



WASHINGTON STATE COALITION AGAINST DOMESTIC VIOLENCE

FINAL LEGISLATIVE REPORT 2003 LEGISLATIVE SESSION

JUNE 19, 2003

Here is our final legislative report from Olympia for 2003. This legislative session proved to be a difficult one, with the legislature facing over a \$2.6 billion dollar shortfall for the 2003-2005 operating budget and each house of the legislature being controlled by a different political party.

The legislature adjourned on April 27th without having approved operating and capital budgets as required by law. As a result, Governor Locke called a Special Session that began May 12th, with key legislators remaining in Olympia to negotiate agreed upon operating and capital budgets. In addition, proposals to completely change the Washington unemployment insurance system were debated during the Special Session, which ended on June 10th.

After passing the budget, the legislature continued to debate the unemployment legislation but did not agree on a final bill by the end of the First Special Session, so a Second Special Session was called after midnight of June 10th, and the Legislature passed SB 6097, which significantly changes the unemployment compensation system.

Following is a summary of the status of WSCADV's legislative priorities for the 2003 legislative session.

The State Budget

SB 5404: The 2003-2005 Operating Budget Highlights

- Maintains level funding for domestic violence shelter and advocacy programs
- Reduces funding for Legal Advocacy Programs administered by the Dept. of Community, Trade, and Economic Development by approximately \$10,000.
- Reduces Civil Indigent Legal Services by approximately \$149,000.
- Reduces State Government by 1,156 full time employees
- Freezes teacher raises except for newer teachers
- Creates premiums for Children's Medical Coverage
- Limits Basic Health Plan Enrollments
- Savings in the General Assistance-Unemployable (GAU) program by requiring DSHS to discontinue benefits unless clients can demonstrate their medical or mental condition has not improved
- Increase in Judicial Information System Budget to improve the court information system
- Continues funding for Representation of parents in Dependency and Termination cases

SB 5401 Capital Budget-

- Contains level \$1,000,000 funding earmarked in the Housing Trust Fund (HTF) for the biennium to build emergency and transitional housing for domestic violence victims.
- Increases Housing Trust Fund overall \$2 million to \$80 million.

Status:

Both the Operating Budget and the Capital Budget passed the Legislature on June 6, 2003. As of June 20, 2003, the Governor has not signed these pieces of legislation, so it is not yet clear if there are significant vetoes of any of the budget provisions.

SB 5990 By Senators Val Stevens and Jim Hargrove

- Reduces the Department of Corrections Budget by revising times and supervision standards for release of offenders, providing for the early release and reduced supervision of numerous non-violent offenders.

Status: Signed by the Governor 05/20/03

Effective Date 07/01/03

SB 6023 By Senators Jim Hargrove and Dino Rossi

- Increases court assessments and penalties related to traffic fines, and increasing the amount going into the Public Safety and Education Account

Status: Passed the Legislature 04/23/03, Signed by the Governor 05/20/03

Effective Date 07/27/03

Legislation supported by WSCADV that passed

Anti-Discrimination

HB 1128 (SB 5193) by Representatives Shay Schual-Berk and Senator Don Benton

- Amends the Washington State Insurance Statute to prohibit insurers from taking an adverse insurance coverage due to claims made by the insured for damage resulting from malicious harassment

Status: Passed the Legislature 04/21/03, Signed by the Governor 05/07/03

Effective Date 07/27/03

Anti-Trafficking in Persons

HB 1090 by Representative Velma Veloria

- Extends Anti-Trafficking Taskforce that will make recommendations on services and protections for victims of trafficking and penalties for traffickers

Status: Passed the Legislature 04/21/03, Signed by the Governor 05/14/03

Effective Date 05/14/2003

HB 1175 by Representative Velma Veloria

- Creates the state crime of trafficking in persons.
- Designates trafficking in persons as a profiteering crime allowing for the seizure of assets obtained as a result of trafficking.

Status: Passed the Legislature 04/22/03, Signed by the Governor 05/14/03

Effective 07/27/2003

HB 1826 (SB 5532) by Representative Velma Veloria and Senator Jeanne Kohl-Welles

- Requires International Matchmaking Organizations to provide personal background checks to prospective spouses that include information about whether Washington residents using the services of the organization have current protective or anti-harassment orders issued against him or her, as well as whether there have been well-founded allegations of child abuse against him or her

Status: Passed by the Legislature 04/26/03, Signed by the Governor 05/14/2003

Effective Date 07/27/03.

Economic Justice/ Human Services

HB 1980 by Representative Boldt

- Requires DSHS to do an employability assessment immediately after determining eligibility for Workfirst in the TANF program, including assessment of job skills, as well as for barriers to work such as domestic violence, disabilities, and lack of child-care.

Status: Passed the Legislature 04/26/03, Signed by the Governor 05/20/03.

Effective Date 07/27/03

HB 1277 (SB 5660) by Representatives Phyllis Kenney and Senator Jeanne Kohl Welles

- The "Gaining Independence" bill, creating an educational assistance grant program for low-income parents

Status: Passed the Legislature 04/09/03 , Signed by the Governor 04/16/03

Effective date: 07/27/03

HB 1787, by Representatives Pettigrew and Boldt

- Establishing a centralized 211 network for health and human services.

Status: Passed the Legislature 04/25/03, Signed by the Governor 05/07/03

Effective Date 07/01/03

Criminal Justice

SB 5473 by Senators Debbie Regala, Betty Sheldon

- Provides law enforcement officers training in working with the mentally ill & developmentally disabled

Status: Passed the Legislature 04/25/03, Signed by the Governor 05/14/03

Effective Date 07/27/03

Legislation opposed by WSCADV that passed

Economic Justice

SB 6097 by Senators Jim Honeyford and Joyce Mulliken

- Modifies the unemployment compensation tax schedule for employers.
- Deletes the intent of the unemployment compensation statute to be interpreted liberally in favor of the unemployed.
- Reduces the number of “good cause” reasons a worker can quit and be eligible for unemployment benefits.
- Significantly expands the definition of “misconduct” resulting in the disqualification for benefits if a worker is terminated for that reason
- Reduces unemployment compensation benefits for seasonal workers and workers with irregular work histories by changing the method of calculating benefits by averaging wages over the previous four quarters rather than calculating using the highest two quarters.

Status: Passed the Legislature 06/11/03. Signed by the Governor 06/19/03.

Legislation supported by WSCADV that failed

Housing

HB 1645(SB 5524) By Rep Lynn Kessler and Senator Don Benton

- Prohibits discrimination against domestic violence, sexual assault, and stalking victims in the context of residential housing,
- Restricts tenant-screening services from providing landlords information that a victim has sought legal protection from abuse,
- Makes it easier for survivors to move from their current rental housing when necessary,
- Provides a legal defense for victims who face eviction due to the violent acts perpetrated against them.

Status: HB 1645 passed unanimously out of the House on March 15, 2003, but failed to pass out of the Senate Financial Institutions, Insurance, and Housing Committee by the April 4th deadline in order to pass this session. SB 5524 failed to make it to the Senate Floor for a vote. WSCADV will continue to prioritize this legislation during the 2004 session.

Economic Services

HB 1991, SB 5636 by Representative Ruth Kagi and Senator Jim Hargrove

- Provides that victims of domestic violence and stalking who qualify for welfare benefits to participate safely in the Workfirst program by ensuring that DSHS screens and assesses for domestic violence

- ❑ Provides flexibility for victims in the Workfirst program by allowing for exemptions from requirements that would endanger or punish them for being victims, including job search, work activities, and time limits.

Status: These bills did not get out of committee for votes by either House this session. WSCADV will work for its passage during the 2004 legislative calendar.

Protective Orders

HB 1949-By Representative Toby Nixon

- ❑ Clarifies that judges can order temporary financial support in a protection order in the form of “a specified amount of funds,” though the transfer of funds may only be ordered once per protection order petition.

Status: Failed to pass out of House Family Law and Juvenile Justice Committee.

WSCADV will be working with interested parties to advocate for improving the current language that restricts courts to only one order per petition, which not account for the range of circumstances that face domestic violence victims.

Legislation opposed by WSCADV that failed

Family Law

SB 5038 by Senator Jim Kastama

- ❑ Requiring courts to consider which parent is most likely to encourage friendly relationship with the other parent in determining custody

Status: Failed to pass out of Senate Children & Family Services & Corrections Committee.

SB 5633 by Senator Jim Kastama

- ❑ Amends the parenting plan statute by designating that there is a presumption of a minimum of 1/3 residential time to each parent

Status: Failed to pass out of Senate Children & Family Services & Corrections Committee

Protective Orders

HB 1573 By Representatives Steve Kirby and Dan Newhouse

- ❑ Requires that ex-parte (temporary) protection orders and notices of hearing have the date and time of the hearing for the PO
- ❑ Provides that if the respondent fails to respond or fails to appear, if the temp order has been served on the respondent, the court will issue a perm. order for a period of not more than one year

Status: Failed to pass out of the House Judiciary Committee.

Marriage Promotion

SB 5603 By Senators Dan Swecker and Ken Jacobsen

- Provides that each school district develop and adopt a family preservation education program curricula.
- Requires a student to participate in the family preservation education program unless the student's parent or guardian objects in writing to the student's participation.
- Directs the office of superintendent of public instruction to develop a family preservation education program model curricula that is available to each school district.

Status: Failed to pass out of the Senate Education Committee

Juveniles

HB 1070 and HB 1320 by Representatives Jerome Delvin and Marylou Dickerson

HB 1718 by Representative Mike Carrell and Jerome Delvin

HB 1965 by Representative Jerome Delvin and Bill Hinkle

- These bills raise the age of consent for minors to obtain mental health and chemical dependency treatment, from thirteen to sixteen years. Parental authorization is required for minors under sixteen unless it would be detrimental to the minor to not provide treatment.
- HB 1070 refers to both inpatient and outpatient mental health and chemical dependency treatment.
- HB 1320 refers to inpatient mental health treatment,
- HB1965 refers to outpatient mental health treatment. .

Status: HB 1070 and HB 1965 remained in the House Juvenile Justice and Family Committee. HB 1320 and HB 1718 remained in Rules in the House.

To get the full text of the new laws or legislation, log on to the Washington State Legislature webpage at www.leg.wa.gov.

Thank you to all of you for your hard work during the legislative session. Special thanks to those who participated in WSCADV's five regional lobby days, and to advocates from the YWCA Vancouver Safechoice Program, the YWCA Yakima Program, the Center for Battered Women, and Safeplace, for taking time out of their schedules to come to the capitol to testify or to talk to the media.

*For more information on these and other Washington State Legislative Issues, Please Contact: **Grace at the Seattle WSCADV Office**
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