WASHINGTON STATE LEGISLATURE

Legislative Digest No. 19

SIXTY-FOURTH LEGISLATURE

Friday, February 6, 2015

26th Day - 2015 Regular Session

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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.


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**House Bills**

**HB 1126-S** by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, MacEwen, Tarleton, Walsh, Goodman, Senn, Gregerson, and Ryu)

Concerning department of early learning fatality reviews.

*(DIGEST OF PROPOSED 1ST SUBSTITUTE)*

Establishes the Eve Uphold act.

Requires the department of early learning to: (1) Convene a child fatality review committee and determine the membership of the review committee; (2) Conduct a child fatality review if a child fatality occurs in an early learning program, a licensed child care center, or a licensed child care home; and (3) Allow the parents or guardians whose child's death is being reviewed to testify before the child fatality review committee.

- 2015 REGULAR SESSION -
  - Jan 30  ELHS - Majority; 1st substitute bill be substituted, do pass.
  - Minority; do not pass.
  - Feb 3  Referred to Appropriations.

**HB 1184-S** by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody and Harris)

Allowing licensed marriage and family therapist associates access to the University of Washington health sciences library.

*(DIGEST OF PROPOSED 1ST SUBSTITUTE)*

Provides advanced social workers, independent clinical social workers, independent clinical social worker associates, and licensed marriage and family therapist associates with online access to the University of Washington health sciences library.

- 2015 REGULAR SESSION -
  - Jan 30  HCW - Majority; 1st substitute bill be substituted, do pass.
  - Feb 3  Referred to Rules 2 Review.
  - Feb 5  Placed on second reading by Rules Committee.

**HB 1190-S** by House Committee on Health Care & Wellness (originally sponsored by Representatives Harris, Riccelli, Fitzgibbon, Robinson, Goodman, Buys, and Vick)

Concerning the use of hydrocodone products by licensed optometrists in Washington state.

*(DIGEST OF PROPOSED 1ST SUBSTITUTE)*

Preserves the ability of licensed optometrists to use hydrocodone products to treat pain, regardless of potential action by agencies of the federal government to reclassify these products as Schedule II narcotics.

Authorizes the board of optometry to include schedule II hydrocodone combination products in its list of approved oral drugs.

- 2015 REGULAR SESSION -
  - Jan 30  HCW - Majority; 1st substitute bill be substituted, do pass.
  - Feb 3  Referred to Rules 2 Review.
  - Feb 5  Placed on second reading by Rules Committee.

**HB 1252-S** by House Committee on Public Safety (originally sponsored by Representatives Wylie, Harris, Moeller, Jinkins, Vick, and S. Hunt)

Prescribing penalties for allowing or permitting unlicensed practice of massage therapy or reflexology.

*(DIGEST OF PROPOSED 1ST SUBSTITUTE)*

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HB 1276-S by House Committee on Public Safety
(originally sponsored by Representatives Klippert, Goodman, Hayes, Orwall, Moscoso, Pettigrew, Zeiger, Kilduff, and Fey)

Concerning impaired driving.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Modifies impaired driving provisions.

-- 2015 REGULAR SESSION --
Jan 30 PS - Majority; 1st substitute bill be substituted, do pass.
Feb 4 Referred to General Government & Information Technology.

HB 1320-S by House Committee on Public Safety
(originally sponsored by Representatives Goodman and Moscoso; by request of Department of Corrections)

Creating an identicard program for certain incarcerated offenders.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Requires the department of corrections, in conjunction with the department of licensing, to provide offenders with a state-issued identicard at no cost to the offender.

-- 2015 REGULAR SESSION --
Jan 30 PS - Majority; 1st substitute bill be substituted, do pass.
Feb 4 Referred to General Government & Information Technology.

HB 1348-S by House Committee on Public Safety
(originally sponsored by Representatives Appleton, Goodman, Tharinger, McBride, Walkinshaw, Clibborn, Sawyer, Riccelli, S. Hunt, Peterson, Tarleton, Robinson, Pollet, Senn, Ryu, Cody, Orwall, Kilduff, Lytton, Jinkins, Blake, Reykdal, Moscoso, Ormsby, and Gregerson)

Requiring crisis intervention training for peace officers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Establishes the Douglas M. Ostling act.

Requires the criminal justice training commission to provide crisis intervention training to new full-time law enforcement officers employed after July 1, 2017, by a state, county, or municipal law enforcement agency.

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

-- 2015 REGULAR SESSION --
Jan 30 PS - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Feb 3 Referred to Appropriations.

HB 1499-S by House Committee on Public Safety
(originally sponsored by Representatives Goodman, Jinkins, Johnson, Orwall, Appleton, Lytton, and Tharinger)

Concerning vulnerable adults.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)
Addresses vulnerable adults.

Revises the definition for first, second, and third degree criminal mistreatment.

Creates the crime of theft from a vulnerable adult.

Authorizes persons who are trained and qualified to serve on multidisciplinary personnel teams to disclose information and records to each other that are relevant to the prevention, identification, or treatment of abuse, neglect, or exploitation of vulnerable adults.

-- 2015 REGULAR SESSION --
Jan 30 PS - Majority; 1st substitute bill be substituted, do pass.
Feb 3 Referred to General Government & Information Technology.

HB 1986 by Representatives Kochmar and Sells

Permitting certain uniformed personnel, as defined in chapter 41.56 RCW, who are employed by counties and are members of the public employees' retirement system or the public safety employees' retirement system to negotiate to have their employers make the member retirement system contributions that are picked up pursuant to the federal tax code.

Authorizes a county, subject to a collective bargaining agreement, to agree to pay all or a portion of certain retirement plan contributions for certain uniformed personnel who are members of the public employees' retirement system or the public safety employees' retirement system.

-- 2015 REGULAR SESSION --
Feb 5 First reading, referred to Labor (Not Officially read and referred until adoption of Introduction report).

HB 1987 by Representatives Kochmar and Sells

Adding certain commissioned court marshals of county sheriff's offices to the definition of uniformed personnel for the purposes of public employees' collective bargaining.

Revises the definition of "uniformed personnel," for purposes of public employees' collective bargaining, to include court marshals of a county who are employed by, trained for, and commissioned by the county sheriff.

-- 2015 REGULAR SESSION --
Feb 5 First reading, referred to Labor (Not Officially read and referred until adoption of Introduction report).

HB 1988 by Representatives Goodman, Pollet, Wylie, Stanford, Tharinger, Takko, Blake, Fitzgibbon, Tarleton, Orwall, Fey, Sells, Kilduff, Farrell, Jinkins, and Ortiz-Self

Freezing resident undergraduate tuition at the four-year institutions of higher education.

Prohibits, beginning with the 2015-2016 academic year, state universities, regional universities, and The Evergreen State College from increasing full-time tuition fees for certain resident undergraduate students.
HB 1989 by Representatives Dent and Takko
Concerning water storage asset management services.
Requires each municipality or water district to publish, in advance, its requirements to procure asset management service of its water storage assets.

HB 1990 by Representatives Fey, Sells, and Appleton
Concerning use tax on vehicles transferred between immediate family members for no consideration other than to relieve the transferor of the underlying debt on the vehicle.
Provides use tax relief to individuals that pay off a vehicle loan for an immediate family member solely in exchange for ownership of the vehicle.

HB 1991 by Representatives Muri and Wilson
Requiring employee organizations representing educational public employees submitting digital copies of their collective bargaining agreements to the public employment relations commission.
Requires an employee organization representing educational public employees under the educational employment relations act to submit a digital copy of their collective bargaining agreement to the public employment relations commission within thirty days of the effective date of the collective bargaining agreement.

HB 1992 by Representatives Stanford, Pike, Orcutt, Reykdal, Walsh, Hayes, Harris, Moscoso, Appleton, Fey, Pollet, Condotta, Takko, Bergquist, Ormsby, Tarleton, Senn, Jinkins, and Wilson
Restoring resources to the capital budget.
Restores resources to the capital budget beginning with the 2015-2017 biennium.

HB 1993 by Representatives Moscoso and Clibborn; by request of Department of Licensing
Updating and clarifying statutory provisions within the commercial vehicle registration and fuel tax administrative systems.
Updates and clarifies provisions within the commercial vehicle registration and fuel tax administrative systems.

HB 1994 by Representatives Ryu, Moscoso, Ortiz-Self, and Tarleton
Expanding traffic safety education requirements for certain driver's license applicants and drivers.
Requires a person eighteen to twenty-four years of age, who is applying for his or her first Washington state driver's license and who did not complete a course in traffic safety education, to complete a young driver risk prevention traffic safety course offered by a licensed driver training school.
Requires a driver, before reinstatement of a driver's license that was revoked, to complete a high-risk driver traffic safety course offered by a licensed driver training school.
Requires licensed driver training schools to offer a young driver and high-risk driver traffic safety course.
Creates the high-risk and young driver safety education program within the department of licensing to provide financial assistance to indigent persons who are required to enroll in the safety course.
Creates the high-risk and young driver safety education account.

HB 1995 by Representative Ryu
Imposing a new studded tire fee.
Imposes a five-dollar fee on the retail sale of each new tire sold that contains studs.

HB 1996 by Representatives Ortiz-Self, Bergquist, Gregerson, Walkinshaw, Kagi, Tarleton, Condotta, and Farrell
Requiring music education in elementary schools.
Requires the superintendent of public instruction to: (1) Promote the adoption of school-based curricula and policies that provide quality daily music education for all elementary school students; and
(2) Encourage policies that provide all elementary school students with opportunities for musical activities.
Requires each school district to phase-in the opportunity for every pupil attending public elementary school within the district to receive an average of at least one hundred minutes per week of instruction in music.
Requires schools receiving all-day kindergarten program support to provide a curriculum that provides experiences in music.

Feb 5  First reading, referred to Education (Not Officially read and referred until adoption of Introduction report).

HB 1997  by Representatives Tharinger and Tarleton

Authorizing the creation and use of community facilities districts in limited areas of more intensive rural development.

Allows community facilities districts to be formed and used in limited areas of more intensive rural development.

Feb 5  First reading, referred to Community Development, Housing & Tribal Affairs (Not Officially read and referred until adoption of Introduction report).

HB 1998  by Representatives Johnson, Morris, Short, Wylie, Smith, McCabe, Nealey, Tarleton, Tharinger, and Van De Wege

Allowing public utility districts to produce and sell renewable natural gas.

Authorizes a public utility district to produce renewable natural gas and use the renewable natural gas that it produces for internal operations and for sale.

Feb 5  First reading, referred to Technology & Economic Development (Not Officially read and referred until adoption of Introduction report).

HB 1999  by Representatives Carlyle, Kagi, Lytton, Walsh, Sawyer, Pettigrew, Ortiz-Self, Dent, Parker, Caldier, Goodman, and Jinkins

Coordinating services and programs for foster youth in order to improve educational outcomes.

Requires the office of the superintendent of public instruction to contract with at least one nongovernmental entity to: (1) Administer a program of education coordination for youth, kindergarten through twelfth grade, who are dependent pursuant to chapter 13.34 RCW (juvenile court act--dependency and termination of parent-child relationship); and

(2) Improve the educational outcomes of students at two sites by providing individualized education services and monitoring and supporting dependent youths' completion of educational milestones, remediation needs, and special education needs.

Requires the student achievement council, with input from the office of the superintendent of public instruction and the department of social and health services, to contract with at least one nongovernmental entity to develop, implement, and administer a program of supplemental educational transition planning for youth in foster care in the state.

Feb 5  First reading, referred to Early Learning & Human Services (Not Officially read and referred until adoption of Introduction report).

HB 2000  by Representatives Hurst, Condotta, and Tarleton

Authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana.

Authorizes the governor to enter into marijuana agreements with federally recognized Indian tribes.

Feb 5  First reading, referred to Commerce & Gaming (Not Officially read and referred until adoption of Introduction report).

HB 2001  by Representatives Zeiger and Condotta

Concerning amusement games.

Specifies when an amusement game is regarded as requiring a material degree of skill.

Addresses amusement games that include or involve randomly generated features or events.

Authorizes the gambling commission to: (1) Set fees for the testing of amusement games for compliance with certain requirements; and

(2) Adopt rules creating regulatory requirements applicable to amusement games.

Feb 5  First reading, referred to Commerce & Gaming (Not Officially read and referred until adoption of Introduction report).

Senate Bills

SB 5831  by Senators Honeyford, Hatfield, Rivers, Becker, Schoesler, King, Roach, Warnick, Hewitt, and Angel

Allowing for the restoration of firearms rights under certain conditions.

Prohibits the state, when a court vacates a record of domestic violence, from using the vacated conviction in a later criminal prosecution unless the conviction was for: (1) Violating the provisions of certain restraining orders, no-contact orders, or protection orders; or

(2) Stalking.

Feb 5  First reading, referred to Law & Justice.

SB 5832  by Senator Angel

Modifying time limitations for certain plat approvals.

Changes the threshold for timing of certain plat approvals.


SB 5833  by Senators Roach, Kohl-Welles, Pearson,
Darneille, and Chase
Modifying assault in the third degree provisions.
Includes in the crime of assault in the third degree,
assault of a utility worker, or employee of a publicly
or privately owned utility company or agency, who is at the
time of the act engaged in official duties.

SB 5834 by Senators Ranker, Rolfes, Nelson, Frockt,
Kohl-Welles, and Conway
Concerning oil transportation safety.
Addresses oil transportation safety.

SB 5835 by Senator Darneille; by request of Department
of Corrections
Concerning earned release time for felony convictions
involving deadly weapon enhancements.
Requires the department of corrections to recalculate the
earned release date for offenders currently serving a term in
a facility or institution either operated by the state or used
under contract with regard to felony convictions involving
deadly weapon enhancements.

SB 5836 by Senators Darneille and Hasegawa; by request
of Department of Corrections
Changing the seriousness level for certain drug offenses.
Changes seriousness levels for certain drug offenses.

SB 5837 by Senator Miloscia
Concerning implementing lean management and Baldrige
performance excellence principles in schools.
Requires school districts with at least one thousand
students to implement lean management and Baldrige
performance excellence principles.
Requires the office of the superintendent of public
instruction to: (1) Develop a standardized manner for school
districts to use to report the results of the implementation of
the lean management and Baldrige performance excellence
principles; and
(2) Analyze the school district reports to identify areas
of waste to eliminate and improve the school district results.

SB 5838 by Senators Chase and Hasegawa
Addressing mutual insurers.
Prohibits a domestic mutual insurer from
redomicating to another state.
Concerning outdoor recreation.
Requires the director of the parks and recreation commission, when setting priorities and developing criteria for the awarding of grants to outdoor environmental, ecological, agricultural, or other natural resource-based education and recreation programs, to consider programs that use veterans for at least fifty percent of program implementation or administration.

Requires the governor to appoint and maintain a senior policy advisor to the governor to focus on promoting, increasing participation in, and increasing opportunities for outdoor recreation in the state.

Makes appropriations.

--- 2015 REGULAR SESSION ---
Feb 5 First reading, referred to Natural Resources & Parks.

SB 5844 by Senators Rivers, Liias, Rolfs, Ranker, Braun, Warnick, Hewitt, Angel, Parlette, and Conway

Ensuring that fishing opportunities in Washington are consistent with the economic contributions provided by the fishing user groups.

Requires the department of fish and wildlife, when making fisheries management determinations and setting fishing seasons, to maximize recreational fishing opportunity within available harvests before determining commercial fishing opportunity.

Requires the fish and wildlife commission, when using hatcheries to enhance fishing opportunities, to, consistent with all tribal treaty obligations, prioritize production at hatcheries based on their contribution to recreational fisheries.

Requires license fees and tax revenues deposited into the state wildlife account that are received from specific user groups to be appropriated to, and used for, activities that directly support or benefit the user group from which the funds were received.

--- 2015 REGULAR SESSION ---
Feb 5 First reading, referred to Natural Resources & Parks.

SB 5845 by Senators Warnick, Angel, Braun, Ericksen, and Parlette

Concerning the replacement of like-in-kind household appliances.
Addresses certified HVAC/refrigeration specialty electricians and certified appliance repair specialty electricians.

--- 2015 REGULAR SESSION ---
Feb 5 First reading, referred to Commerce & Labor.

SB 5846 by Senators Warnick, Braun, and Ericksen

Granting exemptions to the plumbing and electrical codes.
Exempts from the plumbing and electrical codes, minor or incidental work that does not require regulation for the protection of public health or safety.
certain components of the program, including data collection, outreach, and program outcomes.

-- 2015 REGULAR SESSION --
Feb 5  First reading, referred to Higher Education.

SB 5852  by Senators Frockt, O'Ban, and Ranker
Concerning reimbursement rates for behavioral rehabilitation services.

Creates a governor's advisory committee on vendor rates and requires the committee to: (1) Study and review methods and procedures for establishing rates or fees of vendors of goods, services, and care purchased by the department of social and health services including medical and welfare care and services;
(2) Provide professional and trade associations or other representative groups of the service areas the opportunity to present to the committee their evidence for justifying the methods of computing and the justification for rates or fees they propose; and
(3) Request vendors to provide the committee with an evaluation and justification of the method of establishing rates or fees.

Requires the department of social and health services, within appropriated funds, to dedicate specific amounts solely for behavioral rehabilitation services.

-- 2015 REGULAR SESSION --
Feb 5  First reading, referred to Human Services, Mental Health & Housing.

SB 5853  by Senators Rivers, Dansel, King, and Hasegawa
Modifying the authority and duties of county treasurers.
Expands county treasurers' authority and duties.

-- 2015 REGULAR SESSION --

SB 5854  by Senators Braun, Baumgartner, and Dammeier
Requiring employee organizations to submit digital copies of their collective bargaining agreements to the public employment relations commission.

Requires digital copies of collective bargaining agreements to be submitted by employee organizations to the public employment relations commission.

-- 2015 REGULAR SESSION --
Feb 5  First reading, referred to Commerce & Labor.

SB 5855  by Senators Ericksen and Baumgartner
Concerning permitting processes applicable to state highway projects.

Requires the department of transportation to: (1) For state highway projects, follow the same expedited permitting process that applied to the Interstate 5 Skagit river bridge replacement project; and
(2) Grant or reject a state environmental policy act categorical exemption permit within eight days of application.

Requires a local government entity with jurisdiction to grant or reject a written shoreline exemption within eight days of application.

Requires the department of ecology to grant or reject a coastal zone management act consistency determination within twelve days of application.

Requires the department of fish and wildlife to grant or reject an emergency hydraulic project approval permit within eight days of application.

Requires the department of natural resources to grant or reject an aquatic lands right of entry permit within thirteen days of application.

Requires any other local government or state agency permit or environmental exemption, required for a state highway project, to be granted or denied within thirteen days of application.

Allows construction to continue during an appeal of certain permits for state highway projects.

-- 2015 REGULAR SESSION --
Feb 5  First reading, referred to Transportation.

SB 5856  by Senators Frockt, Litzow, Kohl-Welles, Pedersen, Nelson, and McAuliffe
Creating a competitive grant program for high-quality, evidence-based outreach programs that improve high school graduation rates for college bound scholarship students.

Requires the office of the superintendent of public instruction to: (1) Establish a competitive grant program and provide grants to high-quality, evidence-based outreach programs that offer student support services for college bound scholarship students;
(2) Develop a selection process for grant applicants; and
(3) Annually submit a report of the student services provided as a result of the grant program.

Makes appropriations.

-- 2015 REGULAR SESSION --
Feb 5  First reading, referred to Early Learning & K-12 Education.

SB 5857  by Senators Parlette, Conway, Becker, and Pearson
Addressing registration and regulation of pharmacy benefit managers.

Changes the registration and regulation of pharmacy benefit managers from the department of revenue's business licensing service to the office of the insurance commissioner.

-- 2015 REGULAR SESSION --
Feb 5  First reading, referred to Health Care.

SB 5858  by Senators Kohl-Welles and Rivers
Establishing the state cannabis industry and economic development committee.

Creates the state cannabis industry and economic development committee and requires the committee to: (1) Develop a state comprehensive plan that identifies and coordinates the various business and economic opportunities within the cannabis industry;
(2) Recommend a state financial system that best implements the state's marijuana marketplace;
(3) Develop a method for monitoring and assessing the economic returns the cannabis industry delivers to the state;

(4) Examine and report any changes in federal law that may impact the legal operations of the cannabis industry in the state;

(5) Make recommendations for a statewide cannabis industry and economic development coordinator; and

(6) Make recommendations on options for the distribution of tax revenue from the sale of marijuana.


-- 2015 REGULAR SESSION --

Feb 5   First reading, referred to Commerce & Labor.