



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 20

SIXTY-THIRD LEGISLATURE

Monday, February 11, 2013

29th Day - 2013 Regular Session

SENATE	SB 5678	SB 5679	SB 5680	SB 5681	SB 5682	SB 5683	SB 5684
	SB 5685	SB 5686	SB 5687	SB 5688	SB 5689	SB 5690	SB 5691
	SB 5692	SB 5693	SB 5694	SB 5695	SB 5696	SB 5697	SJM 8006
	SJM 8007	SJR 8209					
HOUSE	HB 1760	HB 1761	HB 1762	HB 1763	HB 1764	HB 1765	HB 1766
	HB 1767	HB 1768	HB 1769	HB 1770	HB 1771	HB 1772	HB 1773
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This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2013>.

House Bills

HB 1760 by Representatives Buys, Haler, and Vick
 Concerning the replacement of like-in-kind household appliances.
 Addresses exemptions for certified HVAC/refrigeration specialty electricians.
 -- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Labor & Workforce Development.

HB 1761 by Representative Seaquist
 Concerning shellfish aquaculture.
 Requires the sea grant and cooperative extension to establish a shellfish aquaculture public information center in Mason, Thurston, Kitsap, Pierce, or Jefferson county.
 Requires certain research to be coordinated with research efforts by the sea grant program related to ocean acidification.
 Changes the name of the shellfish aquaculture regulatory committee to the shellfish aquaculture committee.
 Requires the committee, after completion of its initial charge of work, to be reconstituted, maintained, and asked to meet as necessary only to advise the sea grant program at the University of Washington regarding the scoping of certain research.
 -- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Agriculture & Natural Resources.
 Feb 13 Scheduled for public hearing in the House Committee on Agriculture & Natural Resources at 8:00 AM. (Subject to change)

HB 1762 by Representatives Orwall, Buys, Hunt, Bergquist, and Ryu; by request of Department of Enterprise Services
 Concerning electronic presentment of claims against the state arising out of tortious conduct.
 Allows claims against the state, for damages arising out of tortious conduct, to be presented electronically to the office of risk management.
 -- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Judiciary.

HB 1763 by Representative Klippert
 Regarding hours of availability of special purpose districts for inspection and copying of public records.
 Requires special purpose districts that customarily do not maintain regular office hours to post, on the agency headquarters location or their web site, instructions on how to contact agency personnel to inspect or copy public records.
 -- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Government Operations & Elections.

HB 1764 by Representatives Chandler, Stanford, Blake, Appleton, and Dunshee
 Concerning geoduck diver licenses.
 Prohibits the director of the department of fish and wildlife from issuing new geoduck diver licenses after July 1, 2013.
 Requires the department of natural resources to establish a geoduck safety advisory committee to establish a safety program for geoduck divers license holders.

- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Agriculture & Natural Resources.
- HB 1765** by Representatives Bergquist, Dahlquist, Santos, Maxwell, Seaquist, Stonier, Hawkins, and Ryu
 Authorizing the suspension or revocation of certificates or permits to teach based on the fraudulent submission of tests for educators.
 Allows the revocation or suspension of a teaching certificate or permit upon complaint from the professional educator standards board alleging unprofessional conduct in the form of a fraudulent submission of a test for educators.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Education.
- HB 1766** by Representatives Cody, Jinkins, Sullivan, Morrell, and Ryu
 Modifying the nonprofit tax exemption for qualifying blood, tissue, or blood and tissue banks.
 Modifies provisions relating to business and occupation tax exemptions for qualifying blood, tissue, or blood and tissue banks.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Finance.
- HB 1767** by Representatives Moeller, Lias, Ryu, and Moscoso; by request of Department of Transportation
 Concerning outdoor advertising sign fees, labels, and prohibitions.
 Requires the department of transportation to establish and charge, by rule, an annual fee for type 4 and 5 sign permits to recover costs for outdoor advertising control program administration and enforcement.
 Increases the size limit on waterproof labels that display required permit numbers.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Transportation.
- HB 1768** by Representatives Moscoso, Lias, Ryu, Moeller, Johnson, Kochmar, and McCoy; by request of Department of Transportation
 Authorizing use of the job order contracting procedure by the department of transportation.
 Authorizes the department of transportation to use the job order contracting procedure for the administration of building improvement, replacement, and renovation projects.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Transportation.
- HB 1769** by Representatives Stonier, Zeiger, Stanford, Warnick, Seaquist, Haler, Ryu, Springer, Morrell, Fey, Pollet, Riccelli, and Fagan
 Creating efficiencies for institutions of higher education.
- Exempts certain projects at institutions of higher education, which may be valued up to ten million dollars, from predesign review requirements.
 Allows certain minor works projects to be valued up to five million dollars for institutions of higher education.
 Authorizes the regional universities, The Evergreen State College, and the community and technical colleges to, under certain circumstances, enter into financing contracts for real property.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Higher Education.
- HB 1770** by Representatives Buys, Blake, Chandler, Lytton, and Ryu
 Concerning the appointment of nonvoting advisory members to commodity boards.
 Allows agricultural commodity boards to appoint up to two nonvoting advisory members to the board who have expertise in marketing, operations, or other topics relevant to the work of the board.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Agriculture & Natural Resources.
- HB 1771** by Representatives Taylor, Shea, Overstreet, Condotta, Ryu, Scott, Pike, Blake, Schmick, Morris, Haler, MacEwen, Hope, Appleton, Goodman, Buys, Moscoso, Kristiansen, and Upthegrove
 Establishing standards for the use of public unmanned aircraft systems.
 Provides clear standards for the lawful use of unmanned aerial vehicles by state and local jurisdictions.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Public Safety.
- HB 1772** by Representatives Goodman and Ryu
 Concerning privilege for emergency medical responders.
 Extends physician-patient privilege to a physician's trained emergency medical service intermediate life support technician and paramedic, an emergency medical technician, or a first responder.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Judiciary.
- HB 1773** by Representatives Morrell, Rodne, Cody, Green, Ryu, Lias, Farrell, and Santos
 Concerning the practice of midwifery.
 Provides that a person is regarded as practicing midwifery if he or she renders medical aid for a fee or compensation to an infant up to two weeks of age.
 Revises requirements for midwives when renewing their license.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Health Care & Wellness.
- HB 1774** by Representatives Freeman, Goodman, Haler,

Roberts, Farrell, Kagi, Stanford, Stonier, Bergquist, Ryu, O'Ban, Morrell, Fey, Pollet, and Santos

Measuring performance of the child welfare system.

Implements indicators of safety, permanency, and well-being to be used to measure the delivery of appropriate services for the children and families served by the child welfare system, to identify areas for future improvements to the child welfare system, and to maintain public accountability.

Requires the University of Washington to develop measurements for each of the indicators using existing and available data.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Early Learning & Human Services.

HB 1775 by Representative Schmick

Addressing due process in the filing and approval of insurance rates, forms, and agreements and insurance regulatory policies and procedures.

Addresses the effective date of an agency's practice, policy, or procedure used when administering, interpreting, enforcing, or implementing any law.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Business & Financial Services.

HB 1776 by Representatives Schmick, Cody, Hope, Morrell, Angel, Ryu, and Pollet

Addressing wellness programs offered by a health carrier.

Authorizes a health carrier to offer or sponsor a wellness program that is not part of the health benefit plan or health benefit contract and to include incentives as part of the wellness program.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Health Care & Wellness.

Feb 14 Scheduled for public hearing in the House Committee on Health Care & Wellness at 8:00 AM. (Subject to change)

HB 1777 by Representatives Green, Reykdal, Ryu, Morrell, Roberts, Fey, Pollet, and McCoy

Accelerating changes to mental health involuntary commitment laws.

Accelerates effective and expiration dates for implementation of certain provisions relating to evaluations of persons under the involuntary treatment act.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Judiciary.

HB 1778 by Representatives Green, Reykdal, Jinkins, Ryu, Morrell, Fey, and McCoy

Concerning detentions under the involuntary treatment act. Revises involuntary treatment act provisions relating to detentions.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Judiciary.

HB 1779 by Representatives Kirby and Ryu

Concerning esthetics.

Addresses the practice of master esthetics.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Business & Financial Services.

HB 1780 by Representatives Manweller, Short, Condotta, and Kristiansen

Declaring state preemption of local paid sick and paid safe leave regulation.

Prohibits local laws and ordinances that require or regulate paid sick leave or paid safe leave in excess of standards adopted by the state from being enacted.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Labor & Workforce Development.

HB 1781 by Representatives Manweller, Short, Condotta, and Kristiansen

Placing geographic limitations on local paid sick leave and paid safe leave programs.

Prohibits a local government from applying a paid sick leave or paid safe leave program to an employer or employee whose principal place of business or employment, as appropriate, is outside the limits of the local government's territorial jurisdiction.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Labor & Workforce Development.

HB 1782 by Representatives Nealey, Appleton, Ryu, and Orwall

Concerning veterans' homes.

Establishes the Walla Walla veterans' home as a branch of the state soldiers' home.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Community Development, Housing & Tribal Affairs.

HB 1783 by Representatives Seaquist, Hansen, Buys, Springer, Angel, and Ryu

Concerning health district banking.

Authorizes a health district, with the consent of certain county officials, to: (1) Act as custodian of funds; (2) Keep the record of receipts and disbursements; and (3) Draw, honor, and pay all warrants or checks.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Local Government.

HB 1784 by Representatives Farrell, Riccelli, Jinkins, Freeman, Stonier, Ryu, Pettigrew, Carlyle, Kagi, Morrell, Reykdal, Maxwell, Roberts, Fey, Pollet, Bergquist, and Kochmar

Concerning the prevention of childhood obesity in early learning programs.

Requires the department of early learning to: (1) Consider the prevention of childhood obesity when adopting rules relating to physical activity, screen time, and nutritional standards for all early learning programs; and

(2) Provide parents, using early learning programs or services, with culturally relevant information pertaining to the prevention of childhood obesity.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Early Learning & Human Services.

HB 1785 by Representatives Hunt, Kristiansen, and Ryu
Authorizing de minimis use of state resources to provide information about programs that may be authorized payroll deductions.

Allows the use of state facilities to provide employees with information about: (1) Medical, surgical, and hospital care;

(2) Life insurance or accident and health disability insurance; and

(3) Individual retirement accounts.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Government Operations & Elections.

HB 1786 by Representatives Stanford, Moscoso, Fitzgibbon, Lytton, and Ryu

Requiring registration of animal abusers.

Provides for registration of animal abusers and for the public release of specified information regarding animal abusers.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Judiciary.

HB 1787 by Representatives Stanford, Moscoso, Dunshee, Fitzgibbon, Haigh, Lytton, Ryu, and Pollet

Regarding the humane treatment of cows.

Prohibits the docking of a cow's tail.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Judiciary.

HB 1788 by Representatives Pike, Blake, Scott, Overstreet, Taylor, Takko, Shea, Condotta, Klippert, Orcutt, and Vick

Allowing public school districts and private schools to adopt a policy authorizing permanent employees to possess firearms on school grounds under certain conditions.

Establishes the safer schools act of 2013.

Authorizes private schools and the board of directors of a school district to adopt a written policy allowing certain employees to possess firearms on school grounds.

Requires the criminal justice training commission to establish a firearms training and education program for employees authorized to possess firearms on school grounds.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Judiciary.

HB 1789 by Representatives Hunter, Carlyle, Hurst, Wylie, Ryu, Morrell, and Pollet

Creating greater consistency in the regulatory schemes applied to marijuana during the transition to the implementation of Initiative Measure No. 502.

Imposes a marijuana excise tax on the privilege of engaging within this state in a business operating as a medical cannabis dispensary.

Exempts pharmacies from the tax.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Finance.

HB 1790 by Representatives Parker, Ormsby, Riccelli, and Ryu

Concerning the use of traffic school fees.

Addresses the use of fees collected for participation in a traffic school.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Transportation.

HB 1791 by Representatives Parker, Orwall, Fagan, Riccelli, Ryu, O'Ban, Haler, Moscoso, and Santos

Concerning trafficking.

Revises trafficking provisions.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Public Safety.

HB 1792 by Representatives Parker, Orwall, Riccelli, Fagan, Hawkins, Ryu, O'Ban, Moscoso, and Santos

Adding the crimes of promoting travel for commercial sexual abuse of a minor and permitting commercial sexual abuse of a minor to seizure and forfeiture provisions.

Adds to seizure and forfeiture statutes, the crimes of promoting travel for commercial sexual abuse of a minor and permitting commercial sexual abuse of a minor.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Public Safety.

HB 1793 by Representatives Parker, Orwall, Hawkins, Fagan, Ryu, O'Ban, Moscoso, Bergquist, and Santos

Adding certain sexual exploitation of children crimes to the definition of criminal profiteering.

Revises the definition of "criminal profiteering," to include the crimes of promoting travel for commercial sexual abuse of a minor and permitting commercial sexual abuse of a minor, for purposes of the criminal profiteering act.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Public Safety.

Senate Bills

SB 5678 by Senators Frockt and Darneille
Clarifying the use of automated traffic safety cameras at intersections with two or more arterial highways.
Allows the use of automated traffic safety cameras at certain intersections of only two or more arterials.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Transportation.

SB 5679 by Senators Brown, Chase, King, Litzow, Dammeier, Schoesler, Rivers, Smith, Braun, Hewitt, Sheldon, and Tom

Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.

Requires the department of ecology, the department of labor and industries, and the department of health to: (1) Establish and annually perform a formal review process of their existing rules; and

(2) Establish a process for effectively applying sunset provisions to rules when applicable.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Governmental Operations.

SB 5680 by Senators Brown, Chase, King, Litzow, Dammeier, Rivers, Schlicher, Smith, Braun, Parlette, Hewitt, and Tom

Promoting economic development by providing information to businesses.

Increases the number of agencies required to participate in implementing the business license center act.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Trade & Economic Development.

SB 5681 by Senators Rolfes and Keiser

Facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule.

Requires the department of social and health services to develop a fully integrated rule that would permit an agency providing co-occurring treatment for chemical dependency and mental health disorders to follow one set of administrative code to facilitate the streamlined and blended provision of these services.

Expires June 30, 2017.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Human Services & Corrections.

SB 5682 by Senators Braun and Ericksen

Concerning the replacement of like-in-kind household appliances.

Addresses exemptions for certified HVAC/refrigeration specialty electricians.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Commerce & Labor.

SB 5683 by Senators Becker, Hargrove, and Padden

Concerning informed consent and reporting of death for purposes of the death with dignity act.

Revises the death with dignity act relating to informed consent and reporting of death.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Health Care.

SB 5684 by Senator King

Addressing the prevailing rate of wage paid on public works.

Specifies that prevailing wages paid on public works apply to individuals employed in construction activities.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Commerce & Labor.

Feb 13 Scheduled for public hearing in the Senate Committee on Commerce & Labor at 1:30 PM. (Subject to change)

SB 5685 by Senator King

Concerning transparency with prevailing wage rate determinations.

Implements certain notification, recordkeeping, and reporting requirements for the director of the department of labor and industries or the industrial statistician when issuing a determination for what prevailing wages must be paid for specific construction work.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Commerce & Labor.

Feb 13 Scheduled for public hearing in the Senate Committee on Commerce & Labor at 1:30 PM. (Subject to change)

SB 5686 by Senator King

Requiring surveys to develop data for prevailing wage determinations.

Allows the industrial statistician to only use data collected from prevailing wage surveys provided to contractors by the department of labor and industries when making prevailing wage determinations.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Commerce & Labor.

Feb 13 Scheduled for public hearing in the Senate Committee on Commerce & Labor at 1:30 PM. (Subject to change)

SB 5687 by Senator Nelson

Concerning privilege for emergency medical responders.

Extends physician-patient privilege to a physician's trained emergency medical service intermediate life support technician and paramedic, an emergency medical technician, or a first responder.

- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Law & Justice.
- SB 5688** by Senators Braun, Carrell, Dammeier, Rivers, Sheldon, and Hobbs
 Simplifying definitions and classifications concerning state and local tax systems.
 Increases uniformity between state and local business and occupation taxes.
 Reduces state business and occupation tax classifications.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Trade & Economic Development.
 Feb 12 Scheduled for public hearing in the Senate Committee on Trade & Economic Development at 8:00 AM. (Subject to change)
- SB 5689** by Senator Darneille
 Concerning access to juvenile records.
 Addresses the confidentiality of certain juvenile court records.
 Prohibits certain confidential juvenile offense records from being published, distributed, or sold.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Human Services & Corrections.
- SB 5690** by Senators Hatfield, Fraser, Ericksen, and Honeyford; by request of State Treasurer
 Addressing the fiscal conditions of local government.
 Creates the local government fiscal health commission to allow state and local governments to work collaboratively to identify and respond to financial problems encountered by local governments.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Ways & Means.
- SB 5691** by Senators Hewitt, Conway, and Rolfes
 Concerning veterans' homes.
 Establishes the Walla Walla veterans' home as a branch of the state soldiers' home.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Governmental Operations.
- SB 5692** by Senators King, Harper, Conway, Eide, and Tom
 Concerning standby guardians and limited guardians.
 Modifies provisions relating to standby guardians and limited guardians.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Law & Justice.
- SB 5693** by Senators Baumgartner, Frockt, and Kohl-
- Welles
 Making ample provisions to support higher education.
 Requires the first cent of the state portion of the retail sales and use tax for each dollar on which the tax is applied to be dedicated to and used for funding a public system of higher education.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Higher Education.
- SB 5694** by Senators Conway, Schlicher, Dammeier, Hargrove, Carrell, Chase, Mullet, Harper, McAuliffe, and Kohl-Welles
 Improving protections for incapacitated adults.
 Modifies provisions relating to the appointment, qualification, removal, and duties of guardians in order to improve protections for incapacitated adults.
 Requires the administrator for the courts and a long-term care ombudsman to publish information regarding professional and lay guardians.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Law & Justice.
- SB 5695** by Senators Becker, Dammeier, Cleveland, Keiser, Schlicher, Frockt, Mullet, and McAuliffe
 Addressing wellness programs offered by a health carrier.
 Authorizes a health carrier to offer or sponsor a wellness program that is not part of the health benefit plan or health benefit contract and to include incentives as part of the wellness program.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Health Care.
- SB 5696** by Senators Litzow and Mullet
 Providing limited civil immunity from liability for apiarists.
 Provides immunity from civil liability to an apiarist or broker under certain circumstances.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Agriculture, Water & Rural Economic Development.
- SB 5697** by Senators Braun, Carrell, Dammeier, Rivers, and Sheldon
 Reducing the frequency of local sales and use tax changes.
 Allows changes to local sales and use taxes only on the first of January or July.
- 2013 REGULAR SESSION --
 Feb 8 First reading, referred to Trade & Economic Development.
 Feb 12 Scheduled for public hearing in the Senate Committee on Trade & Economic Development at 8:00 AM. (Subject to change)

Senate Joint Memorials

SJM 8006 by Senators Chase, McAuliffe, Nelson, Kohl-Welles, Conway, and Parlette

Promoting the use of the Eddie Eagle GunSafe Program in preschools, early learning programs, and schools.

Promotes the use of the Eddie Eagle GunSafe Program in preschools, early learning programs, and schools.

-- 2013 REGULAR SESSION --

Feb 7 First reading, referred to Early Learning & K-12 Education.

SJM 8007 by Senators Shin, Conway, Harper, Nelson, Kline, Becker, Hobbs, King, Eide, McAuliffe, Bailey, Hasegawa, Honeyford, Chase, and Kohl-Welles

Requesting Congress pass legislation imposing a fee on United States bound cargo when it crosses the Canadian border.

Requests Congress to pass legislation imposing a fee on United States bound cargo when it crosses the Canadian border.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Trade & Economic Development.

Senate Joint Resolutions

SJR 8209 by Senators Baumgartner and Kohl-Welles

Amending the Constitution to make higher education the state's second highest priority.

Proposes an amendment to the state Constitution to make higher education the state's second highest priority.

-- 2013 REGULAR SESSION --

Feb 8 First reading, referred to Higher Education.