate in WorkFirst program components.

-- 2007 REGULAR SESSION --

- Feb 22 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 26 HSC - 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 6052-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Holmquist, Kline, and Hargrove)

Requiring arson offenders to register with the county sheriff.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to: (1) Assist local law enforcement agencies to increase public safety by providing them with another tool for them to use in arson investigations; and

(2) Require arson offenders to register with local law enforcement agencies in a regulatory, rather than punitive, manner.

Requires the county sheriff to forward the information, photographs, and fingerprints obtained pursuant to this act, including any notice of change of address, to the Washington state patrol within five working days.

Directs the state patrol to maintain a central registry of arson offenders required to register under this act.

Authorizes the state patrol to grant access to the registry to law enforcement agencies.

Provides that the state patrol and the entities receiving information under this provision may not disclose the information obtained from the registry to any other person or entity.

-- 2007 REGULAR SESSION --

- Feb 20 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 26 HSC - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 6073-S by Senate Committee on Consumer Protection & Housing (originally sponsored by Senators Shin, Clements, Sheldon, Kauffman, Berkey, Jacobsen, and Rasmussen)

Creating incentives to encourage the preservation of manufactured/mobile home communities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to encourage and facilitate the preservation of existing manufactured/mobile home communities and, to the extent necessary and possible, to assist manufactured/mobile home community resident organizations or eligible organizations representing residents in the preservation of manufactured/mobile home communities. The legislature hereby establishes tax credits for financial institutions who provide financial assistance to eligible organizations by making below market rate loans or by purchasing bonds issued by the Washington state housing finance commission in order that the eligible organization may purchase and preserve an affordable housing manufactured/mobile home community.

-- 2007 REGULAR SESSION --

- Feb 20 Public hearing in committee.
- Feb 23 Executive session in committee.
- Feb 26 CPH - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 6145 by Senators Honeyford and Schoesler

Authorizing the purchase of an increased benefit multiplier for judicial service.

Provides that, between the effective date of this act and December 31, 2007, a current or separated member who was previously employed as a supreme court justice, court of appeals judge, or superior court judge and who is not yet a retiree under chapter 41.32 RCW may make a one-time irrevocable election to purchase an increased benefit multiplier for the member's years of service as a justice or judge.

-- 2007 REGULAR SESSION --

- Mar 2 First reading, referred to Ways & Means.