



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 17

SIXTY-THIRD LEGISLATURE

Wednesday, February 5, 2014

24th Day - 2014 Regular Session

SENATE	SB 5971-S	SB 6544	SB 6545	SB 6546	SB 6547	SB 6548	
HOUSE	HB 1862-S	HB 2086-S	HB 2163-S	HB 2179-S	HB 2202-S	HB 2241-S	HB 2261-S
	HB 2427-S	HB 2429-S	HB 2461-S	HB 2486-S	HB 2517-S	HB 2524-S	HB 2722-S
	HB 2760	HB 2761	HB 2762	HB 2763	HB 2764	HB 2765	HB 2766
	HB 2767						

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=2014>.

House Bills

HB 1862-S by House Committee on Public Safety (originally sponsored by Representative Goodman; by request of Sentencing Guidelines Commission)

Determining sentences for multiple offenses and enhancements.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Modifies provisions relating to adjustments to standard sentences, departures from sentencing guidelines, and consecutive or concurrent sentences.

-- 2013 REGULAR SESSION --

Feb 19 Public hearing in the House Committee on Public Safety at 8:00 AM.

-- 2014 REGULAR SESSION --

Jan 29 Public hearing in the House Committee on Public Safety at 1:30 PM.

Jan 31 PS - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the House Committee on Public Safety at 8:00 AM.

Feb 4 Referred to Appropriations Subcommittee on General Government & Information Technology.

HB 2086-S by House Committee on Transportation (originally sponsored by Representatives Bergquist, Hawkins, S. Hunt, Walsh, Freeman, Manweller, Stonier, Riccelli, Kagi, Pollet, Zeiger, Tarleton, Orwall, Habib, Green, Cody, Morrell, Fey, Roberts, and Smith)

Concerning smoking in motor vehicles carrying minors.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes it a traffic infraction if a person smokes a lighted pipe, cigar, or cigarette in a moving or parked motor vehicle carrying a person who appears to be under the age of eighteen.

-- 2014 REGULAR SESSION --

Jan 14 Public hearing in the House Committee on Transportation at 3:30 PM.

Jan 29 Executive session scheduled, but no action was taken in the House Committee on Transportation at 3:30 PM.

Jan 30 TR - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass.

Executive action taken in the House Committee on Transportation at 3:30 PM.

Feb 4 Passed to Rules Committee for second reading.

HB 2163-S by House Committee on Public Safety (originally sponsored by Representatives Harris, Haler, and Morrell)

Establishing dextromethorphan provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires a person making a retail sale of a finished drug product containing any quantity of dextromethorphan to require and obtain proof of age from the purchaser before completing the sale.

-- 2014 REGULAR SESSION --

Jan 24 Public hearing in the House Committee on Public Safety at 8:00 AM.

Jan 31 PS - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass.

Executive action taken in the House Committee on Public Safety at 8:00 AM.

Feb 4 Referred to Appropriations Subcommittee on General Government & Information Technology.

HB 2179-S by House Committee on Technology &

Economic Development (originally sponsored by Representatives Morris and Morrell)

Regarding government surveillance conducted with extraordinary sensing devices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Prohibits the state, its agencies, and political subdivisions, except as otherwise specifically authorized, from conducting surveillance with an extraordinary sensing device from an extraordinary vantage point.

Encourages the attorney general to compile and make available to agencies a list of devices that it has determined to be extraordinary sensing devices.

-- 2014 REGULAR SESSION --

Jan 16 Public hearing in the House Committee on Technology & Economic Development at 8:00 AM.

Jan 31 TED - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Technology & Economic Development at 1:30 PM.

HB 2202-S by House Committee on Government Operations & Elections (originally sponsored by Representatives Carlyle, Pollet, Bergquist, Hudgins, and Riccelli)

Concerning the establishment of an open data policy to facilitate sharing and publication of government data.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the chief information officer to coordinate implementation and expansion of an open data portal to facilitate the sharing and publication of government data in an open format.

Requires certain agencies to provide to the office of the chief information officer a proposed compliance plan which shall include a catalog of the agency's public data sets and a timeline for making each data set publicly available as open data in an open format.

Encourages local governments and other branches of state government to prepare a catalog and timeline for publication of public data sets and submit the data to the office of the chief information officer for inclusion in the open data portal.

Prohibits the office of the chief information officer from making changes to the source data of a public data set posted by an agency on the open data portal.

-- 2014 REGULAR SESSION --

Jan 24 Public hearing in the House Committee on Government Operations & Elections at 8:00 AM.

Jan 31 GOE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Government Operations & Elections at 8:00 AM.

Feb 4 Referred to Appropriations.

HB 2241-S by House Committee on Transportation (originally sponsored by Representatives

Johnson, Warnick, Ross, DeBolt, Chandler, Clibborn, and Lytton)

Regarding aeronautic safety.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates a mechanism for alerting pilots of guyed towers that may be erected at short notice and may be otherwise difficult to see from the air.

-- 2014 REGULAR SESSION --

Jan 20 Public hearing in the House Committee on Transportation at 3:30 PM.

Jan 23 Executive session scheduled, but no action was taken in the House Committee on Transportation at 3:30 PM.

Jan 29 Executive session scheduled, but no action was taken in the House Committee on Transportation at 3:30 PM.

Jan 30 TR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Transportation at 3:30 PM.

Feb 4 Passed to Rules Committee for second reading.

HB 2261-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Short, Fagan, and Magendanz)

Concerning the use of science to support significant agency actions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of fish and wildlife to identify and categorize on the department's web site each source of information, that it relies on in the course of preparing to take significant agency action, in the form of a bibliography, citation list, or similar list of sources.

-- 2014 REGULAR SESSION --

Jan 24 Public hearing in the House Committee on Agriculture & Natural Resources at 1:30 PM.

Jan 31 AGNR - Majority; 1st substitute bill be substituted, do pass.
Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 PM.

Feb 4 Passed to Rules Committee for second reading.

HB 2427-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Orcutt, Hurst, MacEwen, Kretz, Haigh, Ryu, and Buys)

Addressing wildfires caused by incendiary devices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Prohibits discharging incendiary ammunition, releasing a sky lantern, or detonating an exploding target on or over any forest, brush, range, or grain area.

-- 2014 REGULAR SESSION --

Jan 24 Public hearing in the House Committee on Agriculture & Natural Resources at 1:30 PM.

- Jan 31 AGNR - Majority; 1st substitute bill be substituted, do pass.
Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 PM.
- Feb 4 Passed to Rules Committee for second reading.

HB 2429-S by House Committee on Higher Education (originally sponsored by Representatives Stonier, Johnson, Harris, Wylie, Haler, Sawyer, Riccelli, Pollet, Habib, MacEwen, Tarleton, Bergquist, Farrell, Fitzgibbon, Moeller, Ryu, Sells, Goodman, Gregerson, S. Hunt, Senn, Santos, Ormsby, and Freeman)

Creating the Washington advance higher education loan program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the Washington advance higher education loan program as a pilot program to assist students in need of additional low-cost student loans and related loan benefits and to meet the state's need for individuals with higher education degrees and certificates that are in demand by employers, such as in the fields of science, including health science, technology, engineering, and math.

Requires the office of student financial assistance to design and implement a low interest educational loan program.

Authorizes the office of student financial assistance to award Washington advance higher education loans to eligible students from the funds available in the Washington advance higher education loan account.

Creates the Washington advance higher education loan account.

Provides an expiration date of July 1, 2020, for chapter 28B.97 RCW (Washington advance higher education loan program).

-- 2014 REGULAR SESSION --

- Jan 24 Public hearing in the House Committee on Higher Education at 8:00 AM.
- Jan 31 HE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Higher Education at 8:00 AM.
- Feb 4 Referred to Appropriations Subcommittee on Education.
- Feb 6 Scheduled for public hearing and executive session in the House Appropriations Subcommittee on Education at 10:00 AM. (Subject to change)
- Feb 7 Scheduled for executive session in the House Appropriations Subcommittee on Education at 8:00 AM. (Subject to change)

HB 2461-S by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby and Ryu; by request of Insurance Commissioner)

Addressing the financial solvency of insurance companies.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the statutory framework governing insurance holding companies.

Establishes the risk management and solvency assessment act.

Repeals chapter 48.31C RCW (holding company act for health care service contractors and health maintenance organizations).

-- 2014 REGULAR SESSION --

- Jan 21 Public hearing in the House Committee on Business & Financial Services at 10:00 AM.
- Jan 31 BFS - Majority; 1st substitute bill be substituted, do pass.
Executive action taken in the House Committee on Business & Financial Services at 8:00 AM.
- Feb 4 Referred to Appropriations Subcommittee on General Government & Information Technology.

HB 2486-S by House Committee on Higher Education (originally sponsored by Representatives Pettigrew, Roberts, Fey, Springer, Freeman, Pollet, and Santos)

Addressing the implementation of inmate postsecondary education degree programs to reduce recidivism.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Offers appropriate postsecondary opportunities to inmates.

Authorizes the department of corrections to use a competitive procurement to contract with a fund-raiser to actively solicit grants and donations from private sources.

-- 2014 REGULAR SESSION --

- Jan 28 Public hearing in the House Committee on Higher Education at 10:00 AM.
- Jan 31 HE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Executive action taken in the House Committee on Higher Education at 8:00 AM.
- Feb 4 Passed to Rules Committee for second reading.

HB 2517-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Kretz, and Buys)

Concerning wildlife conflict funding to encourage proactive measures.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses expenditures from the state wildlife account and the general fund for: (1) Damage to commercial crops caused by wild deer or elk; and

(2) Injury or loss of livestock caused by bears, wolves, or cougars.

Creates the wildlife conflict account and requires the state treasurer to transfer any unexpended money, from the expenditures mentioned above, to the wildlife conflict account.

- 2014 REGULAR SESSION --
- Jan 30 Public hearing in the House Committee on Agriculture & Natural Resources at 8:00 AM.
- Jan 31 AGNR - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass. Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 PM.
- Feb 4 Referred to Appropriations Subcommittee on General Government & Information Technology.
- HB 2524-S** by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby, Vick, Ryu, Chandler, Blake, Santos, Stanford, Zeiger, Hurst, Fagan, Takko, Habib, Harris, Sullivan, Kretz, MacEwen, Wylie, Moeller, Morrell, Haigh, Freeman, Springer, and Stonier)
- Concerning manufacturer and new motor vehicle dealer franchise agreements.
- (DIGEST OF PROPOSED 1ST SUBSTITUTE)
Addresses franchise agreements between manufacturers and new motor vehicle dealers.
- 2014 REGULAR SESSION --
- Jan 29 Public hearing in the House Committee on Business & Financial Services at 1:30 PM.
- Jan 31 BFS - Majority; 1st substitute bill be substituted, do pass. Executive action taken in the House Committee on Business & Financial Services at 8:00 AM.
- HB 2722-S** by House Committee on Early Learning & Human Services (originally sponsored by Representatives Roberts and Kagi)
- Concerning the arrest of sixteen and seventeen year olds for domestic violence assault.
- (DIGEST OF PROPOSED 1ST SUBSTITUTE)
Authorizes a police officer, under certain circumstances, to arrest a person who is sixteen or seventeen years old and within the preceding four hours has assaulted a family or household member.
Increases the age to eighteen years old or older for mandatory arrest for domestic violence assault.
- 2014 REGULAR SESSION --
- Jan 30 ELHS - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass. Executive action taken in the House Committee on Early Learning & Human Services at 10:00 AM.
- Feb 4 Passed to Rules Committee for second reading.
- HB 2760** by Representatives Chandler and Blake
- Concerning best practices for water banks.
Establishes the water banking best practices act.
Addresses water bank sponsors.
- 2014 REGULAR SESSION --
- Feb 4 First reading, referred to Agriculture & Natural Resources (Not Officially read and referred until adoption of Introduction report).
Scheduled for public hearing in the House Committee on Agriculture & Natural Resources at 1:30 PM. (Subject to change)
- HB 2761** by Representative Morrell
- Regarding accurate data reporting for the practice of psychiatric boarding.
Requires designated mental health professionals, regional support networks, or other entities contracted with the department of social and health services to facilitate placement of patients to report certain information on psychiatric boarding to the department of social and health services.
- 2014 REGULAR SESSION --
- Feb 4 First reading, referred to Health Care & Wellness (Not Officially read and referred until adoption of Introduction report).
- HB 2762** by Representatives Clibborn and Fey; by request of Governor Inslee
- Making 2013-2015 supplemental transportation appropriations.
Makes 2013-2015 supplemental transportation appropriations.
- 2014 REGULAR SESSION --
- Feb 4 First reading, referred to Transportation (Not Officially read and referred until adoption of Introduction report).
- HB 2763** by Representatives Kagi, Walsh, Fey, and Stonier
- Creating a pilot program to provide educational stability for homeless children.
Requires the department of commerce, in consultation with the office of the superintendent of public instruction, to: (1) Administer a two-year pilot program that links homeless children and their families with stable housing located in the homeless student's school district; and (2) Develop a competitive grant process to make a one-time grant award of three hundred thousand dollars to a school district partnered with an eligible organization.
Makes an appropriation.
Provides that this act is null and void if appropriations are not approved.
Expires January 15, 2017.
- 2014 REGULAR SESSION --
- Feb 4 First reading, referred to Appropriations Subcommittee on Education (Not Officially read and referred until adoption of Introduction report).
- Feb 6 Scheduled for public hearing and executive session in the House Appropriations Subcommittee on Education at 10:00 AM. (Subject to change)

Feb 7 Scheduled for executive session in the House Appropriations Subcommittee on Education at 8:00 AM. (Subject to change)

HB 2764 by Representative Springer; by request of Public Records Exemptions Accountability Committee

Enacting recommendations of the sunshine committee.

Enacts recommendations of the sunshine committee regarding exemptions from the public records act for investigative, law enforcement, and crime victim information.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Government Operations & Elections (Not Officially read and referred until adoption of Introduction report).

HB 2765 by Representative Orcutt

Concerning fish passage enhancement projects by the department of transportation.

Addresses fish passage enhancement projects by the department of transportation.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Environment (Not Officially read and referred until adoption of Introduction report).

HB 2766 by Representative Orcutt

Providing business and occupation tax relief for monthly publication newspapers.

Provides a business and occupation tax preference to a person engaging in the business of printing a monthly newspaper and/or publishing a monthly newspaper.

Expires July 1, 2020.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Finance (Not Officially read and referred until adoption of Introduction report).

HB 2767 by Representative Fagan

Clarifying the definitions of marijuana and THC concentration as adopted by Initiative Measure No. 502 to avoid an implication that the legal definition of marijuana includes industrial hemp.

Clarifies the definitions of "marijuana" and "THC concentration" in the uniform controlled substances act to avoid an implication that the legal definition of marijuana includes industrial hemp.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Government Accountability & Oversight (Not Officially read and referred until adoption of Introduction report).

Senate Bills

SB 5971-S by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Chase, Bailey, Rivers, Conway, Schoesler, Shin, Hobbs, Darneille, Tom, and Benton; by request of Military Department and State Auditor)

Implementing plans and protections in the event of a cyber attack, emergency, or disaster.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the office of the chief information officer to:

(1) Develop and assist the updating of information security procedures, standards, and guidelines for state agencies;

(2) Assist with development of information technology security programs developed by state agencies;

(3) Review information security audits and assessments in state agencies;

(4) Establish and direct a risk management process; and

(5) Require agencies to immediately correct security vulnerabilities that, in the judgment of the office, pose an unacceptable risk to the agency or the state.

Provides that the adjutant general is responsible to the governor for developing and implementing a program for interagency coordination of continuity of operations planning by state agencies, boards, and commissions.

Gives responsibility to each state agency, board, and commission for developing an organizational continuity of operations plan that is updated and exercised annually in compliance with the program for interagency coordination of continuity of operations planning.

-- 2014 REGULAR SESSION --

Jan 27 Public hearing in the Senate Committee on Governmental Operations at 10:00 AM.

Feb 3 GOV - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Executive action taken in the Senate

Committee on Governmental Operations at 10:00 AM.

Feb 4 Referred to Ways & Means.

SB 6544 by Senator Pearson

Establishing a mineral prospecting and mining advisory committee.

Requires the fish and wildlife commission to establish and maintain an advisory committee to represent the interests of mineral prospectors and miners to the commission and the department of fish and wildlife on matters relating to individual hydraulic project approval permit processing, relevant rules and proposed rule changes regarding construction projects in state waters, and the gold and fish pamphlet.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Natural Resources & Parks.

SB 6545 by Senators Braun and Rivers

Extending specific aerospace tax preferences to include other types of commercial aircraft to encourage the migration of good wage jobs in the state.

Provides a preferential business and occupation tax rate, a business and occupation tax credit, and a sales and use tax deferral for the manufacturing of rotorcraft, including the components used in the manufacturing process.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Ways & Means.

SB 6546 by Senators Rivers, Keiser, Mullet, Brown, Dansel, Hasegawa, Eide, Liias, Hatfield, Hobbs, Angel, Conway, O'Ban, Ericksen, Parlette, Pearson, Billig, Padden, Becker, Rolfes, Kohl-Welles, Chase, McCoy, and McAuliffe

Restoring resources to the capital budget.

Restores resources to the capital budget beginning with the 2015-2017 biennium.

Requires the state treasurer, after July 1, 2015, to transfer one hundred two million dollars from the general fund to the education construction fund by June 30th of each year.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Ways & Means.

SB 6547 by Senators Holmquist Newbry, Hobbs, and Liias

Providing a comprehensive spirits sales tax reduction for all consumers in both on-premise and off-premise settings.

Reduces taxes on the sale of spirits.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Commerce & Labor.

SB 6548 by Senators Fraser, Chase, Conway, Kline, Kohl-Welles, McCoy, and Keiser

Protecting taxpayers by providing for accountability and transparency in government contracting.

Establishes the taxpayer protection act.

Requires state agencies to conduct a comprehensive impact statement before issuing a request for a proposal to contract out to purchase services from a private sector entity or nonprofit organization that have been customarily and historically provided by a public employee or employees.

Requires the joint legislative audit and review committee to review the performance of contracts in which services historically and traditionally performed by public sector employees were outsourced to private sector or nonprofit entities.

Requires the first projects reviewed to be: (1) The contract outsourced to the state health benefit exchange call center; and

(2) The department of licensing's use of private driving schools to administer drivers' examinations.

-- 2014 REGULAR SESSION --

Feb 4 First reading, referred to Governmental Operations.