



WASHINGTON STATE LEGISLATURE



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Friday, April 17, 2009

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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=2009>.

House Bills

HB 2353 by Representative Dickerson

Delaying the implementation of the family leave insurance program.

Provides that family leave insurance benefits are payable under chapter 49.86 RCW (family leave insurance) only to the extent that the director of the office of financial management determines that moneys are deposited and available in the family leave insurance account for the purpose of benefit payments, and only to the extent provided in RCW 49.86.050 and 49.86.060 (duration, payment, and amount of benefits).

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2354 by Representatives Chase and Hunt

Concerning the taxation of intangible property to provide additional funding for public schools.

Creates the fair school funding act of 2009.

Levies a tax annually as of January 1st of each year at the rate of one dollar per one hundred dollars of the fair market value of all intangible property owned by any individual resident in this state, except as exempted in sections 5 and 6 of the act.

Prohibits a county or municipality of this state or agency or instrumentality of any of the foregoing from levying an ad valorem tax on intangible property as defined in the act.

Requires certain persons to file a return with the department of revenue.

Requires each corporation doing business in this state, on or before March 1st of each year, to: (1) Give a written notice reflecting the value of each class of its securities as of the last business day of the preceding calendar year to each shareholder of record whose mailing address as of such day was within this state; and

(2) File with the department of revenue a copy of that written notice to stockholders.

Requires each subchapter K entity doing business in this state, on or before March 1st of each year, to: (1) Give a written notice reflecting the value of each class of its partnership interests as of the last business day of the preceding calendar year to each owner of an interest in the subchapter K entity of record whose mailing address as of such day was within this state; and

(2) File with the department of revenue a copy of that written notice to partners.

Provides that the act applies to taxes levied for collection in 2010 and thereafter.

Provides for submission of the act to a vote of the people.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Finance.

HB 2355 by Representatives Simpson and Ericks

Clarifying the definition of gambling for the purpose of assisting in the regulation and control of gambling.

Declares that the fines and forfeitures related to enforcement of activities proscribed in chapter 9.46 RCW (1973 gambling act) provide resources to law enforcement and the court system to assist in the regulation and control of gambling.

Modifies the definition of "gambling" in chapter 9.46 RCW.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Commerce & Labor.

HB 2356 by Representative Haigh

Revising student achievement fund allocations.

Revises student achievement fund allocations by requiring the allocation rate for 2009-10 and subsequent school years to be specified in the omnibus operating appropriations act.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2357 by Representative Cody

Concerning modifying nursing facility medicaid payments by clarifying legislative intent regarding the statewide weighted average, freezing case mix indices, and revising the use of the economic trends and conditions factor.

Modifies nursing facility medicaid payments by: (1) Clarifying legislative intent regarding the statewide weighted average;

(2) Freezing case mix indices; and

(3) Revising the use of the economic trends and conditions factor.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2358 by Representative Conway

Increasing liquor license fees limited to fees for beer and/or wine restaurants; taverns; snack bars; combined beer and wine retailers; grocery stores; beer and/or wine specialty shops; passenger trains, vessels, and airplanes; spirits, beer, and wine restaurants; spirits, beer, and wine private clubs; beer and wine private clubs; and public houses.

Increases certain liquor license fees.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2359 by Representative Cody

Concerning delaying the implementation date for peer mentoring for long-term care workers.

Delays the implementation date for long-term care workers' peer mentoring.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.
WAYS - Executive action taken by committee.
WAYS - Majority; do pass.

HB 2360 by Representative Darneille

Concerning consolidation of administrative services for AIDS grants in the department of health.

Consolidates administrative services for AIDS grants in the department of health.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.
WAYS - Executive action taken by committee.
WAYS - Majority; do pass.

HB 2361 by Representative Cody

Concerning modifying state payments for in-home care by prohibiting payment for services provided by agency employees who are related to or live with the client.

Prohibits the department of social and health services from paying a home care agency licensed under chapter 70.127 RCW for in-home personal care services provided under the medicaid in-home personal care program if the care is provided to a client by a family member of the client

or by an agency employee who resides with the client receiving the care.

Requires the department of social and health services to take appropriate enforcement action against a home care agency found to have charged the state for hours of service for which the department is not authorized to pay.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2362 by Representative Kessler

Providing support for judicial branch agencies by imposing surcharges on court fees and requesting the supreme court to consider increases to attorney licensing fees.

Imposes surcharges on court fees and requires those surcharges to be deposited into the judicial stabilization trust account. Expenditures from the account may be used only for the support of judicial branch agencies.

Requests the state supreme court to consider authorizing increases in attorneys' licensing fees in order to support the operation of the state law library.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2363 by Representative Linville

Temporarily suspending cost-of-living increases for educational employees.

Suspends cost-of-living increases for educational employees for fiscal years 2009-2010 and 2010-2011.

Provides to school districts and community and technical college districts, during the 2011-2013 and 2013-2015 fiscal biennia, additional cost-of-living allocations in equal increments such that, by the end of the 2014-2015 academic year, base and/or average salaries will be, at a minimum, equal to what they would have been if cost-of-living allocations had not been suspended.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2364 by Representative Linville

Relating to health care programs to implement the 2009-2011 operating budget.

Declares an intent to adopt legislation to revise health care programs in order to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2365 by Representative Linville

Relating to general government programs to implement the 2009-2011 operating budget.

Declares an intent to adopt legislation to revise general government programs in order to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --
Apr 16 First reading, referred to Ways & Means.

HB 2366 by Representative Linville

Relating to human services programs to implement the 2009-2011 operating budget.

Declares an intent to adopt legislation to revise human services programs in order to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2367 by Representative Linville

Relating to higher education programs to implement the 2009-2011 operating budget.

Declares an intent to adopt legislation to revise higher education programs in order to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2368 by Representative Linville

Relating to natural resources programs to implement the 2009-2011 operating budget.

Declares an intent to adopt legislation to revise natural resources programs in order to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2369 by Representative Linville

Relating to the actuarial funding of the state retirement systems.

Declares an intent to adopt legislation addressing the actuarial funding of the state retirement systems.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2370 by Representative Linville

Relating to education programs to implement the 2009-2011 operating budget.

Declares an intent to adopt legislation to revise education programs in order to implement the 2009-2011 operating budget.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2371 by Representatives Darneille and Kagi

Concerning incentive time for offenders who successfully complete evidence-based programming.

Authorizes an offender to receive thirty days of positive incentive time which will allow the offender to be released thirty days before the earned release date for his or her sentence if, while in the custody of the department of corrections for the current offense, the offender meets certain requirements.

Requires the department of corrections to recalculate and reschedule the expected release dates for each qualified offender on or before August 1, 2009.

Provides that the act applies retroactively to eligible offenders serving terms of total confinement in a state correctional facility as of August 1, 2009.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2372 by Representatives Hunt and Liias

Eliminating the oil spill advisory council.

Eliminates the oil spill advisory council.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2373 by Representatives Morrell and Cody

Delaying the implementation of Initiative Measure No. 1029.

Delays implementation of Initiative Measure No. 1029 which established standards for qualifications, training, and certification of long-term care workers.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2374 by Representatives Klippert, Taylor, O'Brien, Kretz, Grant-Herriot, Haler, Shea, and Pearson

Imposing a mandatory minimum sentence for rape in the third degree.

Requires an offender convicted of the crime of rape in the third degree to be sentenced to a term of total confinement not less than one year.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Public Safety & Emergency Preparedness.

HB 2375 by Representatives Campbell, Morrell, Hunter, Ormsby, Pedersen, Wood, Conway, Simpson, and Chase

Concerning MRSA testing.

Prohibits physicians licensed under chapter 18.71 RCW and osteopathic physicians and surgeons licensed under chapter 18.57 RCW from performing a surgical procedure on a patient unless the patient has been tested for methicillin-resistant staphylococcus aureus at least two weeks, but no earlier than three weeks, before the surgery.

Requires a hospital licensed under chapter 70.41 RCW to verify that any surgical patient in the hospital has been tested for methicillin-resistant staphylococcus aureus.

Prohibits the hospital from allowing a surgical patient to undergo surgery in the hospital unless the testing has occurred.

Provides that the act does not apply to a patient receiving emergency surgery or a patient in the hospital's intensive care unit.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Health Care & Wellness.

HB 2376 by Representative Pettigrew

Delaying the implementation of Initiative Measure No. 1029.

Delays implementation of Initiative Measure No. 1029 which established standards for qualifications, training, and certification of long-term care workers.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

HB 2377 by Representatives Pettigrew, Dickerson, Darneille, Williams, and Hunt

Funding health care and the working families' tax rebate with a voter-approved temporary sales tax increase.

Asks the voters to approve temporary tax increases in order to fund health care and to support working families during this time of revenue shortfalls.

Creates the health care trust account.

Makes appropriations.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Health & Human Services Appropriations.

HB 2378 by Representatives Haigh, Hunt, and Conway; by request of Governor Gregoire

Changing the maximum levy percentage for school districts that have a levy approved by the voters prior to May 1, 2009.

Requires the maximum levy percentages provided in RCW 84.52.0531(5) to be increased by four percentage points for school districts with a levy approved by the voters before May 1, 2009: (1) For collection in calendar year 2010 for 2010; and

(2) For collection in calendar year 2011 for 2011.

Expires January 1, 2012.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

House Joint Memorials

HJM 4019 by Representatives DeBolt and Short

Requesting the implementation of NextGen capabilities to modernize and improve the nation's air transportation system.

Requests congress and the president to work to expedite implementation of NextGen capabilities to modernize and improve the nation's air transportation system.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Transportation.

Senate Bills

SB 6108-S by Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Holmquist, and Kohl-Welles)

Allowing the state lottery to enter into agreements to conduct multistate shared games. (REVISED FOR ENGROSSED: Allowing the state lottery commission to enter into an agreement to conduct an additional shared lottery game.)

(AS OF SENATE 2ND READING 4/14/2009)

Authorizes the state lottery commission to enter into agreements to conduct the multistate shared game lottery known as Powerball.

-- 2009 REGULAR SESSION --

Mar 16 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 23 Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 24 WM - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass. Minority; without recommendation. Passed to Rules Committee for second reading.

Apr 6 Made eligible to be placed on second reading.

Apr 9 Placed on second reading by Rules Committee.

Apr 14 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 35; nays, 12; absent, 0; excused, 2.

-- IN THE HOUSE --

Apr 16 First reading, referred to Ways & Means.

SB 6174 by Senators Brandland, Marr, and Hatfield

Concerning the disclosure of information regarding persons who are involved in executions.

Provides that records, materials, and other information that reveal, or could reasonably lead to discovery of, the identity of persons who directly participate in an execution under RCW 10.95.180, and the physician who pronounces death are: (1) Confidential and privileged;

(2) Not subject to public disclosure under the public records act; and

(3) Not subject to subpoena or discovery in a civil case.

Provides that the act applies retroactively, as well as prospectively, to all past and future executions.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Judiciary.

SB 6175 by Senators Kline, Hargrove, and Kohl-Welles

Concerning correctional cost savings.

Declares that the legislature finds the need to effect cost savings through the possible use of sentencing changes, prison releases, prison closures, and decreased supervision.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6176 by Senator Keiser

Adjusting medical assistance payment rates for hospitals.

Authorizes the department of social and health services to adjust payment rates to comport with payment rate changes made to noncritical access hospitals.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6177 by Senator Kastama

Regarding public financing of campaigns.

Creates the citizens public campaign act which creates a system of clean elections for state office campaigns through public financing, thereby focusing campaigns on issues and away from the sources of campaign contributions.

Creates the citizens public campaign fund. Expenditures from the fund may be used only for the purposes of the citizens public campaign act.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Government Operations & Elections.

SB 6178 by Senators Prentice and Tom

Relating to general assistance.

Introduced by title and introductory section only.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6179 by Senators Tom, Fairley, and Prentice

Concerning chemical dependency specialist services.

Removes the requirement that the department of social and health services must contract for chemical dependency specialist services at each division of children and family services office.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6180 by Senators Keiser, Tom, and Prentice

Relating to home care workers.

Introduced by title and introductory section only.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6181 by Senators Tom, Prentice, and Fairley

Concerning the intensive resource home pilot.

Requires the department of social and health services to begin the selection of, and negotiation of contracts with, intensive resource home providers in selected pilot sites when specific funds have been appropriated by the legislature for implementation of the intensive resource home pilot.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6182 by Senators Fairley, Prentice, and Tom

Concerning residential habilitation centers.

Authorizes the department of social and health services to provide services through state residential habilitation centers to eligible persons who are in need and have developmental disabilities.

Eliminates statutory language establishing permanent residential habilitation centers in five locations.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.

SB 6183 by Senator Regala

Changing the provisions relating to the early deportation of illegal alien offenders.

Prohibits an alien offender from being released under RCW 9.94A.685 unless the secretary of the department of corrections or the secretary's designee has reached an agreement with the immigration and customs enforcement

agency that the alien offender placed on conditional release status will be detained in total confinement at a facility operated by the immigration and customs enforcement agency pending the offender's return to the country of origin or other location designated in the final deportation or exclusion order.

-- 2009 REGULAR SESSION --

Apr 16 First reading, referred to Ways & Means.