



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 45

### SIXTY-FIRST LEGISLATURE

**Tuesday, March 17, 2009**

**65th Day - 2009 Regular Session**

<b>SENATE</b>	SB 5110-S	SB 5262-S	SB 5583-S	SB 5716-S	SB 5735-S2	SB 5742-S	SB 5807-S
	SB 5809-S2	SB 5810	SB 5894	SB 5895-S2	SB 5916-S2	SB 6015-S2	SB 6035-S
<b>HOUSE</b>	HB 1393-S2	HB 1496-S	HB 1512-S	HB 1571-S	HB 1782-S	HB 1836	HB 1887-S
	HB 1954-S	HB 1965	HB 2222-S	HB 2242	HB 2245-S	HB 2261-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=2009>.

### House Bills

**HB 1393-S2** by House Committee on Ways & Means (originally sponsored by Representatives Springer, Kessler, Eddy, Ormsby, Van De Wege, Lias, Morrell, Roberts, Upthegrove, and Sullivan)

Addressing residential real property construction improvements through consumer education, warranty protections, contractor registration requirements, and worker certification standards.

(AS OF HOUSE 2ND READING 3/11/2009)

Creates the office of consumer education for home construction in the office of the attorney general to be the primary point of contact for consumers in matters related to residential construction.

Creates a home construction board within the office to investigate and mediate construction defect claims.

Modifies aspects of the common law implied warranty of habitability.

Requires every contract for the sale or construction of new residential real property to provide written express warranties that meet specified requirements.

-- 2009 REGULAR SESSION --

Feb 4 Public hearing in the House Committee on Judiciary at 8:00 AM.

Feb 19 Executive action taken in the House Committee on Judiciary at 10:00 AM.

Feb 27 WAYS - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Public hearing and executive action taken in the House Committee on Ways & Means at 1:30 PM.

Mar 2 Passed to Rules Committee for second reading.

Mar 4 Placed on second reading by Rules Committee.

Mar 11 2nd substitute bill substituted. Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 52; nays, 45; absent, 0; excused, 0.

-- IN THE SENATE --

Mar 13 First reading, referred to Labor, Commerce & Consumer Protection.

**HB 1496-S** by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Roberts, Hurst, O'Brien, Simpson, Hinkle, Van De Wege, Ericks, and Sells)

Changing the membership to the state interoperability executive committee.

(AS OF HOUSE 2ND READING 3/11/2009)

Expands membership of the state interoperability executive committee.

Provides that legislative members of the committee shall not be reimbursed for travel expenses and nonlegislative members must seek reimbursement for travel and other membership expenses through their respective agencies or organizations.

-- 2009 REGULAR SESSION --

Feb 3 Public hearing in the House Committee on Public Safety & Emergency Preparedness at 10:00 AM.

Feb 11 PSEP - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the House

Committee on Public Safety & Emergency Preparedness at 1:30 PM.

Feb 17 Passed to Rules Committee for second reading.

Mar 9 Rules Committee relieved of further consideration. Placed on second reading.

Mar 11 1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 1.

-- IN THE SENATE --

Mar 13 First reading, referred to Government Operations & Elections.

**HB 1512-S** by House Committee on Transportation (originally sponsored by Representatives Haler, Roach, and Klippert)

Authorizing the funding of rail freight service through grants.

(AS OF HOUSE 2ND READING 3/12/2009)

Allows funding through grants for improvements to privately owned railroads, railroad property, or other private property under chapter 47.76 RCW (rail freight service) for freight rail projects that meet certain minimum eligibility criteria for state assistance and which are supported by contractual consideration.

-- 2009 REGULAR SESSION --

Feb 4 Public hearing in the House Committee on Transportation at 3:30 PM.

Feb 5 TR - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the House Committee on Transportation at 3:30 PM.

Feb 10 Passed to Rules Committee for second reading.

Mar 6 Placed on second reading.

Mar 12 1st substitute bill substituted.

Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 1.

-- IN THE SENATE --

Mar 13 First reading, referred to Transportation.

**HB 1571-S** by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake and Chandler; by request of Department of Ecology)

Regarding the adjudication of water rights.

(AS OF HOUSE 2ND READING 3/12/2009)

Modernizes language relating to water right adjudications.

Establishes the requirements for the adjudication claims.

Encourages the settlement of adjudication claims out of court.

Provides criteria for the disqualification of judges.

Provides that the act applies only to adjudications initiated after the effective date of the act.

-- 2009 REGULAR SESSION --

Jan 30 Public hearing in the House Committee on Agriculture & Natural Resources at 1:30 PM.

Feb 20 AGNR - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 PM.

Feb 23 Passed to Rules Committee for second reading.

Mar 10 Rules Committee relieved of further consideration. Placed on second reading.

Mar 12 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 84; nays, 12; absent, 0; excused, 1.

-- IN THE SENATE --

Mar 16 First reading, referred to Environment, Water & Energy.

**HB 1782-S** by House Committee on Early Learning & Children's Services (originally sponsored by Representatives Goodman, Roberts, Walsh, Dickerson, Darneille, Kagi, and Nelson)

Concerning parent participation in dependency matters.

(AS OF HOUSE 2ND READING 3/11/2009)

Adds language to the notice to parents regarding shelter care hearings and the child dependency process.

Requires the department of social and health services, after entry of a dispositional order pursuant to RCW 13.34.130 ordering placement of a child in out-of-home care, to continue to encourage the parent, guardian, or custodian of the child to engage in services and maintain contact with the child, which shall be accomplished by attaching a standard notice to the services and safety plan to be provided in advance of hearings.

Requires the court, in determining placement, to weigh the child's length of stay and attachment to the current provider in determining what is in the best interest of the child.

Permits the dependency court to consider a parent's failure to have contact with a child for an extended period of time when the court is analyzing the likelihood that conditions will be remedied so that the child may return to the parent's care in the near future.

-- 2009 REGULAR SESSION --

Feb 10 Public hearing in the House Committee on Early Learning & Children's Services at 1:30 PM.

Feb 20 ELCS - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the House Committee on Early Learning & Children's Services at 1:30 PM.

Feb 23 Passed to Rules Committee for second reading.

Mar 6 Placed on second reading.

Mar 11 1st substitute bill substituted.

Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 1.

-- IN THE SENATE --

Mar 13 First reading, referred to Human Services & Corrections.

**HB 1836** by Representatives Ormsby, Wood, Dunshee, Campbell, Moeller, Van De Wege, Simpson, Driscoll, Chase, and Conway

Regarding public works involving off-site prefabrication.

(AS OF HOUSE 2ND READING 3/12/2009)

Requires a contract for any public work estimated to cost over one million dollars to contain a provision requiring all contracts entered into by the prime contractor, all subcontractors and their subcontractors, and employers who are not required to register as contractors under chapter 18.27 RCW: (1) To submit a certified list of any off-site,

prefabricated, nonstandard, project-specific items produced under the terms of each respective contract and produced outside Washington; and

(2) For the production of off-site, prefabricated, nonstandard, project-specific items which are produced outside Washington contain a requirement for the production of certified copies of payroll records.

Provides that the act applies to contracts entered into on or after September 1, 2009, and expires December 31, 2011.

-- 2009 REGULAR SESSION --

- Jan 30 First reading, referred to Commerce & Labor.
- Feb 10 Public hearing in the House Committee on Commerce & Labor at 10:00 AM.
- Feb 20 CL - Executive action taken by committee. CL - Majority; do pass. Minority; do not pass. Executive action taken in the House Committee on Commerce & Labor at 8:00 AM.
- Feb 23 Passed to Rules Committee for second reading.
- Mar 9 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 12 Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 61; nays, 36; absent, 0; excused, 0.

-- IN THE SENATE --

- Mar 16 First reading, referred to Labor, Commerce & Consumer Protection.

**HB 1887-S** by House Committee on Local Government & Housing (originally sponsored by Representative Takko)

Authorizing the annexation of contiguous territory outside of a diking district that receives services from the district.

(AS OF HOUSE 2ND READING 3/11/2009)

Authorizes contiguous territory outside of a diking district that receives services from the district to be annexed into the district, except for land owned, managed, or leased by a federally recognized Indian tribe or tribal trust land.

Provides that territory bounded by a river, lake, or other body of water is contiguous to a district that is also bounded by the same river, lake, or other body of water.

-- 2009 REGULAR SESSION --

- Feb 12 Public hearing in the House Committee on Local Government & Housing at 10:00 AM.
- Feb 16 LGH - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass. Executive action taken in the House Committee on Local Government & Housing at 1:30 PM.
- Feb 20 Passed to Rules Committee for second reading.
- Mar 4 Placed on second reading by Rules Committee.
- Mar 11 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 97; nays, 0; absent, 0; excused, 0.

-- IN THE SENATE --

- Mar 13 First reading, referred to Government Operations & Elections.

**HB 1954-S** by House Committee on Human Services (originally sponsored by Representative Dickerson)

Sealing juvenile records under certain conditions.

(AS OF HOUSE 2ND READING 3/11/2009)

Requires records of certain deferred disposition cases vacated to be sealed no later than thirty days after a juvenile's eighteenth birthday provided the juvenile does not have any charges pending at that time.

-- 2009 REGULAR SESSION --

- Feb 12 Public hearing in the House Committee on Human Services at 10:00 AM.
  - Feb 19 HS - Majority; 1st substitute bill be substituted, do pass. Executive action taken in the House Committee on Human Services at 10:00 AM.
  - Feb 23 Referred to General Government Appropriations.
  - Feb 26 APPG - Executive action taken by committee. APPG - Majority; do pass 1st substitute bill proposed by Human Services. Public hearing and executive action taken in the House Committee on General Government Appropriations at 8:00 AM.
  - Mar 2 Passed to Rules Committee for second reading.
  - Mar 10 Rules Committee relieved of further consideration. Placed on second reading.
  - Mar 11 1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 1.
- IN THE SENATE --
- Mar 13 First reading, referred to Human Services & Corrections.

**HB 1965** by Representatives Hunt, Upthegrove, Dickerson, and Simpson

Granting leave to employees with sensory disabilities to attend service animal training.

(AS OF HOUSE 2ND READING 3/11/2009)

Requires the department of personnel to adopt rules that authorize state agencies to provide allowances to employees with sensory disabilities who must attend training necessary to attain a new service animal.

Requires an employee, if the necessity to attend training for a new service animal is foreseeable and the training will cause the employee to miss work, to provide the employer with not less than thirty days' notice, before the date the absence is to begin, of the employee's impending absence.

Authorizes an agency to require that a request to attend service animal training be supported by a certification issued by the relevant training organization.

- 2009 REGULAR SESSION --
- Feb 4 First reading, referred to State Government & Tribal Affairs.
- Feb 19 SGTA - Executive action taken by committee.  
SGTA - Majority; do pass.  
Public hearing and executive action taken in the House Committee on State Government & Tribal Affairs at 8:00 AM.
- Feb 20 Passed to Rules Committee for second reading.
- Mar 10 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 11 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 97; nays, 0; absent, 0; excused, 0.  
-- IN THE SENATE --
- Mar 13 First reading, referred to Government Operations & Elections.
- HB 2222-S** by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Kretz, Short, Eddy, Smith, Takko, Hinkle, Hudgins, Springer, Herrera, Morris, Warnick, Williams, and Chandler)
- Creating a technical assistance program for industrial and construction storm water permit permittees. (REVISED FOR ENGROSSED: Regarding conditioning industrial storm water general discharge permits.)  
(AS OF HOUSE 2ND READING 3/11/2009)
- Requires the department of ecology to: (1) By November 1, 2009, modify or reissue the industrial storm water general permit;
- (2) Implement a technical assistance program, by July 1, 2010;
- (3) Develop a long-term compliance assessment and enforcement plan for the construction and industrial storm water general permits, by June 30, 2010;
- (4) Create a storm water technical resource center in partnership with a university, nonprofit organization, or other public or private entity to provide tools for storm water management; and
- (5) Consult with an advisory committee in the development of the center.
- Authorizes the department of ecology to establish a compliance schedule for industrial storm water general permittees.
- Authorizes industrial storm water general permittees to elect to have an individual storm water permit or coverage under an alternative permit.
- 2009 REGULAR SESSION --
- Feb 19 Public hearing in the House Committee on Agriculture & Natural Resources at 8:00 AM.
- Feb 20 AGNR - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 PM.
- Feb 23 Passed to Rules Committee for second reading.
- Mar 6 Placed on second reading.
- Mar 11 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 97; nays, 0; absent, 0; excused, 0.  
-- IN THE SENATE --
- Mar 13 First reading, referred to Environment, Water & Energy.
- HB 2242** by Representatives Kenney, Probst, Maxwell, Hunt, Liias, Ormsby, Kelley, Sullivan, Hasegawa, Quall, White, and Chase; by request of Governor Gregoire
- Creating a department of commerce.  
(AS OF HOUSE 2ND READING 3/12/2009)
- Changes the name of the department of community, trade, and economic development to the department of commerce.
- Requires the director of the department of commerce to:
- (1) In collaboration with the office of the governor, the office of financial management, and the chairs and ranking minority members of the house community and economic development and trade committee and the senate economic development, trade and innovation committee, make recommendations for the governor and appropriate legislative committees on the department's mission, goals, structure, responsibilities, and program alignment; and
- (2) Recommend options for locating essential services to communities and individuals outside the department, including the possible need for a separate new department for critical programs such as community services, capital programs, and housing.
- Directs the code reviser to prepare legislation for the 2010 regular session that changes all statutory references to director or department of community, trade, and economic development to director or department of commerce.
- 2009 REGULAR SESSION --
- Feb 17 First reading, referred to Community & Economic Development & Trade.
- Feb 18 Public hearing in the House Committee on Community & Economic Development & Trade at 8:00 AM.
- Feb 19 CEDT - Executive action taken by committee.  
CEDT - Majority; do pass.  
Minority; do not pass.  
Executive action taken in the House Committee on Community & Economic Development & Trade at 10:00 AM.
- Feb 23 Passed to Rules Committee for second reading.
- Mar 9 Rules Committee relieved of further consideration. Placed on second reading.
- Mar 12 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 96; nays, 1; absent, 0; excused, 0.  
-- IN THE SENATE --
- Mar 16 First reading, referred to Economic Development, Trade & Innovation.
- HB 2245-S** by House Committee on Ways & Means

(originally sponsored by Representative Cody; by request of Governor Gregoire)

Clarifying public employees' benefits board eligibility.  
(AS OF HOUSE 2ND READING 3/11/2009)

Authorizes the public employees' benefits board to: (1) Determine eligibility criteria for benefits; and

(2) Establish eligibility rules for employees who work less than full time.

Authorizes the health care authority to use different eligibility criteria when contracting to provide coverage for a school district, local government, or tribal government.

Allows school districts and educational service districts that purchase employee benefits through the public employees' benefits board program to be charged on a school-year basis rather than a fiscal year basis.

Makes eligibility determinations subject to periodic review.

-- 2009 REGULAR SESSION --

Feb 24 Public hearing in the House Committee on Ways & Means at 1:30 PM.

Mar 2 WAYS - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Executive action taken in the House Committee on Ways & Means at 1:30 PM.

Mar 6 Placed on second reading.

Mar 11 1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 97; nays, 0; absent, 0; excused, 0.

-- IN THE SENATE --

Mar 13 First reading, referred to Ways & Means.

**HB 2261-S** by House Committee on Education Appropriations (originally sponsored by Representatives Sullivan, Priest, Hunter, Anderson, Maxwell, White, Quall, Lias, Dammeier, Rodne, Wallace, Pedersen, Kelley, Goodman, Springer, Hope, Nelson, Miloscia, Carlyle, Hunt, Morris, Morrell, Probst, Pettigrew, Eddy, Simpson, Kenney, Moeller, Smith, Condotta, McCoy, Kagi, Chase, Rolfes, Clibborn, Ormsby, Haler, and Cox)

Concerning the state's education system.

(AS OF HOUSE 2ND READING 3/12/2009)

Declares an intent to: (1) Fulfill the legislature's obligation under Article IX of the state Constitution to define and fund a program of basic education for children residing in the state and attending public schools;

(2) Establish a general and uniform system of public schools; and

(3) Adopt a schedule for the concurrent implementation of the redefined program of basic education and the resources necessary to support it, beginning in the 2011-12 school year and phased in over a six-year time period.

Sets forth financing formulas based on a prototypical school model using certain input.

Addresses requirements relating to expanded minimum instructional hours, instruction for twenty-four credits for high school graduation, full day kindergarten, and supplemental instruction for students who are

underachieving, non-English proficient, highly capable, and in special education.

Creates the basic education steering committee to monitor and oversee implementation of the new definition of basic education. The committee expires on June 30, 2017.

Creates an achievement gap working group to provide oversight and accountability in the development of policies to close the achievement gap.

Requires the office of financial management and the office of the superintendent of public instruction to convene a technical working group to: (1) Develop the details of the funding formulas under RCW 28A.150.260;

(2) Recommend an implementation schedule for phasing-in any increased program or instructional requirements concurrently with increases in funding for adoption by the legislature;

(3) Examine possible sources of revenue to support increases in funding allocations and present options to the steering committee for consideration;

(4) Recommend options for a compensation system that provides support for effective teaching and recruitment and retention of high quality staff; and

(5) Develop options for a new system of supplemental school funding through local school levies and local effort assistance.

Requires the department of early learning and the office of the superintendent of public instruction to convene a working group to develop the basic education program of early learning.

-- 2009 REGULAR SESSION --

Feb 25 Public hearing in the House Committee on Education Appropriations at 8:00 AM.

Public hearing in the House Committee on Education Appropriations at 1:30 PM.

Mar 2 APPE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Referred to Ways & Means.

Public hearing and executive action taken in the House Committee on Education Appropriations at 12:00 PM.

Mar 6 Public hearing in the House Committee on Ways & Means at 12:00 PM.

Mar 9 WAYS - Executive action taken by committee.

WAYS - Majority; do pass 1st substitute bill proposed by Education Appropriations.

Minority; do not pass.

Placed on second reading.

Executive action taken in the House Committee on Ways & Means at 9:00 AM.

Mar 12 1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 71; nays, 26; absent, 0; excused, 0.

-- IN THE SENATE --

Mar 16 First reading, referred to Early Learning & K-12 Education.

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### Senate Bills

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**SB 5110-S** by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Honeyford, Schoesler, McCaslin, Hewitt, Kohl-Welles, McDermott, and Holmquist)

Allowing spas, wedding boutiques, and art galleries to serve wine or beer to their customers who are twenty-one years of age or older. (REVISED FOR ENGROSSED: Allowing wedding boutiques and art galleries to serve wine or beer to their customers who are twenty-one years of age or older. )

(AS OF SENATE 2ND READING 3/12/2009)

Allows wedding boutiques and art galleries to serve wine or beer to their customers who are at least twenty-one years old.

-- 2009 REGULAR SESSION --

Jan 20 Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 1:30 PM.

Feb 5 Executive action taken in the Senate Committee on Labor and Commerce & Consumer Protection at 3:30 PM.

Feb 9 LCCP - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

Feb 10 Made eligible to be placed on second reading.

Mar 9 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 44; nays, 3; absent, 0; excused, 2.

-- IN THE HOUSE --

Mar 13 First reading, referred to Commerce & Labor.

**SB 5262-S** by Senate Committee on Judiciary (originally sponsored by Senators Kline, Brandland, and Shin)

Allowing law enforcement access to driver's license photographs for the purposes of identity verification. (REVISED FOR ENGROSSED: Allowing law enforcement and court access to driver's license photographs for the purposes of identity verification. )

(AS OF SENATE 2ND READING 3/11/2009)

Allows law enforcement access to driver's license photographs for the purposes of verifying identity when a law enforcement officer is authorized by law to request identification from an individual.

Authorizes the department of licensing to make driver's license photographs available to judicial officers for the purpose of verifying identity of an individual in a court proceeding only if the requesting judicial officer declares to the department that he or she has given notice to the parties that the request to the department will be made.

-- 2009 REGULAR SESSION --

Feb 4 Public hearing in the Senate Committee on Judiciary at 3:30 PM.

Feb 13 Executive action taken in the Senate Committee on Judiciary at 1:30 PM.

Feb 18 JUD - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

Mar 5 Made eligible to be placed on second reading.

Mar 9 Placed on second reading by Rules Committee.

Mar 11 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 44; nays, 0; absent, 2; excused, 3.

-- IN THE HOUSE --

Mar 13 First reading, referred to Public Safety & Emergency Preparedness.

**SB 5583-S** by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Marr, Honeyford, Rockefeller, Morton, Fraser, Sheldon, and Shin; by request of Department of Ecology)

Improving the effectiveness of water bank and exchange provisions.

(AS OF SENATE 2ND READING 3/12/2009)

Finds that: (1) Many watershed groups and programs have proposed or considered using the state trust water rights program for water banking purposes to meet vital instream and out-of-stream needs within a watershed or region; and

(2) Water banking can: Provide critical tools to make water supplies available when and where needed during times of drought; improve stream flows and preserve instream values during fish critical periods; reduce water transaction costs, time, and risk to purchasers; facilitate fair and efficient reallocation of water from one beneficial use to another; provide water supplies to offset impacts related to future development and the issuance of new water rights; and facilitate water agreements that protect upstream community values while retaining flexibility to meet critical downstream water needs in times of scarcity.

Declares an intent to: (1) Provide clear authority for water banking throughout the state; and

(2) Improve the effectiveness of the state trust water rights program.

-- 2009 REGULAR SESSION --

Feb 3 Public hearing in the Senate Committee on Environment and Water & Energy at 10:00 AM.

Feb 10 Executive action taken in the Senate Committee on Environment and Water & Energy at 10:00 AM.

Feb 11 EWE - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

Feb 17 Made eligible to be placed on second reading.

- Mar 12 Placed on second reading by Rules Committee.  
1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 46; nays, 1; absent, 0; excused, 2.  
-- IN THE HOUSE --
- Mar 13 First reading, referred to Agriculture & Natural Resources.

**SB 5716-S** by Senate Committee on Government Operations & Elections (originally sponsored by Senator McCaslin)

Regarding election requirements for the creation of municipal wards.

(AS OF SENATE 2ND READING 3/12/2009)

Authorizes noncharter code cities to be divided into wards and the boundaries of existing wards to be changed, upon approval of a majority of the voters voting on such a proposal.

Prohibits the boundaries from being changed during the period starting on the thirtieth day before the first day for candidates to file for the primary election and ending with the day of the general election.

-- 2009 REGULAR SESSION --

- Feb 17 Public hearing in the Senate Committee on Government Operations & Elections at 1:30 PM.
- Feb 19 Executive action taken in the Senate Committee on Government Operations & Elections at 3:30 PM.
- Feb 23 GO - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.
- Mar 5 Made eligible to be placed on second reading.
- Mar 6 Placed on second reading by Rules Committee.
- Mar 12 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 45; nays, 4; absent, 0; excused, 0.  
-- IN THE HOUSE --
- Mar 13 First reading, referred to Local Government & Housing.

**SB 5735-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller, Hargrove, Jacobsen, Ranker, Fraser, Keiser, Jarrett, Franklin, Shin, Kohl-Welles, Regala, McAuliffe, and Kline; by request of Governor Gregoire)

Reducing greenhouse gas emissions.

(AS OF SENATE 2ND READING 3/11/2009)

Requires the state to adhere to certain policies when presenting its position on any regional or national emissions reduction program that relies on a multisector, market-based approach to regulating greenhouse gas emissions.

Requires the department of ecology to: (1) Recommend a greenhouse gas emissions reduction program that sets

statewide and sector emission caps for persons that annually emit at or above twenty-five thousand metric tons of carbon dioxide equivalents;

(2) Report to the legislature on alternative strategies the state may implement to meet the requirements in RCW 70.235.020 (greenhouse gas emissions reductions--reporting requirements);

(3) Recommend criteria for issuing and accepting offset credits for offset projects that may be used to meet a person's compliance obligation in a state, regional, or national emissions reduction program;

(4) Present the state's policy on forestry offset projects established under section 6 of the act as the state's position when developing the criteria for forestry offset projects within any other regional or national cap and trade emissions reduction program; and

(5) In consultation with the forest practices board, the department of natural resources, and the forest carbon working group, develop the state's policy for forestry offset projects within Washington and develop and deliver to the legislature by December 1, 2010, legislation to implement a financial incentives program for forestry and forest products.

Authorizes the director of the department of ecology to continue discussions with other jurisdictions in the western climate initiative.

Requires the governor to direct the department of ecology, in collaboration with the states of Oregon and California, to develop a multistate electric vehicle infrastructure initiative.

Requires certain regional transportation planning organizations, in collaboration with representatives from the departments of ecology, transportation, and community, trade, and economic development, local governments, and the office of regulatory affairs, to seek federal or private funding for the planning for, deployment of, or regulations concerning electric vehicle infrastructure.

Creates the emissions reduction assistance account.

Provides that the act shall be in effect only to the extent that funds are specifically appropriated for the purposes of the act.

-- 2009 REGULAR SESSION --

- Feb 3 Public hearing in the Senate Committee on Environment and Water & Energy at 10:00 AM.
- Feb 10 Public hearing in the Senate Committee on Environment and Water & Energy at 10:00 AM.
- Feb 24 Executive action taken in the Senate Committee on Environment and Water & Energy at 10:00 AM.
- Feb 27 Public hearing in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 2 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.  
Executive action taken in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 9 Placed on second reading by Rules Committee.
- Mar 11 2nd substitute bill substituted.  
Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 29; nays, 19;  
absent, 0; excused, 1.

-- IN THE HOUSE --

Mar 13 First reading, referred to Ecology & Parks.

**SB 5742-S** by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, McCaslin, Hobbs, Schoesler, and Hatfield)

Concerning crime-free rental housing.

(AS OF SENATE 2ND READING 3/11/2009)

Authorizes a city, town, or county to: (1) Adopt and implement a local government crime-free rental housing program designed to reduce crime, drugs, and gangs on rental properties;

(2) Waive all or part of the cost of a landlord's business license or rental registration fee in exchange for participation in the program so long as the fee does not exceed the greater of the amount of a standard business license or rental registration fee in the jurisdiction or seven hundred fifty dollars; and

(3) Require the landlord to participate in a crime-free rental housing program and pay a monetary penalty set forth in ordinance for any police call for criminal activity, not to exceed one hundred fifty dollars per call, until the criminal activity is abated, if law enforcement has investigated criminal activity on the rental housing premises of the landlord on three separate occasions within a three-month period and the landlord has not made a good faith effort to deter the criminal activity.

-- 2009 REGULAR SESSION --

Feb 12 Public hearing in the Senate Committee on Human Services & Corrections at 3:30 PM.

Feb 23 Executive action taken in the Senate Committee on Human Services & Corrections at 6:00 PM.

Feb 25 HSC - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.

Mar 6 Placed on second reading by Rules Committee.

Mar 11 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 46; nays, 1;  
absent, 0; excused, 2.

-- IN THE HOUSE --

Mar 13 First reading, referred to Judiciary.

**SB 5807-S** by Senate Committee on Ways & Means (originally sponsored by Senators Brandland, Fraser, McAuliffe, King, Oemig, and Shin)

Concerning the use of capital projects funds by school districts.

(AS OF SENATE 2ND READING 3/11/2009)

Authorizes certain school district capital projects funds to be used for renovation of facilities and systems that extends the useful life of the facility or system beyond its original planned useful life, major equipment repair,

exterior painting of facilities, and other major preventative maintenance purposes.

-- 2009 REGULAR SESSION --

Feb 18 Public hearing in the Senate Committee on Ways & Means at 1:30 PM.

Feb 25 WM - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.  
Executive action taken in the Senate Committee on Ways & Means at 1:30 PM.

Mar 3 Made eligible to be placed on second reading.

Mar 9 Placed on second reading by Rules Committee.

Mar 11 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 44; nays, 1;  
absent, 1; excused, 3.

-- IN THE HOUSE --

Mar 13 First reading, referred to Capital Budget.

**SB 5809-S2** by Senate Committee on Ways & Means (originally sponsored by Senator Hargrove)

Revising unemployment compensation and workforce training provisions.

(AS OF SENATE 2ND READING 3/11/2009)

Reduces the amount paid by employers in the state to the unemployment compensation fund.

Establishes a separate fund for workforce training grants for dislocated workers.

Makes available high employer demand training funds for use by the state board for community and technical colleges to serve individuals who are eligible for or have exhausted entitlement to unemployment compensation benefits and are enrolled in a high employer demand program of study or a forest product industry training program, subject to availability of funds.

Directs the employment security department to encourage an increase in education and training through grants and local plan modifications with workforce development councils.

-- 2009 REGULAR SESSION --

Feb 10 Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 6:00 PM.

Feb 24 Executive action taken in the Senate Committee on Labor and Commerce & Consumer Protection at 1:30 PM.

Mar 2 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

Public hearing and executive action taken in the Senate Committee on Ways & Means at 1:30 PM.

Mar 6 Placed on second reading by Rules Committee.

Mar 7 2nd substitute bill substituted.  
Held on second reading.

Mar 11 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 48; nays, 1;  
absent, 0; excused, 0.

-- IN THE HOUSE --

Mar 13 First reading, referred to Commerce &  
Labor.

**SB 5810** by Senators Kauffman, Berkey, Shin, Franklin,  
Keiser, Tom, and Kohl-Welles; by request of  
Governor Gregoire

Concerning foreclosures on deeds of trust.

(AS OF SENATE 2ND READING 3/12/2009)

Revises provisions regarding foreclosures on deeds of  
trust.

Expires certain provisions of the act on December 31,  
2012.

-- 2009 REGULAR SESSION --

Feb 3 First reading, referred to Financial  
Institutions, Housing & Insurance.

Feb 18 Public hearing in the Senate Committee on  
Financial Institutions and Housing &  
Insurance at 3:30 PM.

Feb 24 Public hearing, executive action taken in  
the Senate Committee on Financial  
Institutions, and Housing & Insurance at  
10:00 AM.

Feb 25 FIHI - Majority; 1st substitute bill be  
substituted, do pass.  
Passed to Rules Committee for second  
reading.

Mar 4 Placed on second reading by Rules  
Committee.

Mar 12 1st substitute bill not substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 33; nays, 16;  
absent, 0; excused, 0.

-- IN THE HOUSE --

Mar 13 First reading, referred to Judiciary.

**SB 5894** by Senators Haugen and Parlette

Authorizing the utilities and transportation commission to  
forbear from rate and service regulation of certain  
transportation services.

(AS OF SENATE 2ND READING 3/11/2009)

Authorizes the utilities and transportation commission  
to refrain from rate and service regulation of certain  
transportation services.

Requires the utilities and transportation commission,  
within its existing resources, to study the appropriateness of  
rate and service regulation of commercial ferries operating  
on Lake Chelan. This authority expires December 31, 2009.

-- 2009 REGULAR SESSION --

Feb 5 First reading, referred to Transportation.

Feb 17 Public hearing in the Senate Committee on  
Transportation at 3:30 PM.

Feb 18 Executive action taken in the Senate  
Committee on Transportation at 1:30  
PM.

Feb 20 TRAN - Majority; 1st substitute bill be  
substituted, do pass.

Passed to Rules Committee for second  
reading.

Mar 9 Placed on second reading by Rules  
Committee.

Mar 11 1st substitute bill not substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 46; nays, 3;  
absent, 0; excused, 0.

-- IN THE HOUSE --

Mar 13 First reading, referred to Transportation.

**SB 5895-S2** by Senate Committee on Ways & Means  
(originally sponsored by Senators Tom,  
Kohl-Welles, Fraser, and McDermott)

Addressing residential real property construction  
improvements through warranty protections, legal  
remedies, third-party inspections, contractor registration  
requirements, worker certification standards, and bonding  
requirements. (REVISED FOR ENGROSSED: Addressing  
residential real property construction improvements  
through consumer education, warranty protections, legal  
remedies, third-party inspections, contractor registration  
requirements, worker certification standards, and bonding  
requirements.)

(AS OF SENATE 2ND READING 3/11/2009)

Creates the office of consumer education for home  
construction in the office of the attorney general. The office  
shall: (1) Examine issues involved in establishing a recovery  
fund to provide compensation to residential real property  
homeowners through a claim filing process;

(2) Consult with appropriate agencies and  
representatives from organizations involved in the area of  
residential construction; and

(3) Make recommendations to the legislature on the  
creation of a recovery fund by December 1, 2010.

Creates the home construction board within the office  
of consumer education for home construction to administer  
a residential real property homeowner and construction  
professional early resolution mediation program.

Creates implied statutory warranties.

Requires third-party inspections for new residential  
construction and substantial remodels.

Requires applicants for contractor registration to  
provide additional information.

Directs the department of labor and industries to  
establish worker certification requirements in the areas of  
foundations, framing, siding, roofing, windows, and doors.

Increases bonding requirements for registered  
contractors.

-- 2009 REGULAR SESSION --

Feb 19 Public hearing in the Senate Committee on  
Labor and Commerce & Consumer  
Protection at 3:30 PM.

Feb 23 Executive action taken in the Senate  
Committee on Labor and Commerce &  
Consumer Protection at 10:00 AM.

Feb 26 Public hearing in the Senate Committee on  
Ways & Means at 1:30 PM.

Mar 2 WM - Majority; 2nd substitute bill be  
substituted, do pass.  
Minority; do not pass.  
Minority; without recommendation.

- Passed to Rules Committee for second reading.  
Executive action taken in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 3 Made eligible to be placed on second reading.
- Mar 4 Placed on second reading by Rules Committee.
- Mar 11 2nd substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 25; nays, 24; absent, 0; excused, 0.  
-- IN THE HOUSE --
- Mar 13 First reading, referred to Judiciary.

**SB 5916-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Rockefeller, Kauffman, Pridemore, Keiser, Marr, Hatfield, Delvin, Honeyford, Schoesler, and Hewitt)

Authorizing the department of information services to engage in high-speed internet adoption, deployment, and digital inclusion activities. (REVISED FOR ENGROSSED: Regarding broadband adoption and deployment. )

(AS OF SENATE 2ND READING 3/12/2009)

Declares it is essential that the legislature authorize a broadband programs management structure and an advisory council capable of developing and ensuring the implementation of statewide broadband strategies.

Provides that the authority for overseeing broadband adoption and deployment efforts in the state is vested in the department of information services.

Authorizes the department of information services to apply for and oversee implementation of federally funded or mandated broadband programs and to adopt rules to administer the programs. The department is the single eligible entity in the state to receive a grant under the federal broadband data improvement act and funding received by the department under the federal broadband data improvement act must be used in accordance with the requirements of that act and, subject to those requirements, may be distributed by the department on a competitive basis to other entities in the state to achieve the purposes of that act.

Requires the department of information services to reconvene the high-speed internet work group previously established by chapter 262, Laws of 2008. The work group is renamed the advisory council on digital inclusion and is an advisory group to the department of information services.

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

-- 2009 REGULAR SESSION --

- Feb 12 Public hearing in the Senate Committee on Economic Development and Trade & Innovation at 10:00 AM.
- Feb 18 Executive action taken in the Senate Committee on Economic Development and Trade & Innovation at 8:00 AM.
- Feb 25 Public hearing in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 2 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; without recommendation.

- Passed to Rules Committee for second reading.  
Executive action taken in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 5 Made eligible to be placed on second reading.
- Mar 6 Placed on second reading by Rules Committee.
- Mar 12 2nd substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 48; nays, 0; absent, 0; excused, 1.  
-- IN THE HOUSE --
- Mar 13 First reading, referred to Technology, Energy & Communications.

**SB 6015-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Murray, Delvin, and Marr)

Creating the position of the director of commercialization and innovation within the office of the governor. (REVISED FOR ENGROSSED: Directing the department of community, trade, and economic development to review commercialization and innovation in the life sciences and technology sectors. )

(AS OF SENATE 2ND READING 3/12/2009)

Requires the department of community, trade, and economic development, in consultation with life sciences trade and technology trade associations, to review commercialization and innovation in the life sciences and technology sectors.

-- 2009 REGULAR SESSION --

- Feb 19 Public hearing in the Senate Committee on Economic Development and Trade & Innovation at 10:00 AM.
- Feb 25 Executive action taken in the Senate Committee on Economic Development and Trade & Innovation at 8:00 AM.
- Feb 27 Public hearing in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 2 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.  
Executive action taken in the Senate Committee on Ways & Means at 1:30 PM.
- Mar 6 Placed on second reading by Rules Committee.
- Mar 12 2nd substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed; yeas, 47; nays, 1; absent, 0; excused, 1.  
-- IN THE HOUSE --
- Mar 13 First reading, referred to Community & Economic Development & Trade.

**SB 6035-S** by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored

by Senators Kohl-Welles, McDermott, Franklin, Keiser, Jacobsen, Fraser, Regala, Haugen, Murray, Kline, and McAuliffe)

Concerning retrospective rating plans.

(AS OF SENATE 2ND READING 3/12/2009)

Creates the retrospective rating program to increase workplace safety, prevent accidents, and improve worker outcomes.

Allows and encourages retrospective rating group sponsoring entities to use retrospective rating refunds to create and maintain programs that improve workplace safety, prevent accidents, and improve worker outcomes while distributing the remainder of the refund to employer members of the group, subject to the optional annual authorizations by the members of the group.

Makes information concerning the sponsoring entities' administration of the program publicly available.

-- 2009 REGULAR SESSION --

Feb 17 Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 1:30 PM.

Feb 19 Public hearing in the Senate Committee on Labor and Commerce & Consumer Protection at 3:30 PM.

Feb 23 Executive action taken in the Senate Committee on Labor and Commerce & Consumer Protection at 6:00 PM.

Feb 25 LCCP - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

Mar 12 Placed on second reading by Rules Committee.  
1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed; yeas, 25; nays, 24; absent, 0; excused, 0.

-- IN THE HOUSE --

Mar 13 First reading, referred to Commerce & Labor.