

# Reinvesting in Washington

## 2015 Legislative Sessions Highlights

### EDUCATION

#### **Senate Bill 5746 – aerospace training in Everett**

Washington needs more training and certification programs that prepare students for family-wage aerospace manufacturing jobs. This measure expands access to high-demand workforce education by adding Everett Community College as an authorized program for the Aerospace Training Student Loan Program. Previously, this important program was open only to students at the Washington Aerospace Training and Research Center, Renton Technical College and Spokane Community College.

#### **House Bill 1491 – Early Start Act**

High-quality early learning programs are essential to ensuring that all children, especially those furthest from opportunity, begin school ready and prepared for learning. First, this legislation offers improvements to the quality of early learning programs offered by the Early Childhood Education and Assistance Program and the Working Connections Child Care Program, creates a single set of licensing standards for providers and implements the 12-month eligibility for WCCC, which promotes continuity of care. Second, it gives supports and incentives to providers enrolled in Early Achievers, a quality rating and improvement system, to boost the quality of care offered in their programs. And third, it prioritizes the integration of child care and preschool to promote full-day early learning programs.

#### **HB 1546 – dual credit opportunities** (*Office of Financial Management request*)

This bill reforms dual credit programs and Running Start to increase the number of college-credit opportunities offered to high school students. It addresses the differences in offerings of advanced courses, continues opportunities for rural students and offers the potential to boost the participation rate of low-income students.

#### **HB 1813 – computer science education**

By the 2015–16 school year, this legislation requires the Office of Superintendent of Public Instruction to adopt computer science learning standards developed by a nationally recognized computer science education organization. Then, by Jan. 15, 2016, the Professional Educator Standards Board must develop standards for a K–12 computer science endorsement aligned with the computer science standards. These actions will strengthen the quality and rigor of this important emerging field.

#### **HB 1570 – teacher retooling** (*Governor request*)

Today, the Retooling to Teach Mathematics and Sciences Conditional Scholarship Program offers scholarships to K-12 educators to pursue a teaching endorsement in math or science. This bill renames the program the Educator Retooling Conditional Scholarship Program. It expands the fields for this endorsement to special education, bilingual education, English language learner, computer science education, and environmental and sustainability education.

## HEALTH CARE

### **SB 5084 – health care cost and quality transparency** *(Governor request)*

This legislation requires insurers to make the price of health care available to a secure site so it can be combined with information on quality to inform the public. The goal is to give information to patients, their providers and people who buy health care so they can choose the best-quality care at the price they can afford. Another goal is to give information to providers to improve the quality of care they offer and decrease the cost. The Office of Financial Management will contract with a lead organization that will collect, secure and analyze the information. Reports and untraceable information will be available to the public starting in 2016.

### **SB 5175 – telemedicine**

Health care faces a number of challenges in getting the right care to the patient at the right time. New technologies enable health providers to be distant from patients yet provide evaluation and treatment. This bill allows the payment of services provided via telemedicine, giving access to care to both people in rural areas and people distant from specialists.

### **SB 5317 – pediatric developmental guidelines**

This bill requires the Medicaid program to include universal screening for autism and developmental delays as recommended by the Bright Futures guidelines issued by the American Academy of Pediatrics. This means that two additional developmental screenings and two additional autism screenings will be performed on young children.

### **HB 1424 – suicide prevention**

This legislation requires trainings on suicide prevention to meet minimum standards that include specific content for veterans. It will help ensure that the training meets best practices and clarify what trainings health care and other professionals must take. Suicide prevention is especially important among veterans, who are at a higher risk. It is also the second leading cause of death in Washington for youth aged 10–24 years. Interventions like this, combined with multiple prevention strategies, show promise.

### **HB 1485 – family medicine residencies**

Given the need for primary care physicians in underserved communities, this bill refocuses and expands the statewide Advisory Committee on Family Medicine Education to include all the medical schools in the state. It also calls for increasing the number of groups participating in the advisory group; targeting the group's work on training physicians to work in underserved communities; collecting information from programs and physicians; and making recommendations on where residencies could be established, the allocation of funds, and the process for review and evaluation of programs.

### **SB 5292 – powdered alcohol**

This measure bans the easily concealed substance that poses a great potential for abuse by youth.

## SOCIAL SERVICES

### **SB 5177 – mental health forensic system**

This bill makes comprehensive reforms to the forensic mental health system, largely in response to the Trueblood lawsuit, which mandated a seven-day deadline for accessing competency restoration services. The legislation expands access to restoration services by allowing the Department of Social and Health Services to create competency restoration programs outside of the state hospitals, including community settings and jails. Jail-based options are limited to two years. The bill speeds up the processes to conduct competency evaluations by requiring several changes of community partners, such as the courts, jails and county government. It requires timely access to secure space within jails to conduct evaluations, timely transport of defendants from jail to a state hospital upon an offer of admission and timely transmittal of court paperwork to the state hospital within 24 hours of a signed order for evaluation. The bill also provides prosecutors the discretion to dismiss charges when issues of competency are raised and divert those defendants from the criminal system to an appropriate community-based program. Finally, the bill establishes the Office of Forensic Mental Health in the Department of Social and Health Services and tasks the new office with operational, budget and policy oversight and coordination responsibilities.

### **SB 5404 – Homeless Youth Act** *(Governor request)*

This legislation creates the Office of Homeless Youth Prevention and Protection Programs at the Department of Commerce. The mission of the office is to coordinate the service delivery system to improve services in five key areas: 1) stable housing, 2) family reconciliation, 3) permanent connections, 4) education and employment, and 5) social and emotional well-being. The bill also sets a goal that no child will be discharged from a state system such as foster care or juvenile justice into homelessness. To accomplish this, the bill consolidates in the Department of Commerce several programs previously administered by the Department of Social and Health Services and mandates a strategic planning process to culminate in a series of recommendations to the Governor and Legislature by December 2016.

### **SB 5600 – vulnerable adult protection**

This measure also arose from the 2013 Aging Summit convened by Governor Inslee. The bill makes important changes in definitions to the state's Abuse of Vulnerable Adults Act, especially related to protections against mental abuse, neglect and exploitation. This clarity will help Adult Protective Service's investigators and local prosecutors take action to protect vulnerable adults from abuse and financial exploitation.

## NATURAL RESOURCES

### **HB 1449 – oil transportation safety** *(Governor request)*

An unprecedented volume of volatile crude oil is moving along our rail lines and over our waterways, increasing the risk of accidents, explosions and spills. This legislation will improve safety on rail lines and protect against derailments by increasing inspections of tracks, hazardous materials and rail crossings. It also requires notification to first responders and communities on rail and pipeline transport of crude oil moving through their towns. In addition, railroads will be required to develop contingency plans — in conjunction with state and local officials — to demonstrate they can adequately respond to a spill.

### **HB 1620 – biotoxin testing and monitoring**

Over the past few years, a biotoxin that causes diarrhetic shellfish poisoning has appeared in Washington waters. The Department of Health monitors biotoxins and closes shellfish beds when biotoxins are present and threaten public health, which requires additional funding as it has not previously been done. This legislation raises the recreational shellfish license surcharge by \$1 for all license types so testing for diarrhetic shellfish poisoning can be performed. In addition to protecting public health, this measure offers a significant economic benefit as it keeps shellfish beds open for both recreational and commercial industries.

## **MARITIME**

### **HB 1170 – granting ports more administrative authority (Seaport Alliance)**

This bill allows the creation of a port public district authority and provides a mechanism to allow the ports of Seattle and Tacoma commissioners to jointly manage maritime activities. This will allow these ports to act together as the Puget Sound gateway — an asset for the state and the region — and as an important player in Washington’s trade-dependent economy.

## **BUSINESS CLIMATE**

### **SB 5362 – charter and excursion carriers**

Over the past decade, the “party bus” industry has become very popular, particularly for graduation ceremonies and birthdays. The unregulated nature of the industry poses a significant public safety hazard and a risk to minors. This bill closes the gaps in law to allow the Utilities and Transportation Commission to more closely regulate this industry. Under it, the holder of an alcohol permit is held directly responsible for supervising consumption aboard the bus, smoking of any kind is prohibited and fines are authorized if any of these regulations are violated.

### **SB 5550 – commercial transportation providers**

This bill sets a minimum requirement for insurance coverage of transportation network companies (TNCs) such as Uber and Lyft. The bill also provides flexibility for all “for-hire” drivers, including those working for TNCs, in choosing whether to opt in or out of the state’s workers’ compensation system.

### **SB 5826 – Washington Small Business Retirement Marketplace**

Under this bill, the Washington Small Business Retirement Marketplace is created in the Department of Commerce. Through this program, the state will connect individuals and small businesses with financial sector resources to provide retirement plan options. Secure retirement is out of reach for many Washington residents: Roughly 462,000 Washington residents aged 45–64 have less than \$25,000 saved.

### **SB 5887 – leases/Northern State Hospital site**

The Northern State Hospital served the mentally ill from 1912–73. When it closed, parts of the campus were converted into a Job Corps facility and a drug treatment center. It is located on a 227-acre parcel owned by the state, surrounded by a 726-acre parcel owned by Skagit County. The combined parcels contain the former hospital campus, cemetery, fields, forests, a salmon recovery

habitat and a recreation area. With this bill, the Department of Enterprise Services will be able to lease the state-owned portion of the property on a longer timeline, facilitating potential leases focused on economic development.

**HB 1550 – simplifying the taxation of amusement, recreation and physical fitness services**

This bill defines the term “amusement and recreation service” in the definition of “retail sale” to simplify tax assessments. It also provides an easy-to-follow list of things that qualify as physical fitness that are subject to sales tax; the rest of the items are classified as service and are not subject to sales tax.

## TOURISM

**HB 1516 – hostel exemption**

This measure provides an exemption for the convention and trade center tax to qualifying hostels. The rationale is that hostels and small hotels would not host the type of patrons who would visit the convention center. The result would be more visits from tourists and others traveling on a budget.

## RURAL ECONOMIC DEVELOPMENT

**SB 5603 – cottage goods**

Supporting small cottage foods businesses that sell jams, jellies, baked goods and other items is a great way to promote rural entrepreneurship and small businesses. Current law requires users to acquire a cottage food license that allows gross sales up to \$15,000 instead of the more rigorous food processors license. This legislation raises that ceiling to \$25,000. Cottage food licenses have proved very helpful for the self-employed and stay-at-home parents and as secondary income sources for families.

**SB 5761 – property tax exemption for industrial/manufacturing facilities in targeted urban areas**

This legislation allows a 10-year property tax exemption on the value of new construction of industrial/manufacturing facilities that create family living-wage jobs in certain areas. The exemption applies to areas already zoned for manufacturing. It will help rebuild the Stillaguamish Valley after the Oso landslide and attract new commerce to the area.

**SB 6057 – food processors tax exemption**

As part of omnibus revenue legislation, this measure includes extending the business and occupation tax exemption for food processors until July 1, 2025. Food processors are major employment engines in rural areas and support exports of Washington agricultural products.

**HB 1127 – agricultural labor skills and safety program**

This bill creates an agricultural labor skills and safety program. Providing skills and safety training for agricultural workers helps ensure worker success and safety, and benefits Washington’s agricultural industry.

## MILITARY/VETERANS

### **SB 5163 – educational data on students from military families**

Washington does not have a clear and uniform way of reporting data for students who are children of military families. This bill begins the collection of information so that families and schools can improve education services and learning progress for students from military families.

### **SB 5355/HB 1825 – resident student status for veterans** *(Governor request)*

Recent changes to the federal law as part of the Veterans Access, Choice and Accountability Act of 2014 require states to provide resident student status to eligible veterans and dependents. This legislation brings Washington into compliance, assuring continued educational benefits to more than 20,000 veterans enrolled at our colleges and universities.

### **HB 1706 – waivers of building fees and services and activities fees for certain military service members**

This measure allows the public institutions of higher education to waive building fees and services and activities fees for those military service members eligible to participate in the U.S. Department of Defense Tuition Assistance program. Recent changes to this program no longer allow payment for building fees. This will help keep the cost of college affordable for the more than 2,500 eligible active-duty service members using the tuition assistance program.

### **HB 2040 – demonstration campaign to increase veteran employment**

This legislation requires the Department of Veterans Affairs, Employment Security Department and Department of Commerce to consult local chambers of commerce, associate development organizations and businesses to initiate a demonstration campaign to increase veteran employment in Washington. All campaign participants are encouraged to work with the Washington State Military Transition Council and veterans advisory boards. Funds used for the campaign must be from current resources.

## GENERAL GOVERNMENT

### **SB 5030 – limited liability corporations**

This legislation revises the Limited Liability Corporations Act. It contains changes that update, modernize and conform the act to statutes governing other business entities and with current business practices. It maintains the flexibility of the LLC as a business entity while eliminating the pitfalls. This will help small businesses that are often setting up their business entities without the assistance of a lawyer.

### **SB 5052 – Cannabis Patient Protection Act**

This bill phases out the current medical cannabis system by July 1, 2016, and creates a comprehensive framework for regulating medical cannabis for the first time since voters legalized it in 1998. It makes three major reforms. First, it creates a merit-based application process for dispensaries to become licensed cannabis stores through the Liquor and Cannabis Board. Second, it creates a voluntary medical cannabis patient registry that patients may use to receive a tax break on their purchases. Third, it authorizes residents to grow from home as well as participate in more

strictly structured cooperatives. These cooperatives will have a higher plant cap to allow patients to grow the amount they need for their medicinal products.

#### **HB 1078 – consumer financial information**

This legislation, requested by the Attorney General's Office, protects consumers by giving them notice of data security breaches in a timely manner so they may protect themselves from identity theft. It expands notice requirements to noncomputerized data as it can be equally harmful to consumers when it is acquired by unauthorized persons. It requires notifying the Attorney General of breaches affecting more than 500 residents. And it allows the Attorney General to bring an action for a data breach and to pursue actions under the Consumer Protection Act.

#### **HB 2136 – cannabis market reforms**

This bill makes changes to Initiative 502 to better balance the marketplace as the medicinal cannabis system is brought into regulation with the recreational system. By collapsing the current 25 percent excise tax at each point in the three-tier system into one 37 percent retail sales tax at the end, all stores will avoid paying a large federal tax on top of their state taxes. The same projected revenues to the state are expected. In addition, the bill requires that specific percentages of tax revenue are spent on health research and care, addiction recovery and school intervention programs.

## **PUBLIC SAFETY**

#### **SB 5070 – domestic violence offenders**

Previously, offenders sentenced for their first domestic violence conviction would not be subject to community supervision if they were assessed, by an actuarial assessment conducted by the Department of Corrections, to be low risk to reoffend. This legislation ensures that all domestic violence offenders serve a term of community supervision, regardless of their risk to reoffend. This will offer better protection to domestic violence survivors and the public.

#### **SB 5311 – crisis intervention training for law enforcement officers**

In 2010, Douglas Ostling was killed by a police officer in the home of his parents. Doug suffered from mental illness. Neither officer involved in the shooting had received crisis intervention training, which helps law enforcement officers react appropriately and with less force in situations involving mental illness. This act mandates that all full-time officers receive eight hours of crisis intervention training and that efforts are made so that at least 25 percent of officers receive 40 hours of training.

#### **SB 5381 – return of firearms by law enforcement**

In 2014, Sheena Henderson was murdered by her husband after he retrieved a firearm from law enforcement that had been confiscated subsequent to a suicide threat. This bill mandates that law enforcement agencies create protocols to notify family members and other individuals potentially at risk when a firearm is returned to someone who has previously had a firearm confiscated. This will help ensure there is an opportunity to create a safety plan.

#### **SB 5501 – animal cruelty prevention**

Under this legislation, animal control officers and prosecutors can more effectively address animal neglect and abuse. It creates a civil infraction for leaving an animal contained in a vehicle under adverse conditions and gives liability protection to an animal control or law enforcement officer who

rescues the animal. The crime of animal fighting now includes causing a minor to commit the same crime and applies to any animal, instead of just dogs or male chickens.

**HB 1068 – sexual assault exam kits**

Today, an estimated 6,000 rape kits remain untested in Washington. This legislation will help identify perpetrators of sexual assault by creating a process to systematically catalog and test these kits. It creates a multi-stakeholder task force to research and make further recommendations about reducing and managing this backlog. The task force will also examine best practices in collaborative responses to sex assaults throughout the investigative process and make recommendations about how these practices can address gaps in this process in our state.

**HB 1440 – cell site simulator devices**

Cell site simulators are devices that mimic a cellphone tower, causing cell phones to register their location and identifying information. They can be used to collect personal identifying call and text messages and location information from cell phone users. This legislation protects the civil liberties and due process rights of Washingtonians by creating warrant, data collection and data retention requirements for these devices.

**SB 5843 – outdoor recreation**

This bill is the result of work by the Governor’s Blue Ribbon Task Force on Parks and Outdoor Recreation. It establishes a state lead on economic development and outdoor recreation. It requires the Governor to appoint a senior policy advisor on outdoor recreation to focus on promoting and increasing opportunities for outdoor recreation in the state. The bill also modifies the No Child Left Inside Grant Program. The list of considerations that must be considered in setting priorities for the program is changed to include programs that use veterans for at least half of program implementation or administration.

## TRANSPORTATION AND LAND USE

**SB 5008 – geological hazards assessment**

This measure requires the state Geological Survey to apply the best practicable technology, including LiDAR, while identifying and mapping geological hazards. It also requires it to share data with local government and create a publically accessible database of LiDAR, geological hazard maps and geotechnical reports. This bill was a priority recommendation from Governor Inslee’s SR 530 Landslide Commission.

**SB 5035 – Medal of Valor**

This bill allows the Medal of Valor to be given to a group, not just an individual. At a ceremony on March 18, 2015, Governor Inslee presented the Medal of Valor to community leaders from the Oso area, which experienced a devastating landslide last year.

**HB 1389 – state fire service mobilization**

This bill expands state fire mobilization for a disaster to include all hazards, not just fire (including wildland fires, landslides, earthquakes, floods and contagious diseases). This bill was a priority recommendation from Governor Inslee’s SR 530 Landslide Commission.

**HB 1853 – utility leadership in electric vehicle charging infrastructure build-out**

Motor vehicles generate 55 percent of our state’s air pollution and 47 percent of our greenhouse gases. Electric vehicles can help solve that problem by cleaning our air, growing jobs and reducing dependence on foreign oil. This legislation allows utilities to play a significant role in building out electric vehicle infrastructure to make EVs more accessible and affordable. Over time, this bill helps get us closer to the Governor’s Results Washington goal of 50,000 EVs on the road by 2020. This bill was a priority recommendation from Governor Inslee’s Climate Executive Order 14-04.