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SENATE SJM 8021

HOUSE HB 1667 HB 1765-S HB 1967 HB 2053-S2 HB 2070 HB 2176-S2 HB 2394

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.

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House Bills

HB 1667 by Representatives Green, Cody, Morrell, Ormsby, Moeller, and Simpson

Regarding fairness and equity in health professions licensing fees.

(AS OF HOUSE 2ND READING 3/14/2007)

Requires fairness and equity in health professions licensing fees.

Provides that, for all credentials issued after January 1, 2008, in addition to the credentialing fee, the secretary shall impose an annual surcharge of one dollar and fifty cents on all credentialed health professionals operating under the health professions account created under RCW 43.70.320. The surcharge shall be placed in the health professions account and used to reduce the fee when the annual base renewal fee for any credentialed health profession exceeds five hundred dollars per year to conduct core credentialing and disciplinary activities. Annual base renewal fees do not include special surcharges that may also be collected at the time of the credential renewal. This provision does not apply to regulated business entities whose funds reside with the health professions account.

Directs the department of health to review the effectiveness of the equity surcharge established in RCW 43.70.250 with respect to eliminating inequities in the level of credentialing fees paid by health care providers regulated by the department of health. The review shall specifically consider the effect of the surcharge in reducing credentialing fees for professions with high fees and increasing the number of health care providers in those professions. The review shall provide any recommendations that would increase administrative efficiency and provide greater equity in credentialing fee amounts. The department of health shall submit its report to the legislature by November 15, 2010.

-- 2007 REGULAR SESSION --

- Jan 24 First reading, referred to Health Care & Wellness.
Feb 14 Public hearing in committee.
Feb 27 Executive session in committee.

- Feb 28 Passed to Rules Committee for second reading.
Mar 10 Rules suspended. Rules Committee relieved of further consideration. Placed on second reading.
Mar 14 Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 71; nays, 24; absent, 0; excused, 3. -- IN THE SENATE --
Mar 16 First reading, referred to Health & Long-Term Care.

HB 1765-S by House Committee on Judiciary (originally sponsored by Representatives Lantz, Springer, Williams, Rodne, and Moeller)

Changing provisions concerning limitation of claims under a construction contract.

(AS OF HOUSE 2ND READING 3/14/2007)

Provides that any clause in a construction contract that purports to waive, release, or extinguish the claim rights of a contractor, subcontractor, or supplier to damages or an equitable adjustment based on failure to submit claim notice or claim-related documentation in a specified time frame or form is enforceable if the clause includes the following provisions: Initial notice of an event giving rise to a claim is required to be submitted: (a) within seven calendar days following the occurrence of the event; (b) in writing; and (c) to the party, as specified in the contract, to whom the claim is being made.

Applies to contracts or agreements entered into on or after January 1, 2008.

-- 2007 REGULAR SESSION --

- Feb 9 Public hearing in committee.
Feb 26 Executive session in committee. JUDI - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass.

- Feb 28 Passed to Rules Committee for second reading.
- Mar 8 Placed on second reading by Rules Committee.
- Mar 14 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 95; nays, 1; absent, 0; excused, 2.
-- IN THE SENATE --
- Mar 16 First reading, referred to Judiciary.

HB 1967 by Representatives Moeller, Skinner, Cody, Williams, Barlow, Rodne, Condotta, and Campbell

Providing for the reporting of physician convictions for driving while under the influence to an approved substance abuse program. (REVISED FOR ENGROSSED: Providing for the reporting of physician convictions for driving while under the influence to the medical quality assurance commission.)

(AS OF HOUSE 2ND READING 3/8/2007)

Provides that, upon a guilty plea or conviction of a person for violations of RCW 46.61.502 or 46.61.504, the prosecuting attorney shall notify the state patrol of such guilty plea or conviction.

Provides that when the state patrol receives information that a person has pled guilty to or been convicted of one of the violations under this act, the state patrol shall transmit that information to the department of health. It is the duty of the department of health to identify whether the person holds a credential issued by the medical quality assurance commission under RCW 18.130.040 and chapter 18.71 RCW, and provide this information to the commission. The commission shall review the information provided by the department of health and assess whether or not the physician should be referred to the impaired physician program under RCW 18.71.330 and 18.130.175.

-- 2007 REGULAR SESSION --

- Feb 2 First reading, referred to Judiciary.
- Feb 14 Public hearing in committee.
- Feb 16 Public hearing in committee.
- Feb 21 Executive session in committee.
JUDI - Executive action taken by committee.
JUDI - Majority; do pass.
- Feb 23 Passed to Rules Committee for second reading.
- Feb 28 Made eligible to be placed on second reading.
- Mar 6 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 8 Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 2.
-- IN THE SENATE --
- Mar 10 First reading, referred to Judiciary.
- Mar 20 Scheduled for public hearing in committee. (Subject to change)

HB 2053-S2 by House Committee on Finance (originally sponsored by Representatives Goodman, Springer, O'Brien, Dunshee, Eddy, Blake, Lovick, Upthegrove, Green, Simpson, and Hurst)

Providing for improved availability of motor vehicle fuel during power outages or interruptions in electrical service.

(AS OF HOUSE 2ND READING 3/9/2007)

Provides that, in computing the tax imposed under chapter 82.04 RCW, a credit is allowed for the purchase of an alternative power generation device by an eligible person. The credit is equal to the lesser of fifty percent of the cost of the alternative power generation device or fifty thousand dollars.

Declares that "alternative power generation device" means a device capable of providing electrical power for gasoline service station pumps during periods when regular electrical power is lost including, but not limited to, portable generators, standby generators, emergency generators, or other power generation devices.

Declares that "eligible person" means a person selling motor vehicle or special fuel from a gasoline service station, or other facility, with at least four fuel pumps.

Expires June 30, 2011.

Takes effect August 1, 2007.

-- 2007 REGULAR SESSION --

- Feb 14 Public hearing in committee.
- Feb 22 Executive session in committee.
- Feb 26 Executive session in committee.
- Mar 5 Public hearing and executive action taken in committee.
FIN - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
- Mar 8 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 9 2nd substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 96; nays, 1; absent, 0; excused, 1.
-- IN THE SENATE --
- Mar 12 First reading, referred to Transportation.

HB 2070 by Representatives O'Brien, Goodman, and Pearson

Concerning exceptional sentences.

(AS OF HOUSE 2ND READING 3/8/2007)

Finds that in *State v. Pillatos*, 150 P.3d 1130 (2007), the Washington supreme court held that the changes made to the sentencing reform act concerning exceptional sentences in chapter 68, Laws of 2005 do not apply to cases where the trials had already begun or guilty pleas had already been entered prior to the effective date of the act on April 15, 2005. The legislature intends that the superior courts shall have the authority to impanel juries to find aggravating circumstances in all cases that come before the courts for trial or sentencing, regardless of the date of the original trial or sentencing.

Provides that, in any case where a new trial or new sentencing hearing is required, the superior court shall have

the authority to impanel a jury to consider any aggravating circumstances, as alleged by the state and listed in RCW 9.94A.535(3) (a) through (y), at either the new trial or, if no new trial is necessary, at the new sentencing hearing.

-- 2007 REGULAR SESSION --

- Feb 7 First reading, referred to Public Safety & Emergency Preparedness.
- Feb 21 Public hearing and executive action taken in committee.
PSEP - Executive action taken by committee.
PSEP - Majority; do pass.
- Feb 22 Executive session in committee.
- Feb 23 Passed to Rules Committee for second reading.
- Feb 28 Made eligible to be placed on second reading.
- Mar 6 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 8 Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 2.
- IN THE SENATE --
- Mar 10 First reading, referred to Judiciary.
- Mar 23 Scheduled for public hearing in committee. (Subject to change)

HB 2176-S2 by House Committee on Appropriations (originally sponsored by Representatives Lantz, Warnick, Pedersen, Ross, Hasegawa, Kenney, Santos, and Goodman)

Revising provisions involving court interpreters.

(AS OF HOUSE 2ND READING 3/12/2007)

Provides that each trial court organized under Titles 2, 3 and 35 RCW must develop a written language assistance plan to provide a framework for the provision of interpreter services for non-English-speaking persons accessing the court system in both civil and criminal legal matters.

Provides that each court, when developing its language assistance plan, must consult with judges, court administrators and court clerks, interpreters, and members of the community, such as domestic violence organizations, pro bono programs, courthouse facilitators, legal services programs, and/or other community groups whose members speak a language other than English.

Requires each court receiving reimbursement for interpreter costs under RCW 2.42.120 or 2.43.040 to provide to the administrative office of the courts by November 15, 2008, a report detailing an assessment of the need for interpreter services for non-English speakers in court-mandated classes or programs, the extent to which interpreter services are currently available for court-mandated classes or programs, and the resources that would be required to ensure that interpreters are provided to non-English speakers in court-mandated classes or programs. The administrative office of the courts shall compile these reports and provide them to the appropriate committees of the legislature by December 15, 2008.

Provides that, subject to the availability of funds appropriated for this purpose, the administrative office of the courts shall reimburse the appointing authority for one-half of the payment to the interpreter where a qualified

interpreter is appointed for a hearing impaired person by a judicial officer in a proceeding before a court under this act in compliance with the provisions of RCW 2.42.130 and 2.42.170.

Provides that where an interpreter is appointed by a judicial officer in a proceeding before a court at public expense, the state of Washington shall reimburse the appointing authority for one-half of the payment to the interpreter where: (1) The interpreter appointed is an interpreter certified by the administrative office of the courts or is a qualified interpreter registered by the administrative office of the courts in a noncertified language, or where the necessary language is not certified or registered, the interpreter has been qualified by the judicial officer pursuant to chapter 2.43 RCW;

(2) The court conducting the legal proceeding has an approved language assistance plan that complies with this act; and

(3) The fee paid to the interpreter for services is in accordance with standards established by the administrative office of the courts.

-- 2007 REGULAR SESSION --

- Feb 20 Public hearing in committee.
- Feb 21 Executive session in committee.
- Mar 1 Public hearing in committee.
- Mar 3 Executive session in committee.
APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Mar 5 Passed to Rules Committee for second reading.
- Mar 9 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 12 2nd substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed; yeas, 98; nays, 0; absent, 0; excused, 0.
- IN THE SENATE --
- Mar 14 First reading, referred to Judiciary.
- Mar 21 Scheduled for public hearing in committee. (Subject to change)

HB 2394 by Representatives Clibborn, Jarrett, Kenney, and Moeller

Requesting the issuance and sale of general obligation bonds for transportation improvements.

Requests the issuance and sale of general obligation bonds for transportation improvements.

-- 2007 REGULAR SESSION --

- Mar 20 Scheduled for public hearing and executive session in committee. (Subject to change)
First reading, referred to Transportation.

Senate Joint Memorials

SJM 8021 by Senators McCaslin, Prentice, Haugen, Spanel, Jacobsen, Sheldon, Franklin, Kohl-Welles, Schoesler, Parlette, Clements, and Honeyford

Requesting the Clinton ferry terminal be named the "Jack Metcalf Ferry Terminal."

Requests the Clinton ferry terminal be named the "Jack Metcalf Ferry Terminal."

-- 2007 REGULAR SESSION --

Mar 20 Read first time, rules suspended, and placed on second reading calendar.