



**Summary of General State Govt. & Veteran Legislation**  
**2004 Legislative Session**

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**HB 2598 – Administrative rule change venue**

**Summary:**

A petitioner who resides or has a principal place of business within the geographical boundaries of Division III of the Court of Appeals (the 20 counties east of the Cascades) may file a petition for declaratory judgment challenging an agency rule in the superior court of either Spokane, Yakima, or Thurston County. A petitioner who resides or has a principal place of business within the geographical boundaries of district three of Division I of the Court of Appeals (Whatcom, Skagit, San Juan, and Island counties) may file a petition for declaratory judgment challenging an agency rule in the superior court of either Whatcom or Thurston County. This provision allowing a petition to be filed in these counties other than Thurston County expires on July 1, 2008.

**Status: Governor signed, March 22, 2004**

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**HB 2459 – Supplemental operating budget**

**Summary:**

Appropriations are modified for the 2003-05 fiscal biennium. Prior to the supplemental budget, the total appropriation was \$38.6 billion, of which \$23.1 billion was from the state general fund. The 2004 Supplemental Operating Budget (including those appropriations made in House Bill 1777, home care workers contract) increases general fund spending by \$145 million, a 0.6 percent increase from the original budget. Total appropriations are increased by \$634 million. Including the changes made by the supplemental budget, total appropriations for the 2003-05 fiscal biennium are \$39.2 billion, of which \$23.2 billion is from the state general fund.

**Status: Delivered to the Governor, March 11, 2004**

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**HB 2535 – Service Credit Purchase**

**Summary:**

A member who applies for early retirement in PERS or SERS Plan 2 or 3 may, at the time of retirement, file an application with the DRS to purchase up to five years of additional service credit. The cost of the additional service credit is the actuarial equivalent value of the resulting increase in the member's benefit. The member may pay all or part of the cost of the additional service credit with an eligible transfer from a qualified retirement plan. The DRS shall adopt rules to ensure that all purchases and transfers comply with the requirements of the federal Internal Revenue Code and regulations. Additional purchased service credit is not regular membership service credit, and may not be used to qualify a member for the 3 percent per year early retirement reduction available to members of PERS and SERS Plans 2 or 3 with 30 years of service.

**Status: Delivered to the Governor, March 11, 2004**

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**HB 2683 – Rule change notice**

**Summary:**

Gives agencies an option to provide the *statement of inquiry* or a *summary of the information* contained in the statement of inquiry for general rulemaking as well as for expedited rulemaking to those who have made a request. Establishes a pilot project requiring at least 10 agencies to file copies of the notice of a proposed rule to the Joint Administrative Rules Review Committee by electronic means for a period of four years. Changes the requirement that agencies update the roster of persons requesting notifications of interpretive and policy statements from a *yearly basis* to *periodically*.

**Status: Governor signed, March 22, 2004**

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**HB 2538 – Minimum monthly retirement****Summary:**

Establishes a minimum benefit of \$1,000 per month, before optional reductions, for the Teachers' Retirement System and the Public Employees' Retirement Plan 1 members with at least 25 years of service and who have been retired for at least 20 years.

**Status: Governor signed, March 22, 2004**

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**HB 2934 – Homeowners' associations****Summary:**

Declares that the governing documents may not prohibit the outdoor display of the flag of the United States by an owner or resident on the owner's or resident's property if the flag is displayed in a manner consistent with federal flag display law, 4 U.S.C. Sec. 1 et seq. The governing documents may include reasonable rules and regulations, consistent with 4 U.S.C. Sec. 1 et seq., regarding the placement and manner of display of the flag of the United States. Provides that the provisions of this act shall be construed to apply retroactively to any governing documents in effect on the effective date of this section. Any provision in a governing document in effect on the effective date of this act that is inconsistent with this section shall be void and unenforceable.

**Status: Delivered to Governor, March 11, 2004**

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**SB 5034 – Seniors/disabled property tax exemption****Summary:**

Income eligibility for the deferral program is increased to \$40,000. The partial exemptions for senior citizens and persons retired due to disability are increased as follows: A. If the income level is \$30,001 to \$35,000, all excess levies are exempted. B. If the income level is \$25,001 to \$30,000, all excess levies are exempted and regular levies on the greater of \$50,000 or 35 percent of assessed valuation (\$70,000 maximum) are exempted. C. If the income level is \$25,000 or less, all excess levies are exempted and regular levies on the greater of \$60,000 or 60 percent of assessed valuation are exempted. The income used for determining eligibility for senior citizens and persons retired due to a disability program is reduced by payments for health care insurance.

**Status: Delivered to Governor, March 11, 2004**

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**E SSB 5861 – Impersonation of a veteran****Summary:**

Criminal impersonation in the second degree includes the additional situation of falsely assuming the identity of a veteran or an active duty member of the armed forces with intent to defraud for personal gain or to facilitate any unlawful activity.

**Status: Governor Signed, March 24, 2004**

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**SB 6141 – Vehicle taxation****Summary:**

Amends RCW 84.36.595 to clarify the property taxation of vehicles carrying exempt licenses. Clarifies that vehicles with Disabled Veteran License Plates are not subject to property tax.

**Status: Delivered to Governor, March 11, 2004**

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**SB 6143 – Veterans' license plates****Summary:**

Amends RCW 73.04.110, relating to determining eligibility for veteran's regular or special license plates. Clarifies that peacetime veterans are eligible for disabled veteran license plates if they are honorably discharged and rated 100% service connected disabled by the VA.

**Status: Governor Signed, March 24, 2004**

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**SB 6164 – Military dependent / residency****Summary:**

Provides that, if the person on active military duty is reassigned out-of-state, the student maintains the status as a resident student so long as the student is continuously enrolled in a degree program.

**Status: Governor Signed, March 24, 2004**

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**SSB 6302 – Active military service****Summary:**

A student at a postsecondary education institution that is ordered to active state service or federal active service for more than 30 days and provides the requisite notice is entitled to: (1) withdraw from courses without negative annotation on their record and have tuition and fees credited to the person's account at the institution; (2) be given an incomplete and the ability to complete the course upon release from duty; or (3) continue and complete the course for full credit with any classes missed due to performance of military service counted as excused absences and not used in any way to adversely impact the student's grade.

If the student chooses to withdraw, he or she has a right to be readmitted and enrolled without penalty at the institution within one year following release from military service.

The student is also entitled to receive a refund of amounts paid for room, board, and fees attributable to the time the student was serving in the military and did not use the facilities for which the amounts were paid. Language regarding the rights of students called into active military duty is placed in higher education statutes so that public institutions of higher education must adopt policies that comply with the provisions of the act. Private schools are encouraged to provide students called into active military duty the same rights and opportunities provided by public schools.

A provision is added to the Deed of Trust Act (RCW 61.24) stating that all of the rights and duties conveyed under the federal Servicemember's Civil Relief Act apply to deeds of trust under Washington law. No interest or penalties may be assessed for the period of April 30, 2003 through April 30, 2005 on delinquent 2003 or 2004 property taxes for military personnel that participate in Operation Enduring Freedom.

**Status: Delivered to Governor, March 11, 2004**

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**E SSB 6401 – Military installations****Summary:**

Legislative findings are made regarding the importance of the United States military as a vital component of the Washington State economy, and it is identified as a priority of the state to protect the land surrounding our military installations from incompatible development.

Comprehensive plans, development regulations, and amendments to either should not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements.

A process is established whereby counties and cities with federal military installations employing 100 or more personnel must notify the commander of an affected military installation of their intent to adopt or amend comprehensive plans or development regulations to address lands adjacent to the installation in order to ensure those lands are protected from incompatible development.

The commander must be provided 60 days to submit written recommendations and supporting facts related to the use of land being considered. Failure of a commander to submit a response may be presumed to mean that the proposed plan, regulation, or amendment will not have any adverse effect on the operation of the installation.

This new process will begin as part of each city and county's regularly-scheduled Growth Management Act update, with a one-year extension for those jurisdictions subject to a December 2004 update deadline.

**Status: Governor Signed, March 22, 2004**

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**SB 6466 – Nursing facility admissions****Summary:**

Nursing facilities under common ownership with boarding homes or independent housing are not required to place the names of applicants from those facilities on the same waiting list as outside applicants for their nursing facility placements. Denying admission to an outside applicant is not considered discrimination if it is done to accommodate someone from a commonly owned boarding home or CCRC. Nursing facilities must readmit residents who have been hospitalized, or have been gone on therapeutic leave, if the resident needs nursing facility services and is Medicaid eligible.

**Status: Delivered to Governor, March 11, 2004**

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**SB 6494 – Social security numbers*****Summary:***

After December 31, 2005, a health carrier that issues a card identifying a person as an enrollee, and requires the person to present the card to providers for purposes of claims processing, may not display on the card an identification number that includes more than a four-digit portion of the person's complete Social Security number. This also applies to cards issued under the Basic Health Plan or Medical Assistance Administration.

**Status:           Delivered to Governor, March 11, 2004**

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**E SJM 8039 – Military Installations*****Summary:***

The Memorial acknowledges the strategic and economic importance of military installations in Washington State and prays that the President, Congress, and the Department of Defense recognize the strategic importance of the bases and not make them victims of the 2005 BRAC round.

**Status:           Filed with Secretary of State, March 11, 2004**

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**SJM 8040 – Veterans' health care needs*****Summary:***

Requests that the President will ensure the U.S. DVA health care system in Washington State will be adequate to serve the current and future demands of our state's veterans.

**Status:           Filed with Secretary of State, March 11, 2004**