



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 51

### SIXTY-FIFTH LEGISLATURE

**Monday, March 27, 2017**

**78th Day - 2017 Regular Session**

<b>SENATE</b>	SB 5048-S	SB 5096-S	SB 5248-S	SB 5347-S2	SB 5594-S2	SB 5838-S	SB 5866-S
	SB 5875-S	SB 5890-S	SB 5891	SB 5894-S	SB 5896-S	SB 5898-S	SB 5900-S
	SB 5901-S	SB 5910	SB 5911				
<b>HOUSE</b>	HB 2180	HB 2181					

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=2017>.

### House Bills

**HB 2180** by Representatives Condotta, Shea, Taylor, Manweller, Orcutt, Wilcox, Barkis, Buys, MacEwen, Harmsworth, Kretz, Schmick, Steele, Koster, Irwin, Maycumber, Holy, McCaslin, Pike, Stokesbary, Hargrove, and Van Werven

Requiring the provision of fuel tax rate information at fuel pumps.

Requires the department of agriculture to: (1) Produce a sticker, that provides federal and state motor fuel tax rates, for display on motor fuel pumps where motor fuel is sold at retail; and

(2) Distribute the stickers to individuals who conduct fuel pump inspections, including department employees and local government employees.

Requires those employees to display the stickers on fuel pumps at the time of inspection.

-- 2017 REGULAR SESSION --

Mar 24 First reading, referred to Transportation (Not Officially read and referred until adoption of Introduction report).

**HB 2181** by Representatives Taylor, MacEwen, Manweller, Vick, McCaslin, Volz, Buys, Maycumber, Stokesbary, Schmick, Kraft, Shea, and Van Werven

Reducing the number of state supreme court justices.

Changes the number of judges on the state supreme court as follows: (1) From the second Monday in January 2019, until the second Monday in January 2021, the supreme court consists of six judges; and

(2) From the second Monday in January 2023, and thereafter, the supreme court consists of five judges.

Prohibits an election from being held, at the 2018 general election, for the office of justice of the state supreme court.

-- 2017 REGULAR SESSION --

Mar 24 First reading, referred to Judiciary (Not Officially read and referred until adoption of Introduction report).

### Senate Bills

**SB 5048-S** by Senate Committee on Ways & Means (originally sponsored by Senators Braun and Ranker; by request of Office of Financial Management)

Making operating appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

(AS OF SENATE 2ND READING 3/23/17)

Makes operating appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 23 Passed to Rules Committee for second reading.

Placed on second reading by Rules Committee.

1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 25; nays, 24; absent, 0; excused, 0.

**SB 5096-S** by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs; by request of Office of Financial Management)

Making transportation appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes transportation appropriations for the 2015-2017 and 2017-2019 fiscal biennia.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee on Transportation at 3:30 PM.

Mar 22 TRAN - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.  
Executive action taken in the Senate Committee on Transportation at 3:30 PM.

Mar 23 Passed to Rules Committee for second reading.

**SB 5248-S** by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Cleveland, Becker, Carlyle, and Kuderer)

Concerning the requirements for prescribing opioids.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Expands the list of persons to whom the department of health may provide prescription monitoring program data.

Requires the following to adopt rules establishing requirements for prescribing opioid drugs: (1) The state podiatric medical board;

(2) The state dental quality assurance commission;  
(3) The state board of osteopathic medicine and surgery;

(4) The medical quality assurance commission; and  
(5) The nursing care quality assurance commission.

-- 2017 REGULAR SESSION --

Feb 2 Public hearing in the Senate Committee on Health Care at 10:00 AM.

Feb 7 Executive action taken in the Senate Committee on Health Care at 10:00 AM.

Mar 15 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 16 WM - Majority; 1st substitute bill be substituted, do pass.  
Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 21 Passed to Rules Committee for second reading.

**SB 5347-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Walsh, Darneille, Zeiger, Rolfes, Sheldon, Angel, and Hasegawa)

Concerning the definition of work activity for the purposes of the WorkFirst program.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Revises the definition of "work activity," for purposes of the WorkFirst temporary assistance for needy families program, to allow the twelve-month limit for vocational educational training to be increased to twenty-four months

subject to funding appropriated specifically for this purpose.

-- 2017 REGULAR SESSION --

Jan 30 Public hearing in the Senate Committee on Human Services and Mental Health & Housing at 1:30 PM.

Feb 6 Executive action taken in the Senate Committee on Human Services and Mental Health & Housing at 1:30 PM.

Mar 14 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 16 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; without recommendation.  
Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 21 Passed to Rules Committee for second reading.

**SB 5594-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Rivers, Cleveland, Fain, Darneille, Miloscia, Wellman, Frockt, Conway, and Rossi)

Concerning transition services for people with developmental disabilities.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires the department of social and health services to: (1) Ensure that each resident's individual habilitation plan includes a plan for discharge to the community;

(2) Maximize federal funding for transitioning clients through the roads to community living grant;

(3) Limit the ability of a state-operated living alternative to reject referred clients;

(4) Employ the quality assurance process currently in use by the department to monitor the adjustment of residents who leave a residential habilitation center;

(5) Study and make recommendations on developing and building a federally qualified health center for residents and other individuals with developmental disabilities who live in the community;

(6) Consult with federally qualified health centers and members and representatives of the developmental disabled community; and

(7) Complete an appraisal of the charitable, educational, penal, and reform institutions land on the Fircrest School campus.

Prohibits the department of social and health services from permitting a new admission to Fircrest School to the intermediate care facility or the nursing facility unless the admission is for the provision of short-term respite or crisis stabilization services.

Requires the intermediate care facility at Fircrest School to cease operation by December 31, 2022.

Requires the nursing facility portion of Fircrest School to continue to operate until the census of permanent residents has reached sixteen persons.

Requires Fircrest School to cease to operate as a residential habilitation center when certain conditions are met.

Requires the developmental disabilities administration, when determining which of its clients who receives an annual developmental disabilities assessment are at highest risk of abuse or neglect, to include in its

consideration, whether the client has moved from a residential habilitation center to the community.

Requires revenue generated from Fircrest School properties, when the school ceases to operate, and revenue generated with the next phase of the Fircrest School master plan process identified in the 2017-2019 omnibus capital appropriations act to be deposited into the developmental disabilities community trust account.

Requires expenditures from the developmental disabilities community trust account to be used to provide supported living, state-operated living alternatives, and other community-based residential services supporting people with developmental disabilities.

-- 2017 REGULAR SESSION --

Feb 13 Public hearing in the Senate Committee on Health Care at 8:00 AM.

Feb 16 Executive action taken in the Senate Committee on Health Care at 10:00 AM.

Mar 15 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 20 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; do not pass.  
Minority; without recommendation.  
Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 22 Passed to Rules Committee for second reading.

**SB 5838-S** by Senate Committee on Ways & Means (originally sponsored by Senators Rossi, Kuderer, Palumbo, Braun, Hunt, Fain, O'Ban, Hawkins, Brown, Sheldon, Rivers, Zeiger, Angel, Bailey, Honeyford, Miloscia, Walsh, Wilson, Becker, Warnick, Mullet, and Hobbs)

Concerning the capital construction of and bonding for addressing the facilities maintenance backlog for the state parks and recreation commission.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes the securing the future of Washington's state parks bonding act.

Authorizes the state finance committee to issue general obligation bonds to provide funds for needed capital improvements consisting of the predesign, design, maintenance, construction, modification, renovation, modifying existing structures to meet current and future needs, equipping, and other improvement of state buildings and facilities for the parks and recreation commission.

Prohibits the proceeds from the bonds from being used for: (1) Any expenditures to any part of the cross-state trail east of the Columbia river known by the names of the Milwaukie Road corridor, John Wayne trail or iron horse trail, or for the Columbia Plateau trail south of the Turnbull national wildlife refuge where the scablands nature trail and the Columbia Plateau trail meet and north of the Snake river junction trailhead;

(2) Any expenditures pertaining to any part of trails acquired by the parks and recreation commission after the effective date of this act; and

(3) The purchase or acquisition of any new land.

Creates the Evans state parks preservation account.

-- 2017 REGULAR SESSION --

Mar 14 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 16 WM - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Minority; without recommendation.  
Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 21 Passed to Rules Committee for second reading.

**SB 5866-S** by Senate Committee on Law & Justice (originally sponsored by Senators Brown, Hobbs, Braun, Mullet, Frockt, and Warnick)

Creating a tax court for the state of Washington.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates a tax court as a court of record with statewide jurisdiction that will consist of one judge selected from each district of the court of appeals and commissioners as are appointed by the tax court.

Abolishes the state board of tax appeals.

Transfers the powers, duties, and functions of the state board of tax appeals to the tax court.

Provides for submission of this act to a vote of the people.

-- 2017 REGULAR SESSION --

Mar 16 Public hearing in the Senate Committee on Law & Justice at 10:00 AM.

Mar 22 LAW - Majority; 1st substitute bill be substituted, do pass.  
And refer to Ways & Means.  
Minority; do not pass.  
Executive action taken in the Senate Committee on Law & Justice at 8:00 AM.

Mar 23 Referred to Ways & Means.

**SB 5875-S** by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

Making revisions to education reforms in Substitute Senate Bill No. 5607.

(AS OF SENATE 2ND READING 3/23/17)

Revises certain elements of Substitute Senate Bill No. 5607 regarding education reforms.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 23 Passed to Rules Committee for second reading.

Placed on second reading by Rules Committee.

1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 25; nays, 24;  
absent, 0; excused, 0.

**SB 5890-S** by Senate Committee on Ways & Means  
(originally sponsored by Senators O'Ban,  
Braun, and Rolfes)

Concerning foster care and adoption support.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires respite care to include case aides who provide temporary assistance to foster parents as needed with the overall goal of supporting the parental efforts of the foster parents however, this does not include overnight assistance.

Requires the department of social and health services to contract with community-based organizations in each region to establish a statewide pool of individuals to provide the care.

Requires the state institute for public policy to prepare an outcome evaluation of the respite care.

Requires the court to weigh the importance of establishing timely permanency for a child when considering a request for continuance of a review hearing or a permanency planning hearing and grant a continuance only after making a finding that the continuance is in the best interest of the child.

Requires the secretary of the department of social and health services to: (1) In order to encourage adoption of children between the ages of fourteen and eighteen, include continued eligibility for the Washington college bound scholarship as part of a new negotiated adoption agreement; and

(2) Within the department's appropriations, establish a case review panel for the purpose of reviewing foster care cases where permanency has not been achieved for children within twelve months after being placed in out-of-home care.

Requires the governor to regularly acknowledge the contributions of foster parents to the state with, at a minimum, a letter signed by the governor.

Creates the foster parent shared leave pool to allow employees to donate leave to be used as shared leave for an employee who is a foster parent needing to care for or preparing to accept a foster child in their home.

Requires any residual balance remaining in the child and family reinvestment account to be transferred to the general fund.

Creates the child welfare system improvement account.

Repeals the child and family reinvestment account.

Eliminates the termination and repeal, under the sunset act, of the child and family reinvestment account and the methodology for calculating savings.

-- 2017 REGULAR SESSION --

Mar 16 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 20 WM - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 22 Passed to Rules Committee for second reading.

**SB 5891** by Senators Zeiger and Conway

Eliminating the use of the high school science assessment as a graduation prerequisite. (REVISED FOR ENGROSSED: Delaying the use of the high school science assessment as a graduation prerequisite.)

(AS OF SENATE 2ND READING 3/23/17)

Changes graduation requirements by delaying the use of the high school science assessment.

-- 2017 REGULAR SESSION --

Mar 16 First reading, referred to Ways & Means.

Mar 20 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; do pass.

Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 23 Passed to Rules Committee for second reading.

Placed on second reading by Rules Committee.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 49; nays, 0; absent, 0; excused, 0.

**SB 5894-S** by Senate Committee on Ways & Means  
(originally sponsored by Senators O'Ban,  
Darneille, Braun, Becker, Rossi, Brown, Miloscia,  
Cleveland, Ranker, Chase, Warnick, Keiser, Hunt,  
Hasegawa, Wellman, and Zeiger)

Concerning behavioral health system reform.

(AS OF SENATE 2ND READING 3/23/17)

Revises the involuntary treatment act, the community mental health services act, criminally insane provisions, and public and private facilities for the mentally ill with regard to: (1) Integrating risk for long-term civil involuntary treatment into managed care;

(2) Development of community long-term involuntary treatment capacity;

(3) State hospital short-term reforms;

(4) Improving access to assisted outpatient mental health treatment;

(5) Reducing demand for forensic services;

(6) Addressing managed care entities to provide fully integrated care; and

(7) Data measurement.

-- 2017 REGULAR SESSION --

Mar 20 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; 1st substitute bill be substituted, do pass.

Executive action taken in the Senate Committee on Ways & Means at 3:30 PM.

Mar 23 Passed to Rules Committee for second reading.

Placed on second reading by Rules Committee.

1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 37; nays, 12;  
absent, 0; excused, 0.

**SB 5896-S** by Senate Committee on Law & Justice  
(originally sponsored by Senators Rossi,  
Brown, Braun, Becker, Fortunato, Bailey, Angel,  
Schoesler, Sheldon, Warnick, Honeyford, Wilson, Walsh,  
Hawkins, and Short)

Concerning claims against public entities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses the state's immunity from liability for the  
tortious conduct of its employees and officers.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee  
on Law & Justice at 10:00 AM.

Mar 22 LAW - Majority; 1st substitute bill be  
substituted, do pass.  
Minority; do not pass.

Executive action taken in the Senate  
Committee on Law & Justice at 8:00  
AM.

Mar 23 Passed to Rules Committee for second  
reading.

**SB 5898-S** by Senate Committee on Ways & Means  
(originally sponsored by Senator Braun)

Concerning eligibility for public assistance programs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Discontinues assistance from the working connections  
child care subsidy, after a minimum of three months, if  
there is a change in the ongoing status of the child's parent  
as working or attending a job training or education  
program that is not temporary.

Requires an applicant or a recipient, as a condition of  
receiving a child care subsidy or a working connections  
child care subsidy, to seek child support enforcement  
services from the department of social and health services,  
division of child support, unless the department finds that  
the applicant or recipient has good cause not to cooperate.

Addresses work activity and eligibility requirements  
for the WorkFirst temporary assistance for needy families  
program.

Allows a person to receive aged, blind, or disabled  
assistance benefits for up to thirty-six months.

Requires a person to demonstrate to the department of  
social and health services that a job search has been  
conducted before applying for assistance in the temporary  
assistance for needy families program.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee  
on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; 1st substitute bill be  
substituted, do pass.  
Minority; do not pass.

Executive action taken in the Senate  
Committee on Ways & Means at 3:30  
PM.

Mar 23 Passed to Rules Committee for second  
reading.

Placed on second reading by Rules  
Committee.  
1st substitute bill substituted.

Rules suspended. Placed on Third  
Reading.

Third reading, passed; yeas, 25; nays, 24;  
absent, 0; excused, 0.

**SB 5900-S** by Senate Committee on Ways & Means  
(originally sponsored by Senator Braun)

Making expenditures from the budget stabilization  
account for public employer unfunded actuarially accrued  
liabilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Makes an appropriation from the budget stabilization  
account for expenditure into the public employees'  
retirement system plan 1 fund to reduce the unfunded  
actuarially accrued liability in that plan.

Establishes a surcharge on employers, as defined in  
RCW 41.35.010, 41.37.010, or 41.40.010, to reimburse  
the state general fund for the expected reduction in the  
unfunded actuarially accrued liability for employers due to  
the payment from the state general fund.

Requires the department of retirement systems to bill  
each employer a surcharge every month.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee  
on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; 1st substitute bill be  
substituted, do pass.  
Minority; do not pass.

Executive action taken in the Senate  
Committee on Ways & Means at 3:30  
PM.

Mar 23 Passed to Rules Committee for second  
reading.

Placed on second reading by Rules  
Committee.

**SB 5901-S** by Senate Committee on Ways & Means  
(originally sponsored by Senator Braun)

Concerning eligibility for the early childhood education  
and assistance program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires full implementation of the program of early  
learning to be achieved in the 2022-2023 school year.

Requires funding for the program to continue to be  
phased in each year until full statewide implementation is  
achieved in the 2022-2023 school year.

-- 2017 REGULAR SESSION --

Mar 21 Public hearing in the Senate Committee  
on Ways & Means at 3:30 PM.

Mar 22 WM - Majority; 1st substitute bill be  
substituted, do pass.  
Minority; do not pass.

Executive action taken in the Senate  
Committee on Ways & Means at 3:30  
PM.

Mar 23 Passed to Rules Committee for second  
reading.

Placed on second reading by Rules  
Committee.

1st substitute bill substituted.  
Rules suspended. Placed on Third  
Reading.

Third reading, passed; yeas, 25; nays, 24;  
absent, 0; excused, 0.

**SB 5910** by Senators Wilson, Keiser, Honeyford,  
Conway, Hunt, and Rossi

Concerning the sales tax credit or refund for amounts charged off as bad debts with respect to private label credit accounts.

Addresses credits and refunds of sales taxes for bad debts regarding private label credit accounts.

-- 2017 REGULAR SESSION --

Mar 24 First reading, referred to Ways & Means.

**SB 5911** by Senators Nelson, Saldaña, Lias, and  
McCoy

Making expenditures from the budget stabilization account.

Makes an appropriation from the budget stabilization account for expenditure into the public employees' retirement system plan 1 fund to reduce the unfunded actuarially accrued liability in that plan.

Establishes a surcharge on employers, as defined in RCW 41.35.010, 41.37.010, or 41.40.010, to reimburse the state general fund for the expected reduction in the unfunded actuarially accrued liability for employers due to the payment made from the state general fund in the appropriation above.

Requires the department of retirement systems to bill each employer a surcharge every month.

Requires the pension funding council to adopt an annual supplemental employer rate that reflects the impact of the state's contribution toward the public employees' retirement system plan's unfunded actuarially accrued liability.

Creates the homeless assistance account.

Makes appropriations from the budget stabilization account to: (1) The homeless assistance account; and

(2) The housing trust fund for new construction, renovation, or conversion of existing housing stock for permanent supportive housing or other housing options particularly to provide assistance for people who are homeless and those who are at risk of becoming homeless and to assist in operations and maintenance costs for affordable and supportive housing.

Makes an appropriation from the homeless assistance account to the department of commerce for administrative purposes, and requires the funds to be distributed statewide, to sheltering, including emergency shelter and support services, for individuals and families, including assistance to families in the temporary assistance for needy families program, and to the housing and essential needs program.

-- 2017 REGULAR SESSION --

Mar 24 First reading, referred to Ways & Means.