



WASHINGTON STATE LEGISLATURE



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SIXTY-SIXTH LEGISLATURE

Friday, February 8, 2019

26th Day - 2019 Regular Session

SENATE	SB 5079-S	SB 5592	SB 5593	SB 5594	SB 5595	SB 5596	SB 5597
	SB 5598	SB 5599	SB 5600	SB 5601	SB 5602	SB 5603	SB 5604
	SB 5605	SB 5606	SB 5607	SB 5608	SB 5609	SB 5610	
HOUSE	HB 1002-S	HB 1034-S	HB 1042-S	HB 1087-S	HB 1091-S	HB 1100-S	HB 1136-S
	HB 1145-S	HB 1246-S	HB 1299-S	HB 1399-S			

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=2019>.

House Bills

HB 1002-S by House Committee on Public Safety (originally sponsored by Representatives Orwall, Mosbrucker, Goodman, Griffey, Lovick, Pellicciotti, Kraft, Valdez, Irwin, Jinkins, Macri, Wylie, Bergquist, Doglio, Ortiz-Self, and Frame)

Modifying the offense of rape in the third degree.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the offense of rape in the third degree regarding the lack of consent.

-- 2019 REGULAR SESSION --

Jan 24 PS - Majority; 1st substitute bill be substituted, do pass.

Jan 25 Referred to Rules 2 Review.

Feb 5 Placed on second reading by Rules Committee.

Feb 7 1st substitute bill substituted. Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 96; nays, 0; absent, 0; excused, 2.

HB 1034-S by House Committee on Commerce & Gaming (originally sponsored by Representatives Ryu, Pellicciotti, Goodman, Kirby, Vick, Reeves, and Bergquist)

Establishing a soju endorsement to certain restaurant licenses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the state liquor and cannabis board to: (1) Create a soju endorsement to the spirits, beer, and wine restaurant license that allows the holder of the license to serve soju for on-premises consumption by the bottle to tables of at least two patrons who are at least twenty-one years old;

(2) Develop additional responsible sale and service of soju training curriculum related to the provisions of the

endorsement, that includes certification procedures and enforcement policies; and

(3) Provide the information above in Korean and English languages to licensees holding the endorsement.

-- 2019 REGULAR SESSION --

Jan 29 COG - Majority; 1st substitute bill be substituted, do pass.

Jan 31 Referred to Rules 2 Review.

HB 1042-S by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Blake, Griffey, Sells, Eslick, Lovick, Irwin, Appleton, Pellicciotti, Riccelli, Kirby, Kilduff, Caldier, Ryu, Chapman, Tharinger, Stonier, Sullivan, Fitzgibbon, Wylie, Bergquist, Doglio, Pollet, Stanford, Frame, and Leavitt)

Granting interest arbitration to department of corrections employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Recognizes that a public policy exists in the state: (1) Against strikes as a means of settling labor disputes;

(2) That uninterrupted and dedicated service of department of corrections employees is vital to the state; and

(3) In order to promote a dedicated and uninterrupted public service there should exist an effective and adequate alternative means of settling disputes.

Grants interest arbitration to the classified employees of the department of corrections.

Defines "department of corrections employees" as employees covered by the state civil service law who work for the department.

Exempts confidential employees, members of the Washington management service, and internal auditors from interest arbitration.

Requires the state's bargaining representative and the exclusive bargaining representative of a unit of department employees to attempt to agree on an interest arbitration panel to be used if the parties are not successful in negotiating a comprehensive agreement.

Requires the public employment relations commission to: (1) Review the appropriateness of bargaining units that consist of or include department employees; and

(2) If it is determined that a unit is not appropriate, modify the unit.

-- 2019 REGULAR SESSION --

Jan 28 LAWS - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Jan 30 Referred to Appropriations.

HB 1087-S by House Committee on Health Care & Wellness (originally sponsored by Representatives Jinkins, MacEwen, Cody, Harris, Tharinger, Slatter, Kloba, Ryu, Macri, DeBolt, Bergquist, Doglio, Robinson, Stanford, Stonier, Frame, and Leavitt)

Concerning long-term services and supports.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Addresses alternative funding for long-term care access.

States that the creation of a long-term care insurance benefit of an established dollar amount per day for eligible employees, paid through an employee payroll premium, is in the best interest of the state.

Creates the long-term services and supports trust commission.

Creates the long-term services and supports trust program.

Gives the state health care authority, the department of social and health services, and the employment security department distinct responsibilities in the implementation and administration of the program.

Requires the joint legislative audit and review committee to: (1) Report on the performance of the commission in providing oversight to the program; and

(2) Make recommendations to the legislature on improving the functioning, efficiency, and membership, as well as whether the commission should continue to exist or expire.

Creates the long-term services and supports trust account.

-- 2019 REGULAR SESSION --

Jan 25 HCW - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Jan 29 Referred to Appropriations.

HB 1091-S by House Committee on Civil Rights & Judiciary (originally sponsored by Representative Goodman; by request of Statute Law Committee)

Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Removes obsolete language from and makes technical corrections to the Revised Code of Washington.

-- 2019 REGULAR SESSION --

Jan 25 CRJ - Majority; 1st substitute bill be substituted, do pass.

Jan 29 Referred to Rules 2 Review.

HB 1100-S by House Committee on Civil Rights & Judiciary (originally sponsored by Representative Jinkins)

Evaluating competency to stand trial.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Delays, until June 30, 2022, the expiration of RCW 10.77.073 regarding the competency to stand trial evaluations and reimbursement from the department of social and health services to the county for the cost of appointing a qualified expert or professional person.

-- 2019 REGULAR SESSION --

Jan 25 CRJ - Majority; 1st substitute bill be substituted, do pass.

Jan 29 Referred to Appropriations.

HB 1136-S by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Kilduff, Goodman, Senn, Gregerson, Appleton, Pollet, Ormsby, and Walen)

Implementing child support pass-through payments.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of social and health services, effective February 1, 2020, to pass through child support: (1) An amount that does not exceed one hundred dollars per month collected on behalf of a family; or

(2) In the case of a family that includes two or more children, an amount that is not more than two hundred dollars per month.

-- 2019 REGULAR SESSION --

Jan 25 CRJ - Majority; 1st substitute bill be substituted, do pass.

Jan 29 Referred to Appropriations.

HB 1145-S by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Reeves, Riccelli, Robinson, Stanford, and Pollet)

Concerning Washington child care access for resident employees of the state.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes the Washington CARES act.

Requires the office of financial management to: (1) Consult with the child care collaborative task force to modify its model policy for a bring your infant to work program as appropriate for implementation at state agencies; and

(2) Provide the modified model policy and implementation guidelines to state agency directors by February 1, 2020.

Permits a state employee to help a fellow state employee with leave, under the shared leave program, if his or her child is too ill to attend child care.

Permits an agency head to allow an employee to also receive leave under the shared leave program if the employee has a child under the age of thirteen who is too ill to attend child care.

Creates the child care shared leave pool to allow employees to donate leave to be used as shared leave for employees who meet certain requirements.

Requires the state health care authority to establish a pilot project under which a state agency will provide

matching contributions to its employees' dependent care assistance program accounts.

Requires the department of commerce, in partnership with the office of financial management, the department of enterprise services, the department of children, youth, and families, and the state health care authority, to develop a survey for state employees in order to better understand issues affecting child care access and affordability for their families.

Provides that section 5 of this act is null and void if appropriations are not approved.

-- 2019 REGULAR SESSION --

Jan 29 SGOV - Majority; 1st substitute bill be substituted, do pass.

Jan 31 Referred to Appropriations.

HB 1246-S by House Committee on Human Services & Early Learning (originally sponsored by Representatives Goodman, Eslick, Stokesbary, Fey, Lovick, Appleton, Frame, and Tharinger)

Including referred and diverted youth in establishing community juvenile accountability program guidelines.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the juvenile justice act of 1977.

Includes a referred and diverted youth, as well as adjudicated juvenile offenders, when establishing guidelines for a community juvenile accountability program.

Requires the department of children, youth, and families to: (1) Provide an annual report to the appropriate legislative committees that includes a county by county description of the youth served by the funded programs; and

(2) Implement a stop loss policy when allocating funding under RCW 13.40.510 (section 1 of this act).

Requires the block grant oversight committee to establish a minimum base level of funding for juvenile courts with lower numbers of at-risk youth from ten to seventeen years old.

-- 2019 REGULAR SESSION --

Jan 29 HSEL - Majority; 1st substitute bill be substituted, do pass.

Feb 1 Referred to Appropriations.

HB 1299-S by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Dolan, Doglio, Jinkins, Sells, Kilduff, Gregerson, Peterson, Goodman, Valdez, Riccelli, Macri, Frame, Appleton, Fitzgibbon, Tharinger, Ryu, Stanford, Hudgins, Lekanoff, Bergquist, Leavitt, Ormsby, and Pollet)

Extending collective bargaining rights to assistant attorneys general.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Grants the right to assistant attorneys general to collectively bargain unless otherwise excluded below.

Excludes the following from collective bargaining: Division chiefs, deputy attorneys general, the solicitor general, assistant attorneys general in the labor and personnel division, special assistant attorneys general, certain confidential employees, and any assistant or

deputy attorney general who reports directly to the attorney general.

Requires the governor or designee and an exclusive bargaining representative to negotiate one master collective bargaining agreement for assistant attorneys general.

-- 2019 REGULAR SESSION --

Jan 29 LAWS - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Minority; without recommendation.

Feb 1 Referred to Appropriations.

HB 1399-S by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Robinson, Doglio, Sells, Hudgins, Ormsby, Springer, Gregerson, Frame, Appleton, Bergquist, Riccelli, Tharinger, Stanford, Slatter, Goodman, Reeves, Macri, and Ortiz-Self; by request of Employment Security Department)

Concerning paid family and medical leave.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Modifies and reorganizes certain statutes in the family and medical leave program.

-- 2019 REGULAR SESSION --

Jan 28 LAWS - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Jan 31 Referred to Appropriations.

Senate Bills

SB 5079-S by Senate Committee on State Government, Tribal Relations & Elections (originally sponsored by Senators McCoy, Billig, Cleveland, Conway, Frockt, Hunt, Kuderer, Saldaña, and Van De Wege)

Enacting the Native American voting rights act of Washington.

(AS OF SENATE 2ND READING 2/06/19)

Establishes the Native American voting rights act of Washington.

-- 2019 REGULAR SESSION --

Jan 30 SGTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Minority; without recommendation.

Feb 1 Passed to Rules Committee for second reading.

Feb 6 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, 34; nays, 13; absent, 0; excused, 2.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed; yeas, 34; nays, 13; absent, 0; excused, 2.

SB 5592 by Senators Schoesler, Nguyen, and Warnick

Easing ambulance restrictions in rural areas.

Authorizes an ambulance service established by an association made up entirely of two or more municipalities, with approval from the department of health, to use a driver with no medical or first aid training under certain circumstances.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Health & Long Term Care.

SB 5593 by Senators Lias, Wilson, C., Das, Kuderer, Nguyen, and Saldaña

Addressing equity in access to dual credit opportunities.

Requires a school district, upon knowledge of a low-income student's enrollment in running start, to coordinate with institutions of higher education to provide documentation of low-income status.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning & K-12 Education.

SB 5594 by Senators Lias, Warnick, Wilson, C., Wellman, Kuderer, Nguyen, Saldaña, and Zeiger

Supporting media literacy and digital citizenship.

Requires the office of the superintendent of public instruction to: (1) Establish a grant program for supporting media literacy and digital citizenship through school district leadership teams; and

(2) Convene two regional conferences on the subject of media literacy and digital citizenship to highlight the work performed by the grant program recipients, as well as best practices in media literacy and digital citizenship.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning & K-12 Education.

SB 5595 by Senator Mullet

Exempting certain charitable or nonprofit organizations from obtaining a gambling license.

Exempts certain bona fide charitable organizations and bona fide nonprofit organizations from obtaining a gambling license if the organization's net revenues from all the activities together do not exceed one thousand five hundred dollars during a calendar year, after deducting the cost of prizes and other expenses of the activities.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Labor & Commerce.

SB 5596 by Senators Holy and Billig

Extending the expiration date on the health sciences and services authority sales and use tax authorization.

Changes the expiration date from January 1, 2023, to January 1, 2038, for the health sciences and services authority sales and use tax authorization.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

SB 5597 by Senators Rolfes, Saldaña, McCoy, Conway, and Hasegawa

Creating a work group on aerial pesticide applications in forestlands.

Creates a work group on aerial application of pesticides on state and private forestlands to develop recommendations for improving the best management practices for aerial application of pesticides on the forestlands.

Expires December 31, 2019.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Agriculture, Water, Natural Resources & Parks.

SB 5598 by Senators Rolfes, Nguyen, Carlyle, Frockt, Hasegawa, Hunt, Kuderer, and Saldaña

Concerning student internet data privacy.

Declares an intent to ensure that: (1) Student data is safeguarded; and

(2) Privacy of students and parents is honored, respected, and protected.

Authorizes the attorney general to bring an action in the name of the state, or on behalf of persons residing in the state, to restrain and prevent an act prohibited or declared to be unlawful in chapter 28A.604 RCW, the student user privacy in education rights act.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning & K-12 Education.

SB 5599 by Senators Hasegawa and Nguyen

Expanding business opportunities for marijuana businesses operated by a municipal corporation, commission, or authority.

Requires the state liquor and cannabis board: (1) When determining, in consultation with the office of financial management's forecasting and research division, the maximum number of retail outlets needed to meet the medical needs of qualifying patients, to consider information contained in additional data sources necessary to estimate the size and scope of the medical market demand; and

(2) To issue a license to a qualified applicant that is a municipal corporation, commission, or authority created by a lawfully adopted ordinance or resolution, if certain conditions are met.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Labor & Commerce.

SB 5600 by Senators Kuderer, Das, Nguyen, Frockt, Cleveland, Darneille, Saldaña, Hasegawa,

Wilson, C., Conway, Randall, Wellman, Keiser, Hunt, Pedersen, and Liias

Concerning residential tenant protections.

Modifies the residential landlord-tenant act regarding termination of a tenancy--armed forces exemption; sixty days' notice for rent increase; relief from forfeiture; forcible entry or detainer; removal or exclusion of tenant from premises; prohibited rental agreement provisions--recovery of damages by tenant; and substantiating damage charges.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Housing Stability & Affordability.

SB 5601 by Senators Rolfes, Short, Keiser, Liias, Kuderer, Walsh, Hobbs, King, Warnick, Honeyford, and Conway

Concerning health care benefit management.

Repeals or recodifies chapter 19.340 RCW (pharmacy benefit managers).

Repeals chapter 19.365 RCW (radiology benefit managers).

Creates a separate chapter to establish standards for the regulatory oversight of benefit managers.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Health & Long Term Care.

SB 5602 by Senators Randall, Wilson, C., Nguyen, Das, Saldaña, Cleveland, Takko, Kuderer, Hasegawa, Rolfes, Van De Wege, Keiser, Hunt, Wellman, Billig, Dhingra, Conway, Pedersen, Frockt, Salomon, Palumbo, Darneille, McCoy, Liias, Mullet, and Carlyle

Eliminating barriers to reproductive health care for all.

Establishes the reproductive health care access for all act.

Finds and declares that: (1) In 2018, Substitute Senate Bill No. 6219 was passed which mandated a literature review of barriers to reproductive health care;

(2) The report submitted to the legislature on January 1, 2019, stated that young people, immigrants, people living in rural communities, transgender and gender nonconforming people, and people of color face significant barriers in getting reproductive health care; and

(3) State law should be enhanced to ensure greater coverage of and timely access to reproductive health care for the benefit of all, regardless of immigration status, or gender identity or expression.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Health & Long Term Care.

SB 5603 by Senators Randall, Wilson, C., Rolfes, O'Ban, Conway, Cleveland, Das, Zeiger, Hobbs, Kuderer, and Nguyen

Concerning enrollment and course registration access for children of military families.

Declares that children of military families comply with residency requirements for school attendance in a school district if their parent is transferred or pending

transfer to a military installation within the state while on active military duty under an official military order.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning & K-12 Education.

SB 5604 by Senators Pedersen, Padden, Conway, Kuderer, Keiser, Salomon, Bailey, and Dhingra; by request of Uniform Law Commission

Concerning the uniform guardianship, conservatorship, and other protective arrangements act.

Repeals chapter 11.88 RCW (guardianship--appointment, qualification, removal of guardians).

Repeals chapter 11.92 RCW (guardianship--powers and duties of guardian or limited guardian).

Creates the uniform guardianship, conservatorship, and other protective arrangements act.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Law & Justice.

SB 5605 by Senators Nguyen, Keiser, Hunt, Salomon, Hasegawa, Saldaña, Das, Randall, Darneille, Kuderer, Pedersen, and Wilson, C.

Concerning misdemeanor marijuana offense convictions.

Allows a person convicted of a misdemeanor marijuana offense, who was at least twenty-one years old at the time of the offense, to apply to the sentencing court for a vacation of the applicant's record of conviction for the offense.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Law & Justice.

SB 5606 by Senators Wellman, Das, Kuderer, Nguyen, Darneille, Hunt, Keiser, Carlyle, Takko, Saldaña, and Wilson, C.

Addressing language access in public schools.

Requires the office of the superintendent of public instruction to: (1) Implement a technical assistance program for language access to identify and disseminate best practices for providing language access services for linguistically and culturally diverse families;

(2) Monitor language access plan implementation to determine whether public schools are providing meaningful access to persons with limited English proficiency; and

(3) Convene a work group to guide the development of training standards or a curriculum for interpreters working in public schools.

Requires school districts to: (1) Supplement the language access training program with district-specific policies, procedures, and other information;

(2) Determine the language in which an enrolled student's family prefers to communicate with the school and if the family's language is not English, whether the family requires language services to communicate effectively with school district staff;

(3) Establish contracts for remote interpreter services for the following school year; and

(4) Document the language in which families of special education students prefer to communicate and

whether a qualified interpreter for the family was provided at certain meetings.

Requires certificated instructional staff, certificated administrative staff, paraeducators, and front office staff to complete the language access training program.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning & K-12 Education.

SB 5607 by Senators Wellman, Das, Kuderer, Nguyen, Randall, Hunt, Carlyle, Darneille, Cleveland, Keiser, Takko, Saldaña, Liias, Van De Wege, Hasegawa, and Wilson, C.

Concerning dual language learning in early learning and K-12 education.

Requires the office of the superintendent of public instruction to develop and administer the K-12 dual language grant program and the heritage language grant program to grow capacity for high quality dual language and heritage language learning.

Requires the office of student financial assistance, upon documentation of federal student loan indebtedness, to enter into agreements with certificated teachers to repay all or part of the teacher's federal student loans in exchange for teaching service in a dual language program.

Requires the department of children, youth, and families to: (1) Develop and administer the early learning dual language grant program to grow capacity for high quality dual language learning in child care and early childhood education and assistance programs;

(2) Establish one full-time employee dual language specialist position to administer the early learning dual language grant program; and

(3) Provide early learning providers with professional development materials translated into target languages other than English.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning & K-12 Education.

SB 5608 by Senators Ericksen, Fortunato, Wilson, L., Bailey, Becker, Brown, Zeiger, Short, Honeyford, Padden, and Rivers

Lowering the ceiling of the business and occupation manufacturing tax rate to 0.2904 percent.

Lowers the business and occupation tax rate ceiling to increase the sustainability of manufacturing.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

SB 5609 by Senators Ericksen, Padden, Fortunato, Short, Brown, and Becker

Establishing a responsible state spending limit to protect essential programs and taxpayers from unsustainable state budgets.

Protects essential programs and taxpayers from unsustainable state budgets by establishing a responsible state spending limit.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

SB 5610 by Senators Ericksen, Fortunato, Becker, Short, Brown, and Schoesler

Reducing the state sales and use tax rate.

Decreases the sales and use tax rate, from six and one-half percent to six percent, of the selling price on retail sales.

-- 2019 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.