



# 1994

Senate  
Committee  
Services

Interim  
Projects  
and  
Meetings



232 John A. Cherberg Building  
P.O. Box 40463  
Olympia, Washington 98504-0463

## Washington State Senate

### Senate Committee Services

Edward D. Seeberger  
Director  
(206) 786-7401

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This is a list of the studies, activities and meetings planned by the thirteen standing substantive committees of the Washington State Senate for the 1994 interim. If new events occur or more urgent concerns emerge, staff and committee resources may be shifted to stay on top of the new issues in order to be prepared for the 1995 legislative session.

Projects and studies include the name of the analyst or attorney actually doing the work. Feel free to contact that person directly or call me if you have any questions.

The Senate has set three dates for general meetings during the 1994 interim: June 2-3; September 22-23; and December 8-9. All are in Olympia and coincide with meetings by House committees. Many, but not necessarily all, of the committees will meet at those times. Committees may schedule other meetings as well. Please refer to the Legislative Meeting Schedule for more current information about specific meeting times and agendas.

*Edward D. Seeberger*

**SENATE COMMITTEE ON AGRICULTURE**  
Senator Marilyn Rasmussen, Chair

**BOB LEE, SENIOR ANALYST/SUPERVISOR**

1. Monitor water right permitting and data management activities in conjunction with the Water Rights Fees Task Force (SHB 1236 and 2E2SSB 6291).
2. Dairy Inspection Program Activities (SB 6098).
  - (a) Monitor the activities of the Dairy Inspection Producers Advisory Committee in its review of the Dairy Inspection Program.
  - (b) Review the June 30, 1995 termination date on the assessment of fluid milk and develop a recommendation on the appropriate mix for long-term funding of the Dairy Inspection program.
3. Study the establishment of criteria when interest earnings should be returned to the fund generating the interest.
4. Livestock Brand Inspection Task Force (SSB 6463, Sec. 28).
5. Monitor the Department of Agriculture's program and budget review process.
6. Monitor the Weights and Measures Program Advisory Committee that will review program priorities, funding issues and possible reintroduction of SSB 6099.
7. Monitor the activities and recommendations of the Water Resources Forum.
8. Examine alternatives for assuring the return of milk crates to milk processing plant owners.
9. Monitor and assess potential effects of endangered fish species listings on existing agricultural water supplies.
10. Monitor rule changes relating to agricultural fees by the Department of Agriculture.
11. Monitor the implementation of funding provided to the Department of Agriculture for international trade.
12. Monitor implementation of the agreement between Department of Agriculture, the Department of Health and the Department of Labor and Industries on use of pesticides and protection of farm workers.

13. Review the proposed revision to the state feed law developed by the Ad Hoc Feed Advisory Committee.
14. Review work done by Washington State University and the National Horticultural Alliance regarding the availability of pesticides for minor crops and the economic importance of minor crops in Washington State.
15. Monitor outcome of legal opinions regarding the scope of authorized lobbying activities by commodity commissions.
16. Review the need to post areas where pesticides have been applied inside public places including public schools and libraries and associated recordkeeping requirements (SB 6327).
17. Review alternative definitions for integrated pesticide management for use under the state Pesticide Application Act and use by public institutions (SB 6327).
18. Monitor the work of the Open Field Burning Task Force and the development of rules and a fee schedule by the Department of Ecology to implement the program.

#### **VIC MOON, ANALYST**

1. Study of water resource policy issues jointly with Senate Ecology and Parks, Senate Natural Resources, Senate Government Operations and Senate Energy and Utilities Committees.
2. Monitor alternative livestock issues including pending court cases and agency actions.
3. Modernize various commodity commission statutes to be more readable and up to date without changing their content.
4. Review and report on activities related to control of ghost shrimp on aquaculture in Willapa Bay.
5. Monitor activities by the Department of Natural Resources regarding rewriting the aquaculture statutes and possible impact on authorities relating to aquaculture provided to the Department of Agriculture.
6. Review the state Dam Safety Inspection Program and its application to dams also inspected by federal agencies.
7. Review animal inspection statutes for clarity and sufficiency of authority.

8. Tour of livestock grazing activities and reports from Conservation Commission and other entities relating to livestock grazing issues.
9. Funding issues relating to health inspection of nondomestic animals.
10. From a regulatory reform standpoint, review methods to simplifying the application of general labor safety standards to the agricultural industry.

**DIANE SMITH, STAFF COUNSEL**

1. Determine the current legal status (statutory and constitutional) of utilizing Referendum 38 funds for water conservation improvements for private irrigation systems.
2. Study of water resource policy issues jointly with Senate Ecology and Parks, Senate Natural Resources, Senate Government Operations and Senate Energy and Utilities Committees.
3. Review the need to modify the definition of farming to include minor related activities for purposes of the motor vehicle licensing statutes (SB 6591).
4. Agricultural product defamation. Determine what other states have enacted and the suitability to Washington State and obtain information regarding the apple growers' lawsuit regarding Alar.

**MEETINGS:**

To be announced.

**SENATE COMMITTEE ON ECOLOGY AND PARKS**

Senator Karen Fraser, Chair

**1. REGULATORY REFORM: GRANTS OF RULEMAKING AUTHORITY**

Pursuant to Senate Resolution 1994-8702, the Committee will review statutory grants of rule-making authority relating to the following subjects:

- (a) Air pollution regulation
- (b) Water pollution regulation
- (c) Hazardous substance use reduction and waste management

The Committee will review the rulemaking issues outlined by such resolution, and, additionally, will review whether alternative statutory framework may better achieve the intended human health and environmental protection goals. The investigation will include alternatives to regulatory strategies. (Wilburn/Baker)

**2. REGULATORY REFORM: ENVIRONMENTAL ENFORCEMENT/ALTERNATIVES STRATEGIES**

- (a) Committee staff will review existing enforcement and technical assistance procedures in the air, water quality, and hazardous waste programs of the Department of Ecology. (Wilburn)
- (b) Committee staff will monitor related activities of the Regulatory Reform Task Force subcommittees on Rules Review and Alternative Strategies. (Wilburn)
- (c) Opportunities to shift environmental program elements to the private sector ("privatization") will be explored, and the Committee will monitor Ecology's implementation of the water discharge permit privatization provisions of SHB 1743. (Baker)

**3. REGULATORY REFORM: INTEGRATION OF LAND USE AND ENVIRONMENTAL LAWS**

- (a) Committee staff will monitor activities of the Regulatory Reform Task Force Subcommittee on SEPA/GMA. (Baker)
- (b) The Committee will review other states' experience with integrating environmental and land use laws, and review the existing relationship of Washington laws, including GMA, Shoreline Management Act, and others. (Baker)

- (c) The Committee will review and develop recommendations for coordination of state and local environmental and land use permits, in conjunction with related studies that may be undertaken by the Regulatory Reform Task Force. (Baker/Wilburn)

#### **4. CENTENNIAL FUND (WATER QUALITY ACCOUNT)**

The Committee will develop proposed legislation regarding uses of the water quality financial assistance funding under the Centennial Fund in view of the expiration of the current statutory allocation provisions on June 30, 1995. Funding history from 1986 to date will be reviewed, as well as existing and potential funding sources. Water quality needs statewide will be reviewed based upon existing information, such as the 1992 Water Quality Needs Assessment. Joint with Senate Ways and Means Committee. (Baker/Wilburn)

#### **5. WATER RESOURCES POLICY**

The Committee will coordinate with the Senate Committees on Agriculture, Natural Resources, Energy and Utilities, and Government Operations in conducting a review and making recommendations on water resource policy legislation. The following issues will be included:

- "(a) An assessment of conflicting or inconsistent strategies, standards, jurisdiction, or planning requirements;
- (b) Recommendations for any combination of the coordination, consolidation, or integration of either state water resources programs or water quality programs, or both, including the possibility for an independent water resources agency;
- (c) Recommendations for comprehensive statutory policies on water allocation procedures and priorities, including revisions of the state's surface and groundwater codes;
- (d) Recommendations to achieve water resource management on a watershed basis;
- (e) Recommendations for changes to water resources planning programs in an effort to achieve a comprehensive regional planning framework that is consistent with programs developed under the Growth Management Act; and
- (f) Recommendations for changes to policies and programs governing surface and groundwaters."

The Committee will develop a joint work plan with these other Senate committees that will focus primarily upon developing a comprehensive draft bill for public review and

comment during the summer and fall. Several joint committee meetings are anticipated. (Wilburn/Baker)

## 6. OPEN SPACE AND PARKS

- (a) Role of the private sector. Committee staff will review the role of nongovernmental organizations (NGOs) in open space protection and parks acquisition and operation in Washington State as well as other states. The State Parks budget proviso study on this subject will be monitored. (Baker)
- (b) Local governments' role. Committee staff will examine methods to provide greater flexibility in local government programs to acquire and fund open space and parks. (Baker)
- (c) Committee staff will monitor the Interagency Committee for Outdoor Recreation's (IAC) organizational review, and the revision of the IAC's Statewide Comprehensive Outdoor Recreation Plan (SCORP). (Baker)

## 7. ON-SITE SEWAGE TREATMENT

The Committee will research methods to encourage local inspection and maintenance programs, including funding strategies for such programs and to assist in the repair of failing systems. Existing policies regarding alternative treatment systems will be reviewed for possible legislative recommendations to encourage systems that are demonstrated to be effective. Legislative proposals from the 1994 session for facilitating local government utility programs for on-site systems will be reviewed for improvement and reintroduction in the 1995 session. The Committee will monitor the Board of Health's implementation of the recently adopted on-site sewage treatment rules. A committee work session on this subject is anticipated during the June legislative assembly. (Baker)

## 8. PUGET SOUND WATER QUALITY MANAGEMENT PLAN/AUTHORITY SUNSET

The Committee will assist the Legislative Budget Committee in the sunset review of the Authority. Additionally, the Committee will review the status of the higher priority elements of the Plan and potential legislation necessary to ensure continued implementation of the Plan in the event the Authority is not extended. (Baker)

## 9. ENVIRONMENTAL LIABILITY INSURANCE

The Committee will review issues surrounding insurance for environmental cleanup liability, including its availability to Washington businesses, its costs, and policy coverage and exclusions. The state's role regarding regulation as well as potential



assistance in obtaining insurance will be reviewed. Assistance from the Insurance Commissioner and the Pollution Liability Insurance Agency will be sought. Joint with Senate Committee on Labor and Commerce. (Wilburn)

**10. RELATIVE RISK/PRIORITY SETTING AND BUDGET DEVELOPMENT**

The Committee will review the Department of Ecology's development of its proposed 1995-1997 biennial budget, and the role that relative risk information plays in development of the budget (e.g., risk ranking information from the Environment 2010 report). Other budget prioritization procedures will be reviewed, such as that relating to identifying funding for implementation of the Puget Sound plan. Existing funding sources, and the restrictions of existing dedicated funds for environmental programs will be reviewed and compared to current environmental priorities. Recommendations for better integrating environmental priority information and budget development may be made. Joint with Senate Ways and Means Committee. (Wilburn)

**11. SUSTAINABLE DEVELOPMENT**

The Committee will monitor developments at the state and national level to integrate sustainable development strategies into existing policies and programs. The Committee will meet with the state-level Leadership Council on Sustainable Development, jointly with the Senate Committee on Trade, Technology and Economic Development. The meeting is expected to be scheduled in late June. (Baker)

**12. SOLID WASTE AND RECYCLING**

The committee will review progress toward the 1995 goal of 50 percent statewide recycling established in the 1989 "Waste Not Washington" Act. The committee will review the recycling collection programs and strategies contained in local comprehensive recycling plans as required by the 1989 legislation, and barriers to implementing the service levels anticipated. The roles and relationships of local governments and the Utilities and Transportation Commission in setting rates and service levels will be reviewed, and legislation may be developed to support progress toward the Legislature's recycling goals. The Committee will monitor recycling market development activities of the Clean Washington Center, and monitor congressional proposals for solid waste and recycling legislation. (Wilburn)

**13. ENVIRONMENTAL CRIMES**

The Committee will monitor the work group assisting the Attorney General in development of proposed legislation on environmental crimes, anticipated to be request legislation of the Attorney General's office in the 1995 session. (Wilburn)

**14. DRINKING WATER QUALITY**

The Committee will monitor the Department of Health's implementation of 2SHB 2616, relating to testing ground water sources and assisting public water systems in obtaining waivers from some federal drinking water standards. The Committee will monitor congressional proposals for federal funding assistance for water system upgrades and participate, through the Committee chair, on the state's Drinking Water 2000 Task Force, which is developing proposals for a state-level financial assistance program. (Baker)

**15. OIL SPILLS**

The Committee will monitor progress in privatizing the Maritime Commission, as per ESHB 2676, and develop any further implementing legislation that may be necessary for the 1995 session. The Committee will also monitor any new proposals by the BC/States Oil Spill Task Force, and the Office of Marine Safety's Columbia River vessel inspection program. (Wilburn)

**MEETINGS:**

To be announced.

**SENATE COMMITTEE ON EDUCATION**  
Senator Dwight Pelz, Chair

**LARRY DAVIS, SENIOR ANALYST/SUPERVISOR**

1. Staff support for the Joint Select Committee on Education Restructuring: monitoring education reform activities; conducting the K-12 laws review; and starting the K-12 data study.
2. Staff support for the Legislative Fiscal Study Committee.
3. Look at small school district consolidation issues and general school district organization issues via the School District Reorganization Committee of the State Board of Education.
4. Look at issues pertaining to education paraprofessionals.
5. Joint study with House Education Committee on issues relating to "choice" tuition and transfer fees.
6. Monitor budgetary and statutory studies relating to special education, learning assistance, in-service, and educational service districts.
7. Monitor at least the following commissions, boards, task forces, and committees:
  - \* Commission on Student Learning
  - \* State Board of Education
  - \* Gifted Education Advisory Committee
  - \* School-to-Work Transitions Task Force
  - \* Work Force Training and Education Coordinating Board
  - \* Higher Education Coordinating Board
  - \* State Board for Community and Technical Colleges

**LESLIE GOLDSTEIN, STAFF COUNSEL**

1. Staff support for the Joint Select Committee on Education Restructuring: monitoring education reform activities; conducting the K-12 laws review; and starting the K-12 data study.
2. Staff support for the Legislative Fiscal Study Committee.
3. Review school construction issues, including use of capital funds for technology purposes.

4. Monitor bilingual education lawsuit.
5. Joint study with House Education Committee on issues relating to "choice" tuition and transfer fees.
6. Monitor budgetary and statutory studies relating to special education, learning assistance, in-service and educational service districts.
7. Monitor activities of Family Policy Council in implementing youth violence programs.
8. Monitor at least the following commissions, boards, task forces, and committees:
  - \* Commission on Student Learning
  - \* State Board of Education
  - \* Professional Education Advisory Committee
  - \* Special Education Advisory Council

**MEETINGS:**

**Joint Select Committee on Education Restructuring:**

1.	April 11, 1994	Olympia	9:30-2:30
2.	April 29, 1994	Olympia	9:30-2:30
3.	May 10, 1994	Kennewick	10:00-2:30
4.	May 24, 1994	Olympia	9:30-2:30
5.	June 14, 1994	Olympia	9:30-2:30
6.	June 30, 1994	Olympia	9:30-2:30

**Legislative Fiscal Study Committee:**

To be announced.

**Senate Education Committee:**

To be announced.

**SENATE COMMITTEE ON ENERGY AND UTILITIES**  
Senator Dean Sutherland, Chair

**TELECOMMUNICATIONS**

1. **Telecommunications Infrastructure Deployment:** Continue to study services and products deployed by telecommunications companies in specific markets, including companies subject to traditional regulation and companies under streamlined regulation. Study regulatory barriers and incentives to the deployment of these services. (Phil Moeller)
2. **State Telecommunications Strategy:** Monitor the efforts of all state agencies that are developing telecommunications strategies for the state and policies specific to agencies, including DOT, WUTC, DIS, DOR, and others. (Phil Moeller)
3. **State Educational Telecommunications Policy:** Monitor the efforts of SPI and higher educational institutions pertaining to deploying broadband telecommunications infrastructure and services. (Scott Huntley)
4. **Electronic Access to Government:** Study the approach of different states to providing electronic access to government information. Monitor efforts to develop state policies for the Legislature, agencies, and subdivisions of the state. (Scott Huntley)
5. **Federal Telecommunications Policies:** Monitor congressional action on revising telecommunications policies. Study potential state policy options resulting from congressional action. (Phil Moeller)
6. **Utilities and Transportation Commission Actions:** Monitor WUTC activities pertaining to the development of specific telecommunications policies including the notice of inquiry on general policies and the next phase of alternative regulation for local exchange companies. (Phil Moeller)
7. **Enhanced 9-1-1 Implementation:** Review implementation of county-based implementation of enhanced 9-1-1 emergency services, including participation with the Statewide Enhanced 9-1-1 Advisory Board. (Phil Moeller)

**WATER POLICY**

1. **State Water Policy:** Participate with other committees in a comprehensive review of state water policy with the expected result of wide-ranging draft legislation. (Phil Moeller)

2. **Water Legal Issues:** Review specific legal tenets of Western Water Law in the context of water conservation policies as part of a comprehensive review of state water policies. (Diane Smith)
3. **Water Utilities:** Study the trend in water utility regulation, including WUTC regulation and proposals for alternative regulation. (Scott Huntley)

#### **ENERGY ISSUES**

1. **Retail Wheeling:** Examine evolving approaches by electric utilities on retail wheeling of electricity, including approaches by other states and proposals to clarify state policy in this area. (Scott Huntley)
2. **Changes to Bonneville Power Administration:** Monitor developments to reform and reinvent the Bonneville Power Administration, including the proposal of government corporation status, with an emphasis on impacts to state utilities and state energy policies. (Phil Moeller)
3. **Natural Gas Markets:** Study the competitive evolution of natural gas markets emphasizing impacts on residential customers and the four local distribution companies in the state. (Scott Huntley)
4. **Energy Impacts of Fish Loss Mitigation Measures:** Monitor the financial impacts and effects on energy production in the state related to the proposals to increase the population of anadromous fish stocks. (Phil Moeller)
5. **Siting Issues:** Continue monitoring efforts to streamline or clarify policies pertaining to siting energy production facilities by state and local governments. (Scott Huntley)

#### **HANFORD/RADIOACTIVE MATERIALS ISSUES**

1. **Proposals to Burn Plutonium in WPPSS Reactors:** Monitor decisions by the federal government and the Washington Public Power Supply System related to the competing proposals to finish WNP-1 and/or WNP-3 for the purposes of burning plutonium, with an emphasis on potential ratepayer impacts and state policy options. (Phil Moeller)
2. **Status of Hanford Site Cleanup and Restoration:** Monitor the status of cleanup and restoration efforts on the Hanford reservation with an emphasis on the state's role in these activities. (Scott Huntley)
3. **Low-level Radioactive Waste:** Study the progress of other states in siting and developing low-level radioactive waste disposal facilities emphasizing the impacts on the Washington disposal site and existing state policies. (Phil Moeller)

4. **Hanford Site Future Uses:** Study the efforts to determine the preferred future uses of the various areas of the Hanford site, focusing on state policy options. (Phil Moeller)

**MEETINGS (Tentative):**

May 11      Joint with Trade, Technology and Economic Development  
              \* Rural Telecommunications Issues

June Committee Weekend  
              \* Water Policy Update  
              \* Telecommunications Update

July  
              \* Natural Gas Futures

September  
              \* Water Policy Update  
              \* Telecommunications Update

October  
              \* Retail Wheeling  
              \* Telecommunications Update

December  
              \* Water Policy Update  
              \* Telecommunications Update

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**  
Senator Mary Margaret Haugen, Chair

**LIQUOR CONTROL BOARD**

ESSB 6357, which passed the Senate, eliminates the three-member Liquor Control Board. The bill creates a liquor control agency, to which are transferred the administrative and rule-making functions of the former board. The director of the agency, appointed by the Governor and subject to confirmation by the Senate, heads the new administrative structure of the agency. A five-member Liquor Control Review Board, appointed by the Governor, is created to hear appeals from the agency director's decisions on licensing, penalties, siting of stores and choice of liquor to be sold.

A work group will be formed to continue to review this issue. Discussion will focus on alternatives to the current administrative structure of the Liquor Control Board, such as the appointment of an executive director and the creation of a parttime board, and dividing responsibility between them for management of liquor stores and agencies, rulemaking, licensing, enforcement, marketing functions and adjudication of appeals. (Eugene Green)

**LIBRARY CAPITAL FACILITY DISTRICTS**

Review methods of financing construction of new branch libraries, including granting power to the county legislative authority to establish a special "library capital facility district" within an existing library district. Work with library district representatives, counties and cities to develop legislation. Consider the establishment of generic capital facility taxing districts which may be used to finance any authorized capital projects. (Rod McAulay)

**LIMITING CAMPAIGN CONTRIBUTIONS TO OFFICIALS INVOLVED WITH THE ISSUING AND SERVICING OF GOVERNMENT BONDS**

Review the issue of possible conflicts of interest for state and local government elected officials who are responsible for the issuance and servicing of bonds and who receive campaign contributions from persons who may benefit financially from underwriting, servicing or providing financial advice with respect to such bonds. Consider the relative benefits of outright limitations on campaign contributions versus limitations on contracts with persons who make campaign contributions. Evaluate constitutional limitations and potential costs to taxpayers. (Rod McAulay)



## **IMPACT FEES**

The Department of Community, Trade, and Economic Development as well as counties and cities will be questioned as to the utilization of impact fees on development activity. An attempt will be made to survey how impact fees are developed, assessed, collected and administered. A comparison will also be made of the amount of the impact fee for similar projects in different jurisdictions. A work group will be formed to study the issue. (Eugene Green)

## **HOTEL-MOTEL TAX**

Every session various counties and cities request authorization for new uses of the general hotel-motel tax (2 percent credit against the state sales tax). Some counties and cities request authorization for the use of an "add-on" tax for a special purpose. The lodging industry has complained that in many instances the revenue from these taxes is not being spent for the purposes specifically authorized by the Legislature. A work group will be formed to take a look at: (1) existing uses of the hotel-motel tax (probably with the help of the office of State Auditor); (2) mandating local advisory committees in each community to recommend appropriate expenditures; and (3) expansion or contraction of existing authorizations. (Eugene Green)

## **VALUATION OF NEW CONSTRUCTION**

Presently, county assessors must make a physical inspection of new construction before the value of the new construction can be added to the tax rolls. Due to budgetary cutbacks of assessors' offices and a dramatic rise in new construction, many assessors are experiencing a delay of several years before new construction can be added to the tax rolls. SSB 5870, which died in the Senate Rules Committee, would allow the county assessor to place the value of new construction on the tax rolls based upon the representations made on the building permit. A work group will be formed to study this issue. (Eugene Green)

## **LEGISLATIVE WATER ISSUES STUDY GROUP OF '94**

Participate with the multicommittee study addressing water-related issues. Develop legislative proposals with regard to governance with special consideration to facilitating coordination and simplification of governance, and reducing redundancies and conflicts among local jurisdictions and between local jurisdictions and the state. (Rod McAulay)

## **REVIEWS**

- \* SSB 5033 -- County Research Services (Eugene Green)
- \* Monitoring surcharge for local archiving services (Eugene Green)
- \* County Home Rule Provisions (Eugene Green)

- \* SSB 6016 -- Chief Administrative Officer/Compensation Disclosure (Eugene Green)
- \* SJR 8203 -- County Formation and Boundary Changes (Rod McAulay)
- \* SJR 8201 -- Alternative County Charters (Eugene Green)
- \* SSB 6182 -- Initiative and Referendum Petitions (Rod McAulay)
- \* SSB 6031 -- Diking and Drainage Districts (Rod McAulay)
- \* Real Estate Disclosure Requirements (Rod McAulay)

**MEETINGS:**

The Committee has scheduled a meeting in Spokane on June 16, 1994.

Other meetings to be announced.

**SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**  
Senator Phil Talmadge, Chair

**JOANNE CONRAD, STAFF COUNSEL**

**1. Formulate a Legislative Women's Health Agenda.**

Concerns have arisen regarding women's health issues. These issues include access to health care, gender equity in research and treatment, reproductive health, rape and other violent crimes against women, improved public education, effective physician communication, and preventive protocol compliance. Many women's health issues impact upon the well-being of infants and children, and manifest as social services challenges when insufficiently addressed. Staff will research national standards, professional literature and women's health agendas in other jurisdictions, and develop a legislative agenda.

**2. Determine the Direction of Child Labor Law Reform in Light of Public Health and Safety Concerns.**

Despite nearly a century of child labor laws, many child workers in Washington State are at risk for exposure to toxins, unhealthy work environments, and inappropriate conditions that may damage their health, or their educational advancement. While there is an awareness of the value and the need for minors to enter the workforce, there is concern about their possible exploitation, and about the safety of their work environments. Research by staff will determine how to fully reform child labor laws to better protect Washington's youngest workforce.

**3. Follow Up on Senior Hunger and Nutrition Needs Assessment and Recommend Future Legislation.**

The Omnibus Antihunger Act of 1994, based upon the five-year study of the Governor's Task Force on Hunger, indicated problems in the area of senior nutrition. Many seniors experience food insecurity, and are at risk for nutrition-related health problems despite the existence of federal and state programs that attempt to reach them. During the 1994 legislative session, it became apparent that there was no consensus among those concerned with senior food policy as to how to better assess and serve this population. In the light of health care reform, it is important to help seniors, in particular, maintain health and self-sufficiency to the extent possible. Legislatively mandated improvement in service design and delivery will be considered.

4. **Research and Develop New Welfare Reform Legislation.**

Currently, there are many efforts at the federal and state level to reform the welfare system. Washington State has enacted various measures aimed at welfare reform during the past two sessions. Many legislators believe that further efforts should be made to create incentives for workforce participation, to encourage responsible parenting, and to break the intergenerational cycle of poverty. Staff will examine current ideas in welfare reform and develop possible legislation for the 1995 session.

5. **Monitor Promulgation by Insurance Commissioner of Long-Term Care Insurance Regulations.**

SSB 6421 (Senator Moyer) sought to enhance the consumer protection in the marketing and sale of long-term care insurance. An agreement was reached between concerned Senators and the Insurance Commissioner to address these problems through a process involving public input. Staff will monitor the progress of this regulation-making.

6. **Monitor Bioethics Efforts of Health Services Commission.**

Interested members of the Senate Health and Human Services Committee met with bioethicists in a forum to explore their concerns about the bioethical issues inherent in health care reform. Out of this forum, the Committee recommended that the Health Services Commission develop a blue-ribbon ad hoc committee of bioethicists, to voluntarily assist the Commission in evaluation of the bioethical complexities it confronts. Staff will monitor the progress of this group.

7. **Monitor Various Groups Dedicated to Children's Services.**

Several organizations are involved in various agency, academic and social services attempts to assess and improve the provision of children's services in Washington State. Among these are the Family Policy Council, the University of Washington "Kids Count" project, and the University of Washington Training for Interprofessional Collaboration, a consortium of health and human services and educational professionals. Staff continues to monitor the efforts of these groups, on an on-going basis, and report to interested Senators.

## **RHODA JONES, ANALYST**

### **1. Long Term Care.**

The Long Term Care (LTC) Advisory Committee for the Health Services Commission has begun the process of deciding which services should be included in the Uniform Benefits Package (UBP) by 1999. During the interim, staff will be monitoring regular meetings of the LTC Committee as they consider key long-term care issues facing the state. These include what services will be part of the UBP and what will be considered "supplemental coverage." Also, whether the definition of long-term care services will reach beyond traditional health care to include the wide range of social and other services. Further, in crafting a workable approach to long term care, the Committee must decide on a model. This could be based on a conceptual design using the state's "life care" projects, or a long-term care integration plan. Staff will report on the inclusion of long-term care in health reform.

### **2. Rural Health Care.**

Staff will study efforts to improve health care services in rural and medically underserved areas of the state. The focus will be on programs and initiatives that attempt to make the best use of existing resources. These include establishing cooperative networks among rural providers with links to their urban counterparts, improving technical assistance to rural communities which help identify local needs, expanding rural EMS, transportation and telecommunications systems, assisting community providers obtain needed capital, and improving the retention of primary care practitioners in rural areas. Further, staff will study the availability of skilled health personnel in rural areas.

### **3. Health Professional Regulation Reform.**

Legislation to reform the health professional credentialing system failed to pass the Legislature again last session. The bill (SB 5859) would have transferred authority for changing the level of regulation and scope of practice of the state's regulated health professions from the Legislature to a newly formed commission under the Department of Health. During the interim, staff will work with all interested parties to consider new venues for handling scope of practice issues. The Department of Health is addressing the entire credentialing process in their Workforce 2000 project. Staff will provide a summary of proposals offered by health professions, DOH and interested members.

### **4. Washington State Supplemental Drug Discount (WSSDD) vs. Prospective Drug Utilization Review (POS/ProDUR).**

The state's controversial WSSDD program is underway. This is a drug rebate program which requires the pharmaceutical manufacturers to provide a supplemental discount to the state for products provided under Medical Assistance. Drug manufacturers dislike

this program, and have proposed a computerized point-of-sale drug utilization review program as an alternative. This has been tried in other states and proponents say it would generate the same revenue for the state (\$9.5 million). Staff will explore various points of service utilization review reimbursement and copayment plans and summarize findings for members.

**5. Prescription Drug Abuse.**

Schedule II drugs -- namely those with a recognized medical use but a high potential for abuse -- continue to be over prescribed in Washington State. The problem is complex but ideas on how to curb overprescribers focus on three areas: improving computerized tracking of schedule II drug dispensing; designing some method for improving communication between dispensing pharmacists; and requiring physicians to be better educated in recognizing addictive behavior in patients. Staff will look into all three areas and possibly rework legislation for next session.

**6. Enhancing the Uniform Disciplinary Act.**

Staff will identify current problems in the process of health care professional discipline and consider legislation that would further strengthen the Uniform Disciplinary Act. Areas of interest include establishing a timeline to the disciplinary process to create more predictability at each phase, and establishing a statute of limitations on specific types of disciplinary actions.

**7. Role of alternative medicine in the state health plan.**

Nonmedical treatments for everything from chronic back pain to cancer are gaining popularity. However, despite the booming market in alternative medicine, its proven effectiveness remains controversial. Staff will research data on nonconventional health care treatments and how their efficacy and cost effectiveness is being weighed by policymakers in charge of implementing the state's new health plan.

**8. Care for people with Developmental Disabilities.**

Two bills that addressed important issues to the developmental disabilities community did not pass the Legislature. One would have permitted nursing assistants to care for individuals with developmental disabilities in community residential programs or adult family homes (ESHB 1409). The other would have established a plan for determining the benefits and problems associated with placing persons with developmental disabilities in residential habilitation centers (ESHB 2163). Staff will further refine these bills as interest from members dictates.

## **RICHARD RODGER, STAFF COUNSEL**

### **1. Monitor the Implementation of the Violence Prevention Legislation - E2SHB 2319.**

The Legislature recently passed a comprehensive bill to address issues of violence in our society. Staff will monitor the implementation of this legislation and report on its progress to the Committee. Monitoring will include the following areas which are of particular interest to Committee members:

- (a) Coordination of data collection and reporting systems for intentional acts of violence and unintentional injuries;
- (b) Standards for public health assessment, policy development, and assurance for prevention programs;
- (c) Development and evaluation of measurable risk and protective factors empirically linked to violent behaviors;
- (d) Outcome-based performance standards for prevention and early intervention programs;
- (e) Family Policy Council's Advisory Committee membership;
- (f) Creation of Community Public Health and Safety Networks;
- (g) Review of state and federally funded programs for the purpose of recommending decategorization of the funding; and
- (h) Development of a fund distribution formula for determining allocations to Community Networks.

### **2. Joint Select Committee on Juvenile Justice Laws.**

The violence prevention legislation passed last session creates a joint select committee to review the juvenile justice laws. The legislation requires the appointment of a Senate member of the Health and Human Services Committee and requires support from Senate Committee Services staff. Staff will assist the task force in developing its recommendations relating to the revision of the juvenile justice laws.

### **3. Sale and Use of Tobacco Products in Buildings Owned or Leased by the Public.**

In response to increasing data indicating the harmful effects of tobacco products and secondhand smoke, the federal government is increasing its regulation over the sale and use of these products. There were several bills in the Legislature last session which dealt

with the sale and use of these products. Staff will continue to collect information regarding the harmful effects of tobacco and tobacco products and draft legislation as requested by the Committee members.

**4. Appointment and Removal of Guardians ad Litem in Child Dependency Actions.**

Several Senate members have requested a review of the child dependency statutes as they relate to the appointment and removal of guardians ad litem. Under current law, only a judge may remove a guardian ad litem who has been appointed to represent a child in a dependency action. It has been suggested that a process, similar to the judicial affidavit prejudice, should be developed to remove a guardian ad litem when a party or party's attorney believes the guardian is prejudiced. Staff will review the dependency statutes and develop proposed legislation.

**5. Evaluation of the Effectiveness of Juvenile Sex Offender Treatment Programs.**

The Washington State Institute for Public Policy recently released a report which raised some questions regarding the effectiveness of sex offender treatment programs for juveniles. Senate staff will gather and review information on these programs to assist the Committee in determining the effectiveness of the treatment currently being provided to the youth. Staff will prepare any legislation as deemed necessary by Committee members.

**6. Evaluation of the Availability and Effectiveness of Substance Abuse Treatment Programs.**

Some concerns have been raised regarding the availability and effectiveness of substance abuse treatment programs operated within the state. Staff will gather information regarding the geographic locations of substance abuse treatment facilities and explore options to increase the availability of treatment services in underserved regions. Staff will also coordinate available data regarding the effectiveness of the treatment programs and review the current literature to examine promising treatment alternatives and incentives to encourage treatment.

**7. Examine Potential Barriers to the Creation and Operation of Child Care Facilities.**

Child care facilities are presently regulated by the Department of Social and Health Services. There has been some concern that the regulations may inappropriately prevent or inhibit the creation of new child care businesses, or make the operation of existing businesses unduly restrictive. Staff will examine these issues and, in addition, examine incentives to encourage greater use of public owned or operated buildings and facilities for child care purposes.



8. **Research Current Literature Regarding the Prevention of Injuries to Children Involved in Sport Programs.**

Every year hundreds of children are injured in recreational sport activities. There are numerous ways to reduce these unnecessary and debilitating injuries. Staff will examine the current state of the art injury prevention techniques and educational programs, and prepare recommendations for the Committee's consideration.

9. **Review the Needs of Children Who Suffer From Fetal Alcohol Syndrome, Fetal Alcohol Effects, and Other Chemically-Induced Disabilities.**

The Committee staff will continue its evaluation of the needs of children who suffer from fetal alcohol syndrome (FAS), fetal alcohol effects (FAE), and disabilities related to the substance abuse by a parent. Over the past several years, the Committee has reviewed many of the issues related to the injuries or disabilities suffered by children of parents who abused alcohol or other substances. Several innovative programs have been developed in this state to meet the needs of these children; however, due to limited resources the needs of these children remain largely unmet. This project will include a review of various options designed to meet the evaluation and treatment needs for this population of children.

**DON SLOMA, COMMITTEE COORDINATOR**

1. **Identify Proposals and Needs for Modification of the Washington Health Services Act of 1993.**

In the coming months, with uncertainty surrounding federal health reform determinations and much concern in our own state, the Health Services Commission must complete a variety of tasks to implement Washington's health reform law. The Commission has established no less than six advisory bodies and more than two dozen issue groups to supplement its efforts. Senate staff will monitor these processes with particular attention to the needs of seasonal and parttime employers and employees, the content of the uniform benefits package, requirements for certified health plans, antitrust issues, the role of medical technology and training in a reformed health system, and more. At least one interim hearing will update the Committee on the Commission's progress. Senate staff will draft legislation to correct technical problems with the Act and to address any policy matters the Committee may wish.

2. **Determine the Need for Changes to the Mental Illness Involuntary Treatment Act to Encourage Earlier Treatment and to Improve Supervision of Dangerous Persons.**

The advent of due process protection for the mentally ill in the early 1970s established strict limits on the purposes and duration of involuntary treatment for mental illness. Some feel these limits inhibit effective treatment for dangerous or treatment resistant

patients. Senate staff will compare Washington's statutes and (if possible) commitment rates with those of other states, seek professional and other opinion about the adequacy of current law and identify options for change.

**3. Monitor the Finalization of the Public Health Improvement Plan and Identify Any Needs for Statutory Change it Suggests.**

The PHIP is an ongoing requirement of the state Health Department as part of health care reform. Its preliminary version suggests both outcome and capacity standards for state and local efforts to protect and promote the public's health. These include many areas of interest to the Committee such as immunizations, violence and other injuries, and TB, AIDS and other contagious or infectious diseases. Senate staff will monitor the finalization of the PHIP, summarize any statutory changes it may suggest prior to the 1995 legislative session, and draft any legislation Committee members may wish.

**4. Develop Legislation to Improve the Supply and Quality of Farmworker Housing.**

Senator Gaspard has requested that, with guidance from Senators Prentice and Deccio, the Committee examine statutes controlling zoning, building codes, taxes and inspection requirements, and financial incentives to construct and renovate farmworker housing. Senate staff, working with staff from the Labor and Commerce Committee and a student intern, will complete the study objectives, staff at least one hearing and prepare any legislation the Committee may wish.

**5. Monitor the Study on Consolidation of Workers Compensation Medical Aid Fund with Certified Health Plan Coverage Under Health Care Reform.**

The Committee heard recently from the Department of Labor and Industries and the Health Services Commission on their plans to complete several studies and to develop plans for pilot projects on this topic. Senate staff will monitor these efforts and report to interested Committee members on progress.

**6. Examine Options for Improving the Safety of Food Handling Through Education and Regulation.**

In the wake of continuing outbreaks of E. Coli contamination, several Committee members are concerned about state and local efforts to prevent food borne illness. A comprehensive study of the subject is due to be completed this spring by the state Health Department and others containing detailed recommendations on the subject. Senate staff will review the study with interested persons and consult with Committee members to prepare legislation implementing selected recommendations.

**7. Monitor Development of Rules Governing Due Process for Involuntary Treatment of Tuberculosis.**

Under the terms of legislation passed in the 1994 session, the state Board of Health must develop rules relating to TB by the end of this year. Committee members are concerned that legislative intent be respected in this process to the end that the new rules strengthen the role of public health officials to take any action needed to contain this dangerous air borne illness. Senate staff will review proposed rules, keep interested Committee members informed of their content and prepare any action they may wish to take to underscore legislative intent.

**MEETINGS:**

To be announced.

## SENATE COMMITTEE ON HIGHER EDUCATION

Senator Al Bauer, Chair

### JEAN SIX, SENIOR ANALYST

1. **Faculty Productivity:** This study conducted by the Higher Education Coordinating Board (HECB), and monitored by legislative staff, has provided information from other state studies of faculty workload as well as a review of past studies on Washington institutions. Each institution is progressing on data collection with preliminary reports expected by early summer. It is the intent of the study to encourage institutions to think about all factors that could contribute to the goals of increased access, improved quality, improved system efficiency, and improved cost-effectiveness.
2. **Reform Task Force (SHB 2274):** A task force established under the HECB is charged with a long-term role in the education reform movement and the development of a seamless education system. All sectors of the education system must be aware of the effect of any decision made by one sector on all other sectors. First to be resolved is the issue of credit equivalencies for Running Start students. Long-term problems to be addressed include articulation among the sectors, transfer between the institutions, admissions requirements, role of the Certificate of Mastery, etc.
3. **Coordinated Study on Higher Education (SCR 8424):** Examination of the relationship of the state to its public institutions of higher education, reexamination of the principles that define higher education, distinguish the contribution of both public and independent postsecondary institutions, and a determination of the state's role in supporting citizens' access to those institutions. The Committee will study state policies affecting higher education, including financing of and budgeting for public colleges and universities, management flexibility and accountability, tuition, financial aid and governance. (Membership on the committee to be selected from Senate Higher Education, Senate Ways and Means, House Higher Education and House Appropriations Committees.)
4. **Work Force Training:** Workforce training issues continue to be of vital interest to the state. Monitor the continuing implementation of ESHB 1988, including the development of a process for participation of students in proprietary schools. Monitor the development of the Workforce Training and Education Coordinating Board (WTECB) comprehensive plan. Monitor other issues pertaining to SCHOOL-TO-WORK TRANSITION, ADULT LITERACY, the development of technical degrees and the integration of the technical colleges into the state system, etc.
5. **Assessment Initiative:** "Assessment for program and institutional quality" was one of the four foundation elements of the Washington State Master Plan for Higher Education (1987). Since that time the HECB and the public institutions of higher education have adopted an assessment policy (1989) and implemented a nationally recognized assessment

program. Assessment is a long-term process which is bringing improvements to the education that students receive on public campuses and is providing improved information for faculty, campus administrators and educational policymakers. The assessment initiative in Washington continues working toward its two goals: (1) "institutional renewal" to improve the quality of undergraduate education; and (2) "accountability" to provide information about student outcomes to policy makers and the public.

6. **SPRE/Federal Legislation:** In its 1992 Reauthorization of the Higher Education Act, Congress established a "program integrity triad." The goal is to ensure that institutions participating in the federal Title IV student financial aid programs meet minimum standards of fiscal and consumer accountability. The role of the state, through its State Postsecondary Review Entity (SPRE), is to focus on consumer protection issues. In 1993, the Governor designated the HECB as Washington's SPRE. The HECB will be required to review institutions referred to it by the Department of Education. The Legislature needs to monitor this issue as there are potential financial responsibilities that may occur.
7. **Cascadia Community College/UW Branch Campus:** SHB 2210 created the 30th Community College District and requires the collocation of Cascadia Community College with the branch campus of the UW in the Bothell-Woodinville area. Site selection and program planning will be monitored.
8. **Future Teachers Conditional Scholarship:** The scholarship program has been extended only until June of 1995. The Legislature will explore ways to modify the program and to continue it indefinitely. The program is currently designed to encourage minority students to enter the teaching profession; this feature may be expanded.
9. **Gubernatorial Appointment/Confirmation Process:** The process for the flow of information between the Committee, the Governor's office, and the Public Disclosure Commission needs to be streamlined.
10. **Task Force on International Education and Cultural Exchanges:** A preliminary report was delivered to the Legislature in December 1993. Efforts will be continued through spring and summer of 1994 and will include specific recommendations pertaining broadly to cultural exchanges with other nations, including Native American tribes, and graduation and teacher certification requirements with respect to coursework in international and multicultural perspectives and languages other than English. (Senators Prince and Fraser are members of the Task Force; Ralph Munro is the Chair.)
11. **Gender Equity Advisory Group (RCW 28B.15.455-475; RCW 28B.15.740; RCW 28B.110):** The task is to create a review process and biennial report that will meet statutory responsibilities and enable institutions to highlight the progress made in the last five years toward achieving gender equity.

## SCOTT HUNTLEY, ANALYST

1. **Faculty Productivity:** This study conducted by the HECB, and monitored by legislative staff, has provided information from other state studies of faculty workload as well as a review of past studies on Washington institutions. Each institution is progressing on data collection with preliminary reports expected by early summer. It is the intent of the study to encourage institutions to think about all factors that could contribute to the goals of increased access, improved quality, improved system efficiency, and improved cost-effectiveness.
2. **SPRE/Federal Legislation:** In its 1992 Reauthorization of the Higher Education Act, Congress established a "program integrity triad." The goal is to ensure that institutions participating in the federal Title IV student financial aid programs meet minimum standards of fiscal and consumer accountability. The role of the state, through its State Postsecondary Review Entity (SPRE), is to focus on consumer protection issues. In 1993, the Governor designated the HECB as Washington's SPRE. The HECB will be required to review institutions referred to it by the Department of Education. The Legislature needs to monitor this issue as there are potential financial responsibilities that may occur.
3. **Gubernatorial Appointment/Confirmation Process:** The process for the flow of information between the Committee, the Governor's office, and the Public Disclosure Commission needs to be streamlined.

## LESLIE GOLDSTEIN, STAFF COUNSEL

1. **Reform Task Force (SHB 2274):** A task force established under the HECB is charged with a long-term role in the education reform movement and the development of a seamless education system. All sectors of the education system must be aware of the effect of any decision made by one sector on all other sectors. First to be resolved is the issue of credit equivalencies for Running Start students. Long term problems to be addressed include articulation among the sectors, transfer between the institutions, admissions requirements, role of the Certificate of Mastery, etc.
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## **MEETINGS:**

### **HIGHER EDUCATION COORDINATING BOARD**

MARCH 30	SEATAC MARRIOTT
APRIL 21	CWU, ELLENSBURG
MAY 19	SEATAC MARRIOTT
JUNE 16	EWU, SPOKANE
JULY 21	SEATAC
SEPTEMBER 15	TRI-CITIES
OCTOBER 20	SEATAC
NOVEMBER 17	BELLINGHAM

### **PROFESSIONAL EDUCATION ADVISORY COMMITTEE**

APRIL 12-13	OLYMPIA
JULY 6-8	UNION
AUGUST 15	OLYMPIA
OCTOBER	(tentative)

### **STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

MARCH 16	SPSCC, OLYMPIA
MAY 4-5	BELLEVUE COMMUNITY COLLEGE
JUNE 15-16	GHC, ABERDEEN
SEPTEMBER 7-8	CENTRALIA COLLEGE
OCTOBER 19-20	CLARK COLLEGE, VANCOUVER
NOV 30-DEC 1	SEATTLE CENTRAL COMMUNITY COLLEGE

### **WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

APRIL 28	TACOMA COMMUNITY COLLEGE
JUNE 30	RENTON TECHNICAL COLLEGE
JULY 20	VANCOUVER, INTERNATIONAL AIR ACADEMY
OCTOBER 19	PASCO, COLUMBIA BASIN COLLEGE
NOVEMBER 16	SEATTLE

### **INTERIM COMMITTEE ASSEMBLIES**

To be announced.

**CAMPUS VISITS** to coincide with board meetings as appropriate.

**EDUCATION SUMMIT**

To be announced.

**ASSESSMENT CONFERENCE**

MAY 11-13 SEATAC

**HIGHER EDUCATION JOINT STUDY COMMITTEE**

MAY 10 SEATAC OFFICE BUILDING

**COORDINATED STUDY ON HIGHER EDUCATION**

MAY 10 SEATAC

JUNE 1 OLYMPIA

JULY

SEPTEMBER OLYMPIA

NOVEMBER SEATAC

DECEMBER 7 OLYMPIA



**SENATE COMMITTEE ON LABOR AND COMMERCE**  
Senator Ray Moore, Chair

**DAVE CHEAL, STAFF COUNSEL**

**1. MISCELLANEOUS INDUSTRIAL INSURANCE ISSUES:**

- (a) **Occupational disease responsibility.** Who should bear the cost of a claim when there are multiple injurious exposure employments that have contributed to the disease?
- (b) **Time periods for decisions.** Complaints continue that both the department and self insurers are allowed to take inordinate amounts of time at key junctures of a claim, leaving both claimants and employers in costly periods of limbo.
- (c) **Provisional benefits during employer appeals.** If an employer appeals an order allowing a claim, benefits are suspended until the appeal is resolved, unless the claimant obtains an emergency order from the Board of Industrial Insurance Appeals granting provisional benefits. This could present serious financial and medical problems to injured workers for months or years, even though no neutral authority has determined that their claim is not valid.

Staff responsibilities: Research case law, statutes, board decisions and department policy, any practice to determine current rules. Meet with department, claimant and defense bar, business and labor representatives to compile their perspectives. Present options and analysis to Committee. Draft legislation as directed.

**2. FURTHER CONTRACTORS' REGISTRATION AND CONSUMER PROTECTION RESEARCH.** Further research is needed on contractors bonds, how they could be structured, and the best claims procedure.

Staff responsibilities: Survey other states' statutes and contact regulators. Consult with local attorneys, bond issuers, home builders, and Labor and Industries. Prepare recommendations, analysis, and legislation.

**3. MISCELLANEOUS MOBILE HOME ISSUES.**

- (a) **Relocation assistance.** Now that judicial remedies are exhausted, it is clear that no state assistance is available to mobile home park tenants in the event their park is closed.

Staff responsibilities: Work with House staff, Department of Trade, Community, and Economic Development staff, and interested groups to develop a program that can withstand judicial challenge.

- (b) **Landlord-tenant issues.** Such as park rule modification and reasonable visitation park licensing and park manager certification.

Staff responsibilities: Meet with affected groups; research other states with large mobile home park population. Prepare analysis and recommendations.

- 4. **Seamless delivery of services to homeless and low-income families.** (See Item #21)
- 5. **Farmworker Housing.** (See Item #23)
- 6. **Consumer Credit and Finance Reports.** (See Item #10)
- 7. **Department of Financial Institutions - Prompt Corrective Action.** (See Item #11)
- 8. **Account Closed Data and Check Fraud.** (See Item #14)

**CATHERINE MELE, STAFF COUNSEL**

- 9. **MISCELLANEOUS INDUSTRIAL INSURANCE ISSUES:**
- 10. **Consumer Credit and Finance Reports.** The Retail Installment Sales Act (RISA) governs the maximum charges that may be collected in certain retail sales transactions. During the interim various groups including retailers, consumer groups, and finance companies will rewrite the Retail Installment Sales Act.

Staff Responsibilities: Research and analyze other state laws on consumer credit; gather data from other states and Washington to compare consumer credit finance rates from 1989 through 1994; analyze the potential effects of limits on consumer credit rates in Washington; examine the major issues facing the Legislature in considering whether rate limits should be implemented in the future; analyze the Retail Installment Sales Act and areas that need to be revised; and evaluate industry trends when rates are regulated and deregulated.

- 11. **Department of Financial Institutions - Prompt Corrective Action.** The Department of Financial Institutions (DFI) will meet with various groups to discuss proposed legislation which will focus on increased enforcement authority in the area of troubled banking institutions.

**Staff Responsibilities:** Review state statutes and regulations regarding DFI enforcement powers involving commercial banks, credit unions, savings banks, and savings and loan institutions.

12. **Home Refinancing.** Many consumers have expressed concerns involving the fees charged during a residential refinancing. This has been especially true in refinancing arrangements where the paperwork has not changed considerably, except for the date and the percentage rate on the loan.

**Staff Responsibilities:** Conduct research focusing on title insurance, loan fees, flood research fees, and escrow procedures during refinancing; review industry reasons for charging the fees; analyze the agreements between lenders and borrowers; and examine title insurance rate making contracts to verify amounts charged, and consumer costs.

13. **Vendor Single Interest Insurance.** As a result of SSB 5714, staff was directed to conduct a study of vendor single interest insurance.

**Staff Responsibilities:** Study the companies providing vendor single interest insurance; analyze accounting data showing costs of providing vendor single interest insurance on real estate, vessels, and automobiles; gather data showing underwriting standards for rate making and rate contracts from vendor single interest companies filing with the Insurance Commissioner; examine contractual relationships between borrowers, secured parties, and insurance companies.

14. **Account Closed Data and Check Fraud.** Concerns have been expressed that financial institutions must release account closed information to an electronic mailbox for access by check verification companies. Additionally, there is interest regarding the ability of merchants to prevent check fraud.

**Staff Responsibilities:** Analyze various check verification procedures and make recommendations regarding their use; and draft proposed legislation if requested.

15. **Washington Credit Union Share Guaranty Association.** There will be a study of the Washington Credit Union Guaranty Association to discover whether there are more viable alternatives of insuring credit union deposits.

**Staff Responsibilities:** Examine the factors contributing to credit union insolvency; analyze financial issues that are considered high risk for credit unions; review economic indicators that may have an adverse effect on the Guaranty Fund; and provide alternatives to the Guaranty Fund.

16. **Natural Disasters and Earthquake Insurance.** In the past few years there have been a growing number of natural disasters in the United States. There are concerns that if

Washington faced a natural disaster property and casualty insurers may attempt to withdraw from the state.

**Staff Responsibilities:** Research the withdrawal of insurers from those states that have suffered natural disasters; review solutions that other states have implemented to address the issue; and draft proposed legislation if requested.

17. **Real Estate Appraisers.** Washington currently provides a voluntary certification program for real estate appraisers. During the 1994 legislative session, Committee members expressed an interest in having a mandatory real estate appraiser licensing and certification program.

**Staff Responsibilities:** Research other states' mandatory real estate appraiser licensing and certification programs; and draft proposed legislation if requested.

#### **TRACI RATZLIFF, ANALYST**

18. **LBC Study of the Lottery.** The '91-93 supplemental budget contained language directing the Legislative Budget Committee (LBC) to study the Lottery Commission. The study will specifically address: the cost effectiveness of advertising, prize size, the mix of existing games and introduction of new games as the new games relate to lottery and state revenue; the effect of advertising on problem gambling; and analysis of the Lottery's administrative budget in relation to similar public and private concerns in other states and countries. An interim report is due to the Legislature by December 1, 1994. A final report is due March 1, 1995.

**Staff Responsibilities:** Work with the LBC in the development and implementation of the mandated study.

19. **Licensure of Travel Agents.** ESHB 2688 contained a section that required the Department of Licensing, the Attorney General's office and the travel industry to examine the development of a cost recovery account, a surety bond, or other methods for securing customer funds and to provide recommendations to the Legislature regarding necessary legislation by December 1994. The Governor vetoed this section but directed the department and the AG's office to do the study.

**Staff Responsibilities:** Attend meetings; provide staffing assistance as necessary.

20. **Affordable Housing Advisory Committee.** The 1991 Housing Policy Act established the Affordable Housing Advisory Committee to develop statewide policies on housing. The Committee meets every other month.

**Staff Responsibilities:** Attend meetings.

21. **Seamless delivery of services to homeless and low-income families.** It is increasingly common to find individuals who are living in publicly assisted housing who have significant social and health needs that are unmet. A number of innovative housing organizations have sought to integrate the provision of housing with the provision of much needed social and health services. Information about such programs could be used to assist other organizations involved in the delivery of housing to provide such services to clients living in their housing units. SB 6496 mandated the Labor and Commerce Committee to conduct a study regarding the delivery of services to individuals who are living on the streets, in shelters, or other publicly or privately funded housing units. SB 6496 did not pass. However, advocates of low-income individuals requested the Committee to move forward with this study during the interim.

**Staff Responsibilities:** Review of literature; talk with individuals involved in innovative programs delivering services to homeless and/or low-income households; talk with DCD, DSHS, Low-Income Housing Congress regarding models in this state and other states.

22. **Training and certification of painters.** SB 5412 would have required the training and certification of individuals involved in the painting and coating professions. This legislation did not pass. There is continued concern regarding the need to train and certify individuals who are exposed to potentially hazardous paints and coatings.

**Staff Responsibilities:** Meet with special interest groups (painters, coating applicators, L & I) to discuss key issues and concerns; talk with Department of Licensing re: potential sunrise review; review what other states have in the way of licensing/certification/training programs for paint and coating applicators.

23. **Farmworker Housing.** There is a significant shortage of housing for farmworkers who are permanent residents and migrant workers in this state. Legislation was proposed this session that would have required a study regarding ways to increase the availability of housing for farmworkers in this state. This legislation did not pass. Several Senators have requested that the **Labor and Commerce and Health and Human Services Committees** conduct a joint study on this issue during the interim.

**Staff Responsibilities:** Meet with Department of Trade, Community, and Economic Development, Department of Health, and House staff regarding what review has already been done of this issue and to discuss what issues need further study; meet with various interest groups in this state regarding farmworker housing and identify key issues related to the lack of housing for farmworkers. Meet with the following: farmworkers, growers, Evergreen Legal Services, etc.; talk with various organizations and individuals involved in the development of housing for farmworkers in this state and other states such as California, Oregon, and Michigan.

**JONATHAN SEIB, STAFF COUNSEL**

24. **State Printer Contracting Out.** A significant amount of state printing is contracted for with private sector vendors. Due to the large volume involved, the contracting policies of state and local government can have a significant impact on private sector wage and benefit structures in the printing industry. There is concern that this, along with other factors, have led to very low pay and few, if any, benefits for private printing workers.

**Staff Responsibilities:** Staff will investigate the operation of the State Printer, in particular the administration of contracting with private printing vendors. Included will be consideration of the impact of contracting practices on the wages, hours, and working conditions of private sector printing workers and on women and minority-owned businesses. The study will consider whether application of prevailing wage principles to the contracting activities of the State Printer would be appropriate.

25. **Task Force on Regulatory Reform.** Several bills were introduced during the 1993 session intended to improve the regulatory system in Washington. None of these bills passed. The Governor, however, announced the formation of a Task Force on Regulatory Reform to review the issue and make recommendations prior to the 1994 session.

E2SHB 2510, passed by the Legislature in 1994, was based on the recommendations of the task force. Its primary effect was to make changes in the administrative rulemaking process. ESSB 6339, also based on task force recommendations, made some initial changes to the various statutes governing environmental protection in the state.

The task force is to continue to meet approximately once a month during the 1994 interim. Three subcommittees have been formed dealing with: (1) SEPA/GMA integration; (2) Alternatives to Regulation; and (3) Review of Existing Rules. The subcommittees are likely to meet periodically in addition to the regular task force meetings. Further recommendations are due from the task force prior to the 1995 session.

In addition, the Senate passed Floor Resolution 8702 during the 1994 session calling on the standing committees to review existing statutory grants of rulemaking authority to determine if they are appropriate.

**Staff Responsibilities:** To be determined by task force and its subcommittees. In general, will consider what action might be taken to foster a more reasonable and responsible and less burdensome regulatory system in the state of Washington. What are the advantages and disadvantages of the various alternatives?

26. **State Personnel Resources.** ESHB 2054, passed in 1993, made significant changes to the state civil service system. The bill also created a task force charged with making

recommendations to the Legislature, in the form of proposed legislation, regarding the provision of personnel resources in state government. Legislation was submitted, but initially did not have the support of the Governor and was not considered by the Legislature. When agreement was reached between the Governor and the state employee unions, it came too late in the session for proper legislative action. The Governor has stated these issues will be a priority during the 1995 session.

**Staff Responsibilities:** Issues to be considered include the appropriate structure of the state civil service system, the desirability of contracting out for state services, and the desirability and appropriate structure for full-scope collective bargaining for state employees.

### **PATRICK WOODS, COMMITTEE COORDINATOR**

27. **Unemployment Insurance.** In 1993 the Legislature established the Joint Task Force on Unemployment Insurance in order to undertake an indepth review of Washington's unemployment insurance program. The task force is composed of four members of the House of Representatives, four Senators, and four representatives of labor and business, respectively. The task force in its January 1994 report to the Legislature outlined a series of recommendations to enhance the state's current unemployment insurance and employment and training programs.

**Staff responsibilities:** Under the provisions of SSB 6217 the task force with assistance from House and Senate staff is authorized to: Undertake an indepth review of targeted topics concerning unemployment insurance; work collaboratively with the Employment Security Department in implementation of the task force recommendations; assist the department in responding to federal initiatives and economic change, in particular the new federal claimant profile requirement which must be implemented in 1994; and review the issues concerning private nonprofit and government agencies that participate in the state's unemployment insurance program but do not pay for administrative costs through the federal unemployment insurance tax (FUTA).

28. **Home Refinancing.** (See Item #12)
29. **Affordable Housing Advisory Committee.** (See Item #20)
30. **Seamless delivery of services to homeless and low-income families.** (See Item #21)
31. **Farmworker Housing.** (See Item #23)
32. **State Personnel Resources.** (See Item #26)

### **MEETINGS:**

To be announced.

**SENATE COMMITTEE ON LAW AND JUSTICE**  
Senator Adam Smith, Chair

**DICK ARMSTRONG, COMMITTEE COORDINATOR**

1. **Criminal Sentencing and Prison Overcrowding:** Drug offenders and nonviolent offenders comprise approximately 43 percent of the total prison inmate population. Given that prison operating costs rose nearly sevenfold over the past 12 years, the Legislature will be working with the Sentencing Guidelines Commission on several options to reduce criminal justice costs. Staff will be obtaining specific information on the costs of each alternative.
  - \* Sentencing alternative for nonviolent offenders
  - \* Sentencing options for drug offenders
  - \* Changes in establishing custody levels of prison inmates
  - \* Transfer of jurisdiction of inmates under the Indeterminate Sentence Review Board
  - \* Violent offenses committed in prison (with Susan Carlson)
2. **Sentencing Guidelines Emergency Powers:** The current statute which allows the Sentencing Guidelines Commission to exercise emergency powers to deal with overcrowding may need to be clarified and updated (with Susan Carlson).
3. **Rulemaking Authority:** Staff will be complying with the provisions of Senate Resolution 1994-8702, which requires all committees to selectively review statutory grants of rulemaking authority to determine: (1) whether the authority granted is clear; (2) whether the legislative intent is specific and includes defined objectives; and (3) whether the grant of authority is consistent with and duplicative of grants to other agencies.
4. **Criminal Gangs:** The Senate and the House of Representatives each passed different versions of legislation which would have allowed a judge to impose an exceptional sentence when a felony is committed with the intent to benefit gangs and gang activity. The House and Senate were unable to reach an agreement on a final version of the bill. Staff will be working with interested legislators to draft proposed legislation on this issue.
5. **Expedited Appeals:** It has been suggested that persons who appeal administrative hearing decisions incur considerable expenses and time delays, given that there can be court hearings at the superior court, the Court of Appeals and the Supreme Court. Staff will be working with Administrator for the Courts to determine if legislation can be developed to expedite the appeals process.



6. **Prejudgment Interest:** It has been suggested that persons who obtain civil judgments should be allowed to collect prejudgment interest. Various proposals have been reviewed and discussed during the last several years, but an agreement has not been reached. Staff will be working with the plaintiffs' bar, defense bar, and the insurance industry to reach an acceptable compromise.
7. **Wrongful Death:** Families of children who are physically, mentally or emotionally challenged and who are unable to work as a result of such disabilities generally have little practical recourse against tortfeasors who negligently kill such children. The reason for such a result is that the families have not suffered any economic loss by reason of the death. Staff will be working with representatives of the plaintiffs' bar and defense bar to determine if the wrongful death statutes need to be revised to recognize noneconomic losses of such parents.
8. **Affidavit of Prejudice:** During the session, the Committee heard testimony on abuses by attorneys in filing "affidavits of prejudice" against judges. There appears to be few restrictions on the filing of such affidavits. Staff will be researching the filing of such affidavits to determine if corrective legislation is needed.
9. **Disparity in Sentences:** Concerns have been expressed by persons involved in the criminal justice system on the potential disparity in sentences between persons convicted of misdemeanors and "lower level" felonies. For example, there are numerous felonies where the presumptive sentence can not exceed six or nine months while a conviction for a gross misdemeanor can result in a sentence up to 12 months. It has been suggested that this "disparity" in potential sentences needs to be statutorily addressed.

#### **JON CARLSON, STAFF COUNSEL**

1. **Youth Violence Act/Firearms:** As part of the omnibus youth violence bill, a special legislative task force has been created to examine the effectiveness of the Juvenile Justice Act. Staff will be involved on those issues that involve juveniles and firearms. In addition, various technical revisions will be considered during the interim to improve the firearms section of the omnibus youth violence bill.
2. **Brady Bill/Firearms:** Staff will monitor the implementation of the Brady bill provisions and their implications for Washington State. Before the end of the summer, the U.S. Attorney General is required to determine the type of computer hardware and software that will be used to operate the national instant criminal background check system. In addition, each state will be notified and given a timetable by which the state should be able to provide criminal records on an on-line capacity basis to the national system. Draft legislation will be prepared as necessary to comply with the requirements of the federal legislation.

3. **Interpreters of Speech and Hearing-Impaired Jurors:** Courts are finding no guidance in current laws for dealing with the problems associated with the full inclusion of speech and hearing impaired individuals as jurors. These individuals can often participate fully if provided with an interpreter. The courts need rules that delineate when they must appoint and pay for interpreters, and rules to protect the integrity of the jury system. Staff will work with interested parties to try and reach a set of rules that will answer the various concerns.
4. **Uniform Partnership Act:** The National Conference of Commissioners on Uniform State Laws will be adopting a Uniform Partnership Act this summer. Staff will work with the Washington State Bar Association and interested parties to draft legislation that reflects the efforts of the commissioners, and is suited to this state's existing Partnership Act.
5. **Corporations/Real Property Assessments:** The Secretary of State has received complaints that homeowner associations and condominium associations have levied fees on their members without the knowledge and consent of the members. SB 6277 and ESHB 2660 attempted to address this matter by ensuring that each member is afforded a voting right on all fees levied. Questions that were raised during the latter part of session stalled these measures, and work will continue during interim to address these concerns.
6. **Limiting Stays on Pending Appeals:** It has been argued that stays of execution on judgments pending appeals in cases of serious violent and sex offenses pose a danger for the victims, witnesses, and community, and unreasonably traumatizes the victims and their families. Staff will work with interested parties to determine what restrictions can be applied to stays requested by defendants who have been convicted of serious violent and sex offenses and other serious crimes.
7. **Judicial Leave of Absence:** Oregon has a statute that allows its supreme court, upon written application from any judge, to grant the judge a leave of absence without salary for up to a year. A similar arrangement is being considered for Washington in order to afford judges the opportunity for a "sabbatical."
8. **Prisoner Copayment for Medical Care:** Health care costs for inmates constitute a significant portion of the increase in total costs for the Department of Corrections. It has been suggested that the use of a small copayment could reduce the overall costs in the same way and for the same reasons that copayments reduce health care costs for the general population. Staff will work with interested parties to try to establish a system of copayments that does not discourage or deny needed health care to prisoners.

**SUSAN CARLSON, STAFF COUNSEL**

**1. Child Support Issues:**

- \* **Four-Year Review of Child Support Schedule:** Federal and state law requires the Legislature to review the child support schedule every four years to determine if it results in appropriate awards of child support. The schedule is due to be reviewed in the 1995 session. Staff will be monitoring a study by the Washington Institute for Public Policy, as well as gathering materials for the Committee's use in reviewing the schedule. In addition to whether the schedule results in appropriate support awards, other issues expected to arise are: calculation of child support where there are children from other relationships; exclusion of income of a new spouse or other adult living in the home; and treatment of income from overtime and second jobs
- \* **Postsecondary Education Support:** The issue of whether and when a parent should be responsible for postsecondary education support continues to be controversial. Staff will be researching the status of postsecondary child support laws in other states.

**2. Administrative Enforcement of Visitation:** SB 6275 proposed an administrative procedure to address violations of the visitation provisions in a parenting plan or dissolution decree. Further refinement of the procedures needs to be done, as well as examination of the fiscal costs. Staff will also be collecting information on the interrelationship between visitation with children and the payment of child support obligations.

**3. Protection Orders:** Concern has been raised that private detectives may be used to circumvent protection orders. Staff will be reviewing the laws regulating private detectives and, if necessary, drafting legislation addressing this issue.

**4. Murder of Unborn Child:** SB 6181 proposed increased penalties for the crime of intentionally causing the death of an unborn child by inflicting injury on the mother. Staff will be continuing to research and monitor case law in Washington and other states regarding this issue.

**5. Correctional Industries:** ESB 5989 requires the Department of Corrections to increase inmate participation in correctional industries over a six-year period. Staff will be monitoring implementation of the phased expansion of correctional industries and the impact of new correctional industry mandatory inmate wage deductions.

**6. Fraud Prevention/Detections through use of Electronic Thumbprint Scans:** SB 6268 proposed development of a program for fraud prevention and detection through the use of electronic thumbprint scans. The program would have required a scan of a person's

thumbprint to verify identification at the time of issuance or renewal of a driver's license or application for welfare benefits. Staff will continue to gather information on similar programs in other states.

7. **Work Ethic Camp:** ESHB 1922, passed in the 1993 session, established a work ethic camp to be operated by the Department of Corrections. The Department opened the camp at McNeil Island Corrections Center on November 1, 1993. The legislation requires study of the effectiveness of the camp by the department and the Office of Financial Management. Staff will be monitoring implementation of the work ethic camp.

#### **MARTY LOVINGER, STAFF COUNSEL**

1. **Motor Fuel Price Fixing:** Independent motor fuel dealers and distributors argue that unfair wholesale pricing policies are responsible for many gas station closures and higher fuel prices for consumers. Measures previously introduced have set price ceilings for wholesale gasoline sales by distributors. Staff will review various proposals and information addressing this issue from all interested parties.
2. **Motor Vehicle Leasing:** Consumers who enter into motor vehicle leases often do not understand the full implications of the contracts they sign. In particular, it is not clear how the leases compare with purchases of equivalent vehicle models. Staff will work with interested parties to determine what information should be made available to consumers by those who lease vehicles.
3. **Campaign Practices Reform:** In 1993, the Legislature created the Commission on Ethics in Government and Campaign Practices. The commission's recommendations were included in two major bills in the 1994 legislative session. ESSB 6111 addressed ethics issues and was passed by the Legislature. E2SSB 6112 addressed campaign practice reform and included amendments to Initiative 134 which was passed by the voters in 1992. E2SSB 6112 was unable to obtain the 2/3 vote necessary to pass changes in the first two years following the effective date of Initiative 134. Staff will monitor the issues that gave rise to the proposals in SB 6112. It is expected that at least some of the proposals are likely to be raised again.
4. **Campaign Spending Limits:** Staff will continue to review and work on proposals to establish voluntary spending limits for candidates seeking state offices as well as limitations on political committees and public officials involved in recall campaigns.
5. **Regulating Telemarketing in Political Campaigns:** It has been proposed that telemarketing in political campaigns be regulated as political advertizing. The definition of telemarketing would need to clearly state what activities are regulated in order to exempt such protected activities as telephone polling, and also to protect commercial telemarketing from regulation under campaign laws.

6. **Ballot Proposition Definition:** Current law prohibits use of public facilities in campaigns for or against ballot propositions. It has been argued that the current definition for "ballot proposition" severely curtails the ability of public officials to address major issues, even though such leadership is expected by the voters. Staff will work with interested parties to address the competing policy concerns.
7. **Sexual Orientation:** Current law does not prohibit discrimination based upon a person's sexual orientation. Bills have been introduced in some form or another over the past 17 years to provide this protection. Two initiatives have been filed that address the issue of sexual orientation. Staff will be monitoring developments regarding this issue and the two related initiatives.
8. **Human Rights Commission:** Currently, only employers with eight or more employees are subject to the discrimination laws. It has been proposed in the past that employers with one to seven employees should also be subject to the discrimination laws. Such an extension of jurisdiction would result in increased responsibilities for the Human Rights Commission and a possible increase in burdens for small businesses. Staff will attempt to study benefits and liabilities of such a change.
9. **Garnishment:** Existing law is unclear whether a child support order may preclude or reduce the priority of other garnishment orders. There is also disagreement among the interested parties as to the amount of income that should be protected from garnishment. Staff will monitor negotiations on these and other concerns with existing garnishment laws.
10. **Traffic Citation Records:** Traffic enforcement agencies are responsible for maintaining numerous records related to the issuance of traffic citations. The auditing of these records is also cumbersome and costly and must be performed monthly. Staff will work with traffic enforcement agencies to see if their recordkeeping responsibilities can be made less burdensome.

#### **LIDIA MORI, STAFF COUNSEL**

1. **Juvenile Justice Task Force:** A special legislative task force was created by E2SHB 2319 to examine the effectiveness of the Juvenile Justice Act of 1977, to survey alternatives to the Act, and to recommend appropriate revisions to the juvenile justice laws. Staff will monitor the task force and provide research and information when needed.
2. **Landlord-Tenant Issues:** The Attorney General's office has requested that a study group be formed to address some issues concerning the Landlord-Tenant Act. Evergreen Legal Services is also interested in pursuing certain issues within this area. Staff will participate in the study group to address some of the major concerns regarding landlord-tenant law.

3. **Civil Commitment/Sex Predators:** In 1993, the Washington Supreme Court found the overall statutory scheme presented in the civil commitment section of the Community Protection Act to be constitutional; however, the court did find several constitutional flaws within the statute. The civil commitment portion of the Community Protection Act may need to be modified to conform to the requirements of the recent Supreme Court decision.
4. **Juvenile Boot Camp:** E2SHB 2319 required the Department of Social and Health Services to establish and operate a medium security juvenile offender basic training camp program. Staff will monitor the establishment of the boot camp and compile the information that is used to make decisions in the creation of the boot camp and the ongoing process.
5. **Restraining Orders:** There are a number of statutes that authorize courts to issue restraining orders in matters involving domestic relations. The treatment of these restraining orders is not consistent and raises questions of civil liability for law enforcement in cases where the orders are violated. Staff will work with interested parties to address the inconsistencies in the enforcement of domestic relations restraining orders and clarify liability matters.
6. **Speed Measuring Device Expert Testimony:** When defendants contest speeding citations, they often request the appearance of the speed measuring device expert to provide testimony as to the maintenance of the particular device used. This process is expensive for courts and law enforcement and scheduling conflicts can lead to dismissal of some cases. Staff will work with interested parties to establish a procedure that will make live testimony available where necessary but allow the assessment of costs when the defendant does not prevail at the hearing.
7. **Jury Trial Resolution:** SJR 8218 would have submitted a constitutional amendment to the voters of the state of Washington such that the right to a jury trial would be limited to serious offenses. A criminal offense that involved a maximum term of incarceration of less than six months would not be considered a serious offense unless the defendant could demonstrate otherwise. Staff will research this issue, look at the constitutions of other states, and provide some fiscal projections on the impact of such an amendment.
8. **Skating Center Liability:** The issue of the liability of a skating center when a skater or spectator is injured on the premises was addressed in SSB 6380. The interested parties were unable to reach an agreement on the exact language defining the parameters of liability during the last session. Staff will work with interested parties to reach a resolution of this issue.

#### **MEETINGS:**

To be announced.

## **SENATE COMMITTEE ON NATURAL RESOURCES**

Senator Brad Owen, Chair

### **SUBCOMMITTEES**

#### **TAKINGS AND PROPERTY RIGHTS**

Chair - Senator Rosa Franklin; Senator Jim Hargrove, and Senator Tim Erwin  
Staff - Diane Smith, Ross Antipa, Vic Moon

During the last two legislative sessions major legislation involving the taking of private property has been before the Natural Resources Committee. No consensus was reached and neither proposal was passed into law. Concern over the issue is growing among the public and with legislators. Senator Franklin is very interested in the issue and she has instructed staff to organize a series of hearings, site inspections, and to prepare legislation prior to the 1995 session if the analysis concludes upon an acceptable approach.

#### **HEALTH OF THE COMMERCIAL FISHING INDUSTRY**

Chair - Senator Sid Snyder; Senator Mary Margaret Haugen, Senator Tim Erwin  
Staff - Ross Antipa

This year coastwide salmon fishing closures will be imposed upon the fishery because of low salmon runs. There are extreme economic losses projected for the coastal fishing ports. Many fishers are anticipated to be driven into bankruptcy, support industries will be severely impacted, there will be negative economic impacts throughout the region. Fishing opportunities for the 1995 season are also projected to be poor, further compounding the problems that began this season. The Legislature will be required to make hard choices about buy-out of commercial fishing licenses, developing more selective fisheries, marking of all hatchery chinook and coho salmon, operating hatcheries in an improved manner, and other measures to assist the commercial fishing industry. A subissue in this study is the incidental catch of sturgeon in the Columbia River salmon gillnet fishery. Hearings will be scheduled in the areas most affected by the closures.

#### **LIVESTOCK GRAZING ON STATE LAND**

Chair - Senator Brad Owen; Senator Mary Margaret Haugen, Senator Bob Oke  
Staff - Vic Moon

Rangeland management on state land has not received a great deal of attention by either the Department of Natural Resources or the Department of Wildlife. Overgrazing has

occurred and habitat for other animals and fish, some of which may be threatened or endangered, has been degraded. Standards must be developed for rangeland management, and the standards must be enforced. Fees for grazing leases also need review. The grazing statutes need to be examined and updated. Hearings will be scheduled in central and eastern Washington.

## **NEW FORESTRY TECHNIQUES/WATERSHED MANAGEMENT**

Chair - Senator Jim Hargrove; Senator Harriet Spanel, Senator Neil Amondson  
Staff - Vic Moon, Ross Antipa

The recovery of most Northwest endangered species involves changing the forestry practices and the improvement of watershed management. Both the federal government and the state must work together in this effort. The Legislature has made significant expenditures in the watershed management area, the federal government has promised to do the same. It is important to utilize innovative techniques to restore the environment and to achieve a sustainable natural resource economy. The subcommittee should learn about new opportunities to improve management of forests and watersheds. Field trips will be conducted in locations with both poor practices and with practices that are successful.

## **FULL COMMITTEE INTERIM STUDIES**

### **HERRING AND ANCHOVY FISHERIES**

Staff - Ross Antipa

Herring, anchovy and other bait fish provide food for salmon and other high value marine fish. These bait fish also provide fisheries in their own right. There is potential for conflict between these fisheries, especially during current times when a great many salmon stocks are threatened or endangered. The Legislature may be asked to make decisions regarding the conduct of bait fish fisheries.

### **DNR AQUATIC LANDS POLICIES**

Staff - Vic Moon

Leasing of state owned aquatic lands has always been very complex and controversial. Major restructuring of the aquatic land statutes has occurred twice in the last 15 years. Problems with the aquatic land leases have increased over the last two years and it is time to revisit the issue to determine if statutory changes are necessary, or if administrative corrections need to be made.



## **DNR REAL ESTATE TRANSITION LANDS PROGRAM**

Staff - Vic Moon/Diane Smith

Under Commissioner Brian Boyle the DNR moved aggressively into a new program of generating income from real estate leases. This program was based on existing DNR "transition lands" and the purchase of new urban-suburban income properties. The current Commissioner Jennifer Belcher is not as great a proponent of this program. The Committee needs to examine the potential of this new program for income generation, and it needs to evaluate the pitfalls and drawbacks of the program.

## **MASS MARKING OF HATCHERY CHINOOK AND COHO SALMON**

Staff - Ross Antipa

Mass marking of millions of chinook and coho salmon has the potential of allowing the current mixed stock salmon fisheries to continue, while protecting the endangered naturally spawning stocks. Thus, marked fish would be retained, while unmarked "wild" stocks would be released unharmed in mixed stock hook and line fisheries. This approach has the promise of rebuilding endangered stocks while supporting the fishing economy. Costs are high, preliminary estimates are about \$5 million annually. The tribes are concerned about marking mortality, and there are numerous logistic problems.

## **HOOKING MORTALITY OF SALMON IN RECREATIONAL FISHERIES**

Staff - Ross Antipa

Recent studies have shown that the mortality of salmon that are hooked in recreational fisheries and then subsequently released is less than 10 percent. However, the current hooking mortality figure that is agreed upon between the tribes and the Department of Fisheries is in excess of 20 percent. This disparity has resulted in a problem in the sharing of catch as per the "Boldt decision." The Committee needs more information on this issue especially as to the effects upon any decision to proceed with mass marking of hatchery chinook and coho salmon.

## **BOTTOM TRAWLING IN NORTHERN PUGET SOUND AND THE STRAITS**

Staff - Ross Antipa

Bottom trawling for food fish is a nonselective fishing method that results in a large "by catch" of unwanted or unmarketable fish, and may have adverse environmental effects. Bottom trawling was banned by the Legislature in the waters of inner Puget Sound and Hood Canal. The Committee needs to evaluate the bottom trawl fishery in the Straits and the Northern Puget Sound waters.

## **IMPLEMENTATION OF PUGET SOUND RECREATIONAL SALMON AND MARINE FISH RESEARCH AND ENHANCEMENT PROGRAM**

Staff - Ross Antipa

This new program was created by the 1993 Legislature. The committee is interested in closely monitoring the progress of the program, including the selection of new rearing pond sites and the stock enhancement conflicts that develop.

## **WARM WATER FISH ENHANCEMENT PROGRAM**

Staff - Ross Antipa

This program was greatly expanded by the 1994 legislature. The purchase of the Gloyd Seeps hatchery, that was just completed, will assist the program. The expansion of warm water fisheries is one of the few bright spots in the future of recreational fishing in the state. The Committee wants to stay closely involved in the development of this program.

## **FOREST PRACTICES BOARD and LAND COMMISSIONER AUTHORITIES**

Staff - Vic Moon

The authority of the Forest Practices Board is very broad and its membership was developed 20 years ago. A review of all DNR timber regulatory authority on public and private lands is needed, given significant changes in forestry techniques and the Endangered Species Act application to public and private lands. The role of the Forest Practices Board may require revision.

**SENATE COMMITTEE ON TRADE,  
TECHNOLOGY AND ECONOMIC DEVELOPMENT**  
Senator Sylvia Skratek, Chair

**REGIONAL DEVELOPMENT ISSUES:** Committee staff have been assigned to work with the Joint Select Committee on the Pacific Northwest Economic Region and the Cascadia Corridor's Trade and Transportation Task Force. Staff: Jack Brummel and Traci Ratzliff.

**BUSINESS ASSISTANCE:** An examination of the success and failure of businesses started in the state during the last five years will be carried out. An Employment Security data base and survey of new firms should produce a list of major factors leading to success or failure of the firms. The findings are expected to have implications for state business assistance policy. Staff: Jack Brummel.

**RURAL DEVELOPMENT:** The Committee will be looking at the potential for revitalizing rural economies through improved telecommunication opportunities and increased export assistance to rural areas. A Committee hearing is scheduled for May. Staff: Jack Brummel.

**FILM AND VIDEO INDUSTRY:** The Department of Community, Trade, and Economic Development has received funds for a study of the feasibility of building a production studio in the state. Additional needs of this industry will be examined and legislation proposed. The Committee will conduct a hearing on the needs of the industry in conjunction with a tour of a film or video set. Staff: Jack Brummel.

**WORKFORCE TRAINING:** Committee staff will continue to support the Investing in People Project, carried out in conjunction with NCSL. The project is developing recommendations for changes in the state's workforce training system and mechanisms to assist higher performing work organizations. Models for increasing the work-readiness of youth will also be reviewed. Staff: Jack Brummel and Traci Ratzliff.

**SUSTAINABLE DEVELOPMENT:** Over the past ten years many nations and states have created sustainable development plans to achieve economic goals while preserving environmental quality. Legislation which would have created a Joint Select Committee on Sustainable Development (SCR 8419) did not pass the Legislature. The Committee will conduct a joint hearing with the Committee on Ecology and Parks on models of sustainable development and the potential for developing a framework for sustainable development plans in the state. Staff: Jack Brummel.

**MOBILE HOME PARKS:** Committee staff will examine the relationship between rent increases in mobile home parks and tax and development pressures on mobile home parks which reportedly drive ongoing rent increases parks. Staff: Traci Ratzliff.

**TECHNOLOGY STRATEGY:** The Department of Community, Trade and Economic Development is pursuing the development of a statewide technology strategy. Committee staff will monitor and provide assistance to the department in the development of this strategy. Staff: Traci Ratzliff.

**WASHINGTON TECHNOLOGY CENTER (WTC):** Committee staff will continue to monitor the activities of the WTC. Staff: Traci Ratzliff.

**THE SPOKANE RESEARCH AND TECHNOLOGY INSTITUTE (SIRTI):** Committee staff will continue to monitor the activities of SIRTI. Staff: Traci Ratzliff.

**RACE TRACK DEVELOPMENT IN WESTERN WASHINGTON:** Continue to monitor developments related to the selection and construction of a new race track in Western Washington. Monitor current operations at smaller tracks in state. Staff: Traci Ratzliff.

**ACCESS TO CAPITAL:** One of the chief complaints heard from small and medium sized businesses in this state is the lack of access to capital financing for startup and growth-related/expansion activities. In response to this ongoing concern of businesses, the Legislature passed ESHB 2737. This legislation made modifications to the Washington Economic Development Finance Authority's (WEDFA) statutory authority to provide capital financing (through the issuance of nonrecourse bonds) for a wide range of "economic development activities." In addition, WEDFA is authorized to implement a product development program that provides capital financing for companies seeking to develop an invention or process for commercial purposes. Staff will follow the implementation of this legislation by the DCTED. The Legislature also considered SB 6165. This bill would have expanded and strengthened the Department of Financial Institution's (DFI) evaluation of state chartered banks or thrifts to check for compliance with the state Community Reinvestment Act (CRA). Staff will examine ongoing issues related to the effectiveness of this state's CRA laws in meeting the capital needs of low and moderate income communities and will also examine DFI's compliance activities related to the state's CRA. A regional early stage financing pool has been established in Oregon to meet the capital needs of startup companies. Staff will examine the effectiveness of this pool and look at the development of such a pool in this state. Staff: Jack Brummel and Traci Ratzliff.

## **MEETINGS**

Joint meeting with Agriculture and Energy and Utilities on rural development issues. May 11, Northwest Alloys Training Center, Addy, WA. 9:00am - 12:00pm.

Other meetings to be announced.

**SENATE COMMITTEE ON TRANSPORTATION**  
Senator Larry Vognild, Chair

**I. PLANNED ACTIVITIES:**

**A. LTC LEAD:**

**1995-97 Transportation Budget Development:**

Continued development and modification of TEIS and the fund balance system.

LEAP system improvements and budget procedure changes, including annual budgeting for the operating budgets.

**General Fund Issues Affecting Transportation:**

- Review of state agency space use charge and/or debt service plan issues.
- Review of transportation agencies' self insurance premium and related administrative cost of risk management.
- Review of general fund agencies appropriations from transportation funds.

Review of rail passenger program and discussion of proposed capital and operating improvements.

Continued analysis of I-601's application to nongeneral fund revenues (as applied to ESHB 2326 - gasohol).

Lead Staff: Gene Schlatter

Assisting Staff: Robin Rettew; Brad Lovaas; Gene Baxstrom; Roger Horn;  
Vicki Fabr ; Jeff Doyle; Brian McMorrow

**1995-97 Transportation Revenue Proposal:**

Coordination with other transportation agencies' and organizations' efforts (including Transportation Commission's Transportation 2000 project).

Review of emerging debt financing techniques, including "securization."

Review of transportation tax exemptions.

MVET simplification (HB 2606, not adopted).

**Lead Staff:** Gene Schlatter  
**Assisting Staff:** Robin Rettew; Brad Lovaas; Gene Baxstrom; Roger Horn;  
Vicki Fabr ; Jeff Doyle; Brian McMorrow

**Transportation Commission/DOT:**

Oversight of DOT implementation of the new priority programming process (Chapter 47.05 RCW). Also related to TEIS and LEAP activities identified above.

**Lead Staff:** Gene Schlatter  
**Assisting Staff:** Brad Lovaas; Robin Rettew; Roger Horn; Vicki Fabr 

Study in conjunction with DOT and Attorney General examining issues related to civil liability of DOT for accidents occurring at facilities that were built to design standards (SB 6252, not adopted).

**Lead Staff:** Jeff Doyle  
**Assisting Staff:** Jennifer Joly

Equitable allocation of DOT's sediment cleanup liability; work with impacted parties to develop a methodology to determine relative contamination contributions. This project would be a followup to the 1991-92 Stormwater and Sediment Liability Discussion Group, facilitated by the Department of Ecology.

**Lead Staff:** Robin Rettew  
**Assisting Staff:** Jennifer Joly

LTC review of SB 5572 (Chapter 59, Laws of 93), passed by the 1993 Legislature, requiring DOT to evaluate a sample of construction projects in order to assess the environmental costs of such projects and the Transportation Commission to recommend policies to the LTC.

**Lead Staff:** Robin Rettew  
**Assisting Staff:** Jennifer Joly

**Public Transportation/Transportation Planning:**

Interjurisdictional study (DOT, cities, and counties) coordinated by LTC to evaluate whether or not state facilities should be subject to GMA concurrency requirements (required by ESSB 6084, Section 37 (3)); preliminary findings due by December 15, 1994; final report due by September 1, 1995.

**Lead Staff:** Robin Rettew

Assisting Staff: Vicki Fabré; Gene Schlatter

Status of the RTA regarding proposed implementation and funding of the first phases of a regional transit system; RTA could report in November, 1994.

Lead Staff: Gene Baxstrom  
Assisting Staff: Brian McMorrow

Review and refinement of air transportation legislation (HB 2621, not adopted).

Lead Staff: Brian McMorrow

Review of TDM measures that address: (1) relationship between telecommunication and transportation to reduce SOV trips; (2) private sector unscheduled service to park-and-ride lots and major work sites; (3) financial incentives to encourage ridesharing; (4) umbrella transportation management association to coordinate state employees' commute trip reduction program in Thurston County and capitol campus; (5) land use and TDM issues.

Lead Staff: Brian McMorrow

**Rail:**

Review of rail passenger program and discussion of proposed capital and operating improvements proposed for the 1995-97 and 1997-99 biennia.

Lead Staff: Brian McMorrow

Review of freight rail program and its future.

Statutory changes concerning excessive noise from load testing railroad cars at Burlington Northern's interbay facility.

Study of the state's role in regulating private railroad crossings (SB 6507).

Lead Staff: Jeff Doyle

**Trucking/UTC:**

(LTC report due on each of the following issues by January, 1995.)

Allowing certain vehicles to activate the retractable axle while the vehicle is in motion, and increasing the penalty for violation. (Result of Senate request to look

at other retractable axle usage when addressing SB 6205, ready-mix cement trucks.)

Establishing driver qualification requirements for escort drivers.

Developing a vehicle trip permit based on tonnage.

Establishing penalty procedures for shippers using noncertificated intrastate carriers. (Additional requirement requested by the Senate Transportation Committee in connection with SB 6215, allowing the UTC to impose penalties on unauthorized carriers.)

Creating a special permit for 9' overlegal trailers to periodically haul legal 8-1/2' wide loads. (Result of a Senate request in connection with SB 6202, increasing the legal length for single trailers to 53 feet.)

Reregulating armored car services. (Result of a proposed Senate floor resolution.)

Removing rate regulation for small parcel service carriers. (Result of HB 2262.)

Lead Staff: Mary McLaughlin

Assisting Staff: Jennifer Joly

**Local Government:**

Review of parking privilege abuses by Governor's Commission on Employment, and LTC.

Lead Staff: Brian McMorrow

LTC review of interjurisdictional issues relating to a county's ability to use eminent domain proceedings to acquire property for a road to be built, owned and operated by a city.

Lead Staff: Jeff Doyle

Statutory changes in the Port of Seattle's Noise Abatement Program.

Lead Staff: Jeff Doyle

**Washington State Patrol:**

Review crime lab activity.



Lead Staff: Brad Lovaas

**B. DEPARTMENT OF TRANSPORTATION LEAD:**

DOT written status report to LTC and OFM, identifying bridges to be retrofitted within \$10M supplemental appropriation; and actual expenditures by project through November 1, 1994, compared to estimated expenditures; as well as total expenditures through June 30, 1995 (required by ESSB 6084, Section 30 (4) (a) and (b)).

Lead Staff: Gene Schlatter

DOT, Marine Division report to LTC and OFM on additional oiler staff on select ferry routes to assess ability of enhancing vessel maintenance on routes with extensive service schedules (required by ESSB 6084, Section 36 (6)); due October 1, 1994.

Lead Staff: Vicki Fabré

Study by DOT, GA, OFM, in consultation with LTC, to review current procurement authorities and the consequent impact on the operation of DOT, Marine Division as a public mass transportation system (required by ESHB 2863, Section 3).

Lead Staff: Vicki Fabré

Interjurisdictional transportation study (DOT, cities and counties) to evaluate a multijurisdictional approach to environmental mitigation (required by ESSB 6084, Section 37 (2)); study to be completed by December 1, 1994.

Lead Staff: Robin Rettew

Assisting Staff: Jennifer Joly; Roger Horn

DOT study to define Washington State's scenic byway program. DOT received a \$160,000 federal grant to develop criteria for nominations to a statewide scenic byway system and to help clarify the process for making nominations to the National Scenic Byway Program. Scheduled for completion in September, 1994.

Lead Staff: Brian McMorrow

**C. DEPARTMENT OF LICENSING LEAD:**

DOL Strategic Initiatives Plan (required in ESSB 6084, Section 8 (1) (2) and (3)); work plan due May 1, 1994; implementing plan due to LTC and OFM by September 1, 1994.

Lead Staff: Brad Lovaas  
Assisting Staff: Jeff Doyle

Report by DOL, DIS and WSP to LAMP Steering Committee and LTC on the costs and benefits associated with the operations of the LAMP system at the WSP data center (required by ESSB 6084, Section 9 (6)); report due by September 1, 1994.

Lead Staff: Brad Lovaas  
Assisting Staff: Gene Schlatter; Jeff Doyle

**D. WASHINGTON STATE PATROL LEAD:**

WSP facilities needs assessment study to determine compliance with ADA (required by ESSB 6084, Section 42 (2)); study due to LTC and OFM by September 15, 1994.

Lead Staff: Brad Lovaas  
Assisting Staff: Mary McLaughlin

WSP study of current management programs and levels of staffing for management positions (required by ESSB 6084 Section 7 (2)); study plan due to LTC by May 1, 1994; findings and recommendations due by September 10, 1994.

Lead Staff: Brad Lovaas  
Assisting Staff: Mary McLaughlin

**E. MULTIAGENCY LEAD:**

WSP, DOL, and DOT report to House and Senate Transportation Committees on ten-year capital consolidation plan (required by ESSB 6084, Section 41); report due by September 15, 1994.

Lead Staff: Brad Lovaas  
Assisting Staff: Mary McLaughlin

The Commute Trip Reduction Task Force recommendations on changes to the Commute Trip Reduction Law (Chapter 70.94.521 through 70.94.551); report due December 1994.

Lead Staff: Brian McMorrow

**II. STAFF MONITORING ACTIVITIES -- REPORT TO COMMITTEE AS NEEDED:**

**A. Fiscal:**

Government efficiency impacts on transportation agencies.

Lead Staff: Gene Schlatter

GA's adjustment of the Purchasing Administrative Fee (PAF). GA is to report to the LTC pursuant to Senators Vognild and Rinehart's letter of March, 1994.

Lead Staff: Gene Schlatter

Assisting Staff: Jennifer Joly

Funding for visitor information centers.

Lead Staff: Gene Schlatter

Assisting Staff: Jennifer Joly

**B. Transportation Commission/DOT/TIB:**

Implementation of DOT Public/Private Initiatives Program (funded under ESSB 6084 Section 32, and HB 2909).

Lead Staff: Vicki Fabré

DOT report to House and Senate Transportation Committee Chairs on impact of local flood plain management ordinances (required by ESSB 6084, Section 30 (5)).

Lead Staff: Robin Rettew

DOT Implementation of Design Visualization (funded under ESSB 6084, Section 27 (3)).

Lead Staff: Robin Rettew

Status report on the development of the Transportation Policy Plan.

Lead Staff: Vicki Fabré

LTC review of DOT's discrimination complaint procedures (SSB 6494, Section 4, not adopted).

Lead Staff: Vicki Fabré

Review of DOT reorganization and personnel issues; FTE reductions, unfilled positions.

Lead Staff: Robin Rettew

DOT progress reports to the LTC and Governor on the implementation of Jumbo Class Mark II ferries (required by ESSB 6084, Section 35 (3)).

Lead Staff: Vicki Fabré

Review of PSTIP development of intermodal terminals at Point Edwards (Edmonds) and Mukilteo; report due June 30, 1995.

Lead Staff: Vicki Fabré

Review activities of Colman Dock Mobility Committee.

Lead Staff: Vicki Fabré

Implementation by TIB of SHB 2707 (revising transportation improvement funding procedures).

Lead Staff: Roger Horn

TIB quarterly reports to LTC and OFM regarding project cost changes for projects funded from TIA and UATA.

Lead Staff: Roger Horn

Monitoring DOT's progress in working with environmental regulatory authorities to streamline the environmental permitting process pursuant to SSB 6466.

Lead Staff: Robin Rettew  
Assisting Staff: Jennifer Joly

Monitor DOT's Highway Safety Management System (SMS) Standing Committee.

Lead Staff: Roger Horn

**C. Department of Licensing:**

Bimonthly reports on status of LAMP from DIS and the LAMP Quality Assurance Consultant to the LAMP Steering Committee (required by ESSB 6084, Section 9 (4) & (5)).

Lead Staff: Brad Lovaas  
Assisting Staff: Gene Schlatter

Implementation of collegiate license plate legislation (SSB 6089).

Lead Staff: Jennifer Joly

Disabled parking study group. It is anticipated that a group consisting of DOL, the Governor's Committee on Disability Issues and Employment, and citizens representing persons with disabilities will be formed this summer to look at various parking issues.

Lead Staff: Brian McMorrow

Study of wrecked vehicles/salvage titles.

Lead Staff: Brad Lovaas

**D. Public Transportation:**

Review of action taken by the Multimodal Transportation Programs and Project Selection Committee in distributing funds from four transportation-related accounts.

Lead Staff: Gene Baxstrom

**E. Safety/Law Enforcement:**

Overview of Governor's study of WTSC.

Lead Staff: Roger Horn  
Assisting Staff: Brad Lovaas

**F. Trucking:**

Revising axle loadings for fire trucks. (City of Spokane looking at purchasing new fire trucks that do not meet current axle loading standards.)

Lead Staff: Mary McLaughlin

**III. OTHER LTC ADMINISTRATIVE ACTIVITIES:**

Review by LTC staff and House and Senate administrators to enhance commonality in bill processing procedures between the House and Senate (i.e., bill status terms, bill reports, calendar references, E-mail information).

Lead Staff: Gene Baxstrom; Mary McLaughlin

Perfecting of LTC bills database.

Lead Staff: Roger Horn

Continued enhancement of staff capability for document preparation.

Lead Staff: Gene Baxstrom; Mary McLaughlin

Update of Transportation Resource Manual.

Lead Staff: Roger Horn

**MEETING SCHEDULE**

**LEGISLATIVE TRANSPORTATION COMMITTEE  
SENATE TRANSPORTATION COMMITTEE  
HOUSE TRANSPORTATION COMMITTEE**

Wednesday, April 13

Wednesday, May 11 - 10:00 a.m.

Sea-Tac Airport  
Large Auditorium  
Central Terminal  
SeaTac, WA

Wednesday, June 8

**Wednesday, June 29 (In conjunction with Wheatgrowers Association Tour in Lincoln County on June 30)**

**July - No meeting scheduled**

**Wednesday, August 10**

**Wednesday, September 14**

**Wednesday, October 12**

**Wednesday, November 9**

**Wednesday, December 14**

## **SENATE COMMITTEE ON WAYS AND MEANS**

**Senator Nita Rinehart, Chair**

Nearly all of the interim work plan for the Ways and Means Committee is directed toward preparing the operating and capital budgets for next biennium. The focus of the 1994 Supplemental Budget was to prepare for the future and the limits set in place by Initiative 601. A major element of the budget was to provide for a variety of studies and work groups which would examine the fastest growing areas of state government and provide options which would slow this growth.

Since every fiscal proposal also has strong programmatic implications, the Committee and the committee staff will be working closely with the members and staff of the various program committees.

Following are the major areas of emphasis for the Committee's interim activity:

### **OPERATING BUDGET**

#### **Education: Bill Freund**

- \* Participate in a study of special education which will examine the components of the system which are contributing to its extraordinary rate of growth. This work will be done in conjunction with the Legislative Budget Committee (LBC), the Superintendent of Public Instruction (SPI) and the Washington State Institute for Public Policy.
- \* Work with LBC as they examine the K-12 Learning Assistance Program and teacher inservice training programs. These programs will be examined to determine whether they have resulted in increased costs which are not consistent with their goals.
- \* An examination of alternatives which would slow the rate of growth in pupil transportation costs will also be undertaken.

#### **Human Resources: Steve Lerch, Tim Yowell, Linda Brownell**

- \* A thorough examination of health care costs as they relate to the state budget's fastest growing program, Medical Assistance, will be conducted. The Health Services Commission, the Office of Financial Management (OFM) and the Department of Social and Health Services (DSHS) will provide analyses which may lead to future cost containment. These will include examinations of selective contracting, scope of services provided, the impact of means-tested copayments and the definition of medical necessity.
- \* A variety of budget directives during the last two years have continued to stress a shift from more centralized institutional or quasi-institutional settings to community



placements. This has been a theme in programs for the elderly, the developmentally disabled and the mentally ill. In addition to community placements, there has also been a direction to form more cost-effective community group sizes. The implementation of these programs will be monitored to determine their effectiveness and to examine the options for additional community placements in the 1995-97 budget.

- \* Long-term care is an area where several studies are to be completed. LBC studies of nursing home regulation and the nursing home reimbursement system will be finished this fall. In addition, DSHS has been asked to develop strategies which could reduce growth to the expected increase in the spending limit. The Committee will be very active in these efforts.
- \* Income assistance was targeted by a number of legislative changes which attempt to control the increase in the number of persons on welfare. These include a change in the culture and emphasis of welfare offices and job training programs. The Committee will be examining the implementation of these changes and considering future options.

**Corrections: Linda Brownell**

- \* The LBC developed an analysis which indicates potential savings in corrections related to operating and capital budgets. The Committee and the LBC will continue to examine options for additional cost containment.
- \* Another area the Committee will be examining for potential savings next biennium is correctional health care costs. The Health Care Authority will be providing analyses on these issues for the Committee's consideration.

**Natural Resources: Mike Groesch**

- \* Proposed legislation relating to water rights processing failed to pass the Legislature this session. The Department of Ecology's (DOE's) appropriation for the water rights program is only sufficient to fund the first fiscal year of this biennium. The Committee will monitor the actions that the department takes to address the shortfall and work with interested parties to develop alternatives for the 1995-97 session.
- \* The operating budget directs the State Parks Commission to report on the possibilities of increasing public private partnerships in the operation of the system. Additionally a gubernatorial veto eliminated a legislative directive to raise \$3 million through additional state parks' fees. The Committee staff will work with the commission in developing strategies for maintaining recreational opportunities while finding operational efficiencies and stable fee structures.

- \* The statutory distribution of the Centennial Clean Water Account is scheduled to sunset in fiscal year 1995. The Committee staff will work with DOE in preparing a summary of past expenditures and the development of alternatives for future distributions.
- \* Concern over threatened and depressed salmon stocks resulted in the new investment of state and federal resources for watershed restoration. The committee staff will monitor and evaluate the expenditure of these funds and prepare for further impacts of fisheries harvest reductions and restoration needs.

**Health Care Reform: Steve Lerch**

- \* The Health Services Commission is required to complete several tasks by December 1994, including: the benefits and services to be included in the Uniform Benefits Plan (UBP); the initial price of the UBP; a means-tested schedule of maximum financial participation for UBP enrollees; and a medical risk distribution plan for certified health plans. This information must be submitted to the Legislature, which may disapprove of the contents of the UBP, the schedule of enrollee financial participation, or the risk adjustment plan. In addition, it is anticipated that a variety of modifications (both technical and substantive) to the health care reform bill will be proposed in the 1995 session.
- \* Working with the staff of the Health and Human Services Committee and OFM, the Committee will monitor the progress of Health Service Commission tasks and help to analyze potential modifications to health care reform.

**Health Care Authority: Denise Graham**

- \* Beginning January 1996, the Health Care Authority will be implementing managed competition. This will result in many state, higher education and school district employees paying monthly contributions if they choose a health plan that is not the lowest priced plan. The Committee will examine options which could help mitigate the financial impact of these contributions.

**Compensation: Denise Graham, Steve Jones (contracting out)**

- \* A bill proposing full-scope collective bargaining for state employees was introduced in the last week of the 1994 session, but was not passed by the Legislature. This issue and related issues such as contracting out state services to the private sector and reforming the civil service system will be examined during the interim. The Committee staff will review the potential budgetary impacts of these issues, including the impacts on salaries; the timing of collective bargaining agreements and the budgetary cycle; the potential savings from contracting out state services; and the potential efficiencies to be gained from a more flexible civil service system.

- \* State, higher education and school district employees have not received a cost-of-living salary increase since January 1993. The Committee will examine various salary increase options.
- \* The Joint Committee on Pension Policy introduced a Plan III retirement plan during the 1994 session. The Joint Committee will continue to look at possible revisions to the retirement system and Ways and Means Committee will monitor these efforts closely.

**Employment Security: Martin Chaw**

- \* President Clinton's administration is preparing federal legislation which is intended to refocus the unemployment insurance system to provide workers the tools to become more competitive in the world economy. The proposed legislation may change the way Washington State's Employment Security Department (ESD) provides training and employment services to residents and may change the way the unemployment insurance system is funded. The Committee will work with ESD and the Joint Task Force on Unemployment Insurance to monitor the effect and progress of this legislation.

**Convention Center: Martin Chaw**

- \* The 1994 Legislature authorized the Washington State Convention and Trade Center to spend \$1 million to study the feasibility of expanding the center. A review committee will be formed this interim to oversee this study. If the expansion is approved, a capital improvement request will most likely be submitted in the 1995 session. Staff will attend and monitor the work of the review committee.

**CAPITAL BUDGET: Mike Groesch, All Staff**

- \* The Committee will review proposed capital project plans and staff recommendations which support long-term operational goals. Site visits will be conducted as necessary for high cost projects or new program initiatives. High profile projects include correctional and the Division of Juvenile Rehabilitation (DJR) facility expansions, higher education branch campuses, K-12 construction funding, natural resources land acquisitions and resource protection.
- \* As a result of the youth violence legislation, the Committee will concentrate on the DJR master plan for capital facilities. This plan is a key element which will affect several state agencies and will involve significant costs. Ways and Means staff will work with the DJR, the Department of Corrections (DOC) and the Department of General Administration (GA) in preparation for recommendations to be made for the 1995-97 budget.
- \* The ongoing review of the capital budget process will continue with emphasis on integration with operating budget priorities and reduction in debt service costs. Other

reviews will include the study of the feasibility of a centralized facilities authority, the implementation of internal rents for state government facilities, alternative public works procedures, capital supported staff, and collocation of state facilities.

#### **REVENUE PROPOSALS: Terry Wilson**

- \* A study of taxpayer complaints about the property tax system will be conducted in conjunction with the state's county assessors to identify the problems with the system. The goal of the study is to develop incremental legislation that will alleviate hardships and operate to enhance the confidence of persons in the property tax system.
- \* An analysis will be made of lowering the business and occupation tax rate on small service businesses to encourage their creation and continuation. The goal of the analysis is to identify the type and number of businesses that would be affected and the extent to which tax relief could be provided.

#### **GENERAL FISCAL ISSUES**

##### **Fiscal Accountability Project: All Staff**

- \* Committee staff will continue to participate in the Fiscal Accountability Project. The work of last interim on travel, equipment and administration will continue. In addition, expenditures titled "goods and services" will also be analyzed. This work will be presented to the Committee members in the fall.

##### **Performance Partnership: All Staff**

- \* The Performance Partnership will begin the process of establishing performance-based budgeting and other innovations in state fiscal processes. The Committee and staff will be fully involved in this effort. The timeline established by ESB 6601 requires there to be a completed work plan by June 1994.

#### **MEETINGS:**

To be announced.

