

FORTY THIRD DAY

House Chamber, Olympia, Monday, February 24, 2014

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Isayah Runyan and Caroline Hallman. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Philip Miller, Westwood Baptist Church, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced the Apple Blossom Festival Royalty to the Chamber and asked the members to acknowledge them.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 20, 2014

ESSB 5045 Prime Sponsor, Committee on Commerce & Labor: Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises. (REVISED FOR ENGRAVED: Creating a permit to allow day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises.) Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Vick.

Referred to Committee on Appropriations Subcommittee on General Government & Information Technology.

February 20, 2014

SB 5310 Prime Sponsor, Senator Nelson: Creating a senior center license. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta,

Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Vick.

Passed to Committee on Rules for second reading.

February 20, 2014

SSB 5691 Prime Sponsor, Committee on Ways & Means: Concerning veterans' homes. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Sawyer, Vice Chair; Holy, Assistant Ranking Minority Member; Gregerson; Robinson; Santos and Young.

Referred to Committee on Appropriations.

February 20, 2014

SB 5970 Prime Sponsor, Senator O'Ban: Evaluating military training and experience toward meeting licensing requirements. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.340.010 and 2011 2nd sp.s. c 5 s 1 are each amended to read as follows:

(1) The lives of military families are dominated by frequent deployments, relocations, and extended periods of single parenthood. Military spouses are some of the most mobile populations in our country, making the maintenance of professional licenses a significant obstacle. According to the 2010 defense management data center, there are thirty-three thousand three hundred eighty active duty and ten thousand eight hundred thirty-seven reserve military spouses residing in Washington.

Military families depend on two incomes and want to achieve their goals and aspirations. It is the intent of the legislature to recognize the sacrifices made by military families in service to our country and our state and to help alleviate the hardships military families face due to their highly transient life.

(2) Military service members work in many different professions and occupations while in service. These members frequently receive extensive training and experience through their service. However, service members often have a difficult time converting their military training and experience into civilian training, accreditation, or employment when they leave the service. As a result, service members face significant obstacles in making a smooth transition to civilian life, including finding jobs for which they are qualified or obtaining licenses in professions for which they have been trained and performed while in service. It is the intent of the legislature to recognize the training and experience

gained through military service and to eliminate the barriers for allowing service members to successfully reenter the civilian workforce.

NEW SECTION. Sec. 2. A new section is added to chapter 18.340 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means any board, commission, or other authority for issuance of a license, certificate, registration, or permit under this title, chapter 19.105 RCW, chapter 42.44 RCW, chapter 46.82 RCW, chapter 64.36 RCW, and chapter 67.08 RCW.

(2) "Military" means any branch of the United States armed forces, the national guard, and armed forces reserves.

Sec. 3. RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each amended to read as follows:

(1) (~~For the purposes of this section, "authority" means any board, commission, or other authority for issuance of a license, certificate, registration, or permit under this title.~~)

(2)) To the extent resources are available((~~(a)~~)), each authority shall establish procedures to expedite the issuance of a license, certificate, registration, or permit to perform professional services regulated by each ((such)) authority to a person:

((i))) (a) Who is ((certified or)) licensed, certified, or registered, or has a permit in another state to perform professional services in that state;

((ii))) (b) Whose spouse is the subject of a military transfer to Washington; and

((iii))) (c) Who left employment in the other state to accompany the person's spouse to Washington.

((b))) (2) The procedure must include a process for issuing the person a license, certificate, registration, or permit, if, in the opinion of the authority, the requirements for licensure, certification, registration, or obtaining a permit of such other state are substantially equivalent to that required in Washington.

((e))) (3) Each authority ((in this title)) shall develop a method and adopt rules to authorize a person who meets the criteria in subsection (1)(a)((i))) through ((iii))) (c) of this ((subsection)) section to perform services regulated by the authority in Washington by issuing the person a temporary license, certificate, registration, or permit for a limited period of time to allow the person to perform services regulated by the authority while completing any specific additional requirements in Washington that are not related to training or practice standards of the profession that were not required in the other state in which the person is licensed, certified, or registered, or has a permit. Nothing in this section requires the authority to issue a temporary license, certificate, registration, or permit if the standards of the other state are substantially unequal to Washington standards.

((d))) (4) An applicant must state in the application that he or she:

((i))) (a) Has requested verification from the other state or states that the person is currently licensed, certified, registered, or has a permit; and

((ii))) (b) Is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other state or states.

((e))) (5) If the authority finds reasonable cause to believe that an applicant falsely affirmed or stated either of the requirements under ((d)(i) or (ii) of this)) subsection (4)(a) or (b) of this section, the authority may summarily suspend the license, certificate, registration, or permit pending an investigation or further action to discipline or revoke the license, certificate, registration, or permit.

NEW SECTION. Sec. 4. A new section is added to chapter 18.340 RCW to read as follows:

(1) Each authority must recognize military training and experience for satisfying any or all requirements for obtaining a license, certificate, registration, or permit for professional services if:

(a) The applicant provides sufficient documentation of:
(i) The completion of a military training or education program;

(ii) Any experience working in an occupational or professional field while in military service;
(iii) Any certificate, award, or other acknowledgment of qualification to perform a job or specialized duty; or

(iv) Any other relevant training or experience; and

(b) The training, experience, or other qualification is substantially equivalent to any or all of the requirements for obtaining the license, certification, registration, or permit for professional services issued by the authority.

(2) Each authority shall develop procedures to evaluate military training and experience in relation to any and all requirements for obtaining a license, certificate, registration, or permit for professional services.

(3) If an authority determines that the documentation is not substantially equivalent to meet any of the requirements, it must inform the applicant in writing of its decision and identify the specific criteria that were not met. The applicant must be provided an opportunity to submit additional documentation or information that addresses the identified deficiency.

(4) Each authority must maintain a list of all military training programs, certificates, awards, or work experience that it has examined and approved in an application that fulfills a requirement for obtaining a license, certification, registration, or permit for professional services. The list must be submitted to the department of veterans affairs by each authority by December 1st of each year.

Sec. 5. RCW 19.105.570 and 2011 c 351 s 17 are each amended to read as follows:

An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the director determines that the military training or experience is not substantially equivalent to the standards of this state, as provided in section 4 of this act.

Sec. 6. RCW 42.44.220 and 2011 c 351 s 18 are each amended to read as follows:

An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the director determines that the military training or experience is not substantially equivalent to the standards of this state, as provided in section 4 of this act.

Sec. 7. RCW 46.82.440 and 2011 c 351 s 19 are each amended to read as follows:

An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the director determines that the military training or experience is not substantially equivalent to the standards of this state, as provided in section 4 of this act.

Sec. 8. RCW 64.36.350 and 2011 c 351 s 20 are each amended to read as follows:

An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the director determines that the military training or experience is not substantially equivalent to the standards of this state, as provided in section 4 of this act.

Sec. 9. RCW 67.08.320 and 2011 c 351 s 21 are each amended to read as follows:

An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the director determines that the military training or

experience is not substantially equivalent to the standards of this state, as provided in section 4 of this act.

NEW SECTION. Sec. 10. The following acts or parts of acts are each repealed:

- (1) RCW 18.08.500 (Military training or experience) and 2011 c 351 s 1;
- (2) RCW 18.11.290 (Military training or experience) and 2011 c 351 s 2;
- (3) RCW 18.16.300 (Military training or experience) and 2011 c 351 s 3;
- (4) RCW 18.30.095 (Licensing requirements--Military training or experience) and 2013 c 171 s 4 & 2011 c 32 s 1;
- (5) RCW 18.34.151 (Licensing requirements--Military training or experience) and 2011 c 32 s 2;
- (6) RCW 18.39.570 (Military training or experience) and 2011 c 351 s 4;
- (7) RCW 18.43.190 (Military training or experience) and 2011 c 351 s 5;
- (8) RCW 18.55.043 (Licensing requirements--Military training or experience) and 2011 c 32 s 3;
- (9) RCW 18.57A.023 (Practice requirements--Military training and experience) and 2011 c 32 s 4;
- (10) RCW 18.64A.025 (Qualifications--Military training and experience) and 2013 c 19 s 34 & 2011 c 32 s 5;
- (11) RCW 18.71A.023 (Practice requirements--Military training or experience) and 2011 c 32 s 6;
- (12) RCW 18.73.155 (Requirements--Military training or experience) and 2011 c 32 s 7;
- (13) RCW 18.74.033 (Qualifications--Military training and experience) and 2011 c 32 s 8;
- (14) RCW 18.84.095 (Certification--Military training or experience) and 2011 c 32 s 9;
- (15) RCW 18.85.490 (Military training or experience) and 2011 c 351 s 6;
- (16) RCW 18.88A.088 (Certification--Military training or experience) and 2011 c 32 s 10;
- (17) RCW 18.89.095 (Licensure--Qualifications--Military training or experience) and 2011 c 32 s 11;
- (18) RCW 18.96.230 (Military training or experience) and 2011 c 351 s 7;
- (19) RCW 18.135.035 (Requirements for certification--Military training or experience) and 2011 c 32 s 12;
- (20) RCW 18.140.290 (Military training or experience) and 2011 c 351 s 8;
- (21) RCW 18.145.150 (Military training or experience) and 2011 c 351 s 9;
- (22) RCW 18.165.310 (Military training or experience) and 2011 c 351 s 10;
- (23) RCW 18.170.310 (Military training or experience) and 2011 c 351 s 11;
- (24) RCW 18.185.310 (Military training or experience) and 2011 c 351 s 12;
- (25) RCW 18.210.230 (Military training or experience) and 2011 c 351 s 13;
- (26) RCW 18.215.090 (Registration requirements--Military training or experience) and 2011 c 32 s 13;
- (27) RCW 18.220.211 (Military training or experience) and 2011 c 351 s 14;
- (28) RCW 18.260.065 (Registration or licensing requirements--Military training or experience) and 2011 c 32 s 14;
- (29) RCW 18.280.200 (Military training or experience) and 2011 c 351 s 15;
- (30) RCW 18.300.160 (Military training or experience) and 2011 c 351 s 16; and
- (31) RCW 18.360.110 (Military training or experience) and 2012 c 153 s 12."

Correct the title.

Signed by Representatives Appleton, Chair; Sawyer, Vice Chair; Holy, Assistant Ranking Minority Member; Gregerson; Robinson; Santos and Young.

Passed to Committee on Rules for second reading.

February 21, 2014

SB 6134 Prime Sponsor, Senator Hobbs: Addressing nondepository institutions regulated by the department of financial institutions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Assistant Ranking Minority Member; Blake; Fagan; Habib; Hawkins; Hudgins; Hunt, G.; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 20, 2014

SB 6208 Prime Sponsor, Senator Hill: Preserving the integrity of veterans' benefit-related services. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds and declares that the practice of persons using the allure of untapped benefits from the United States department of veterans affairs to market products and services substantially affects the public interest. This practice may impact the ability of veterans or their surviving spouses to appropriately plan their finances or care. The legislature further finds that the lack of regulation of persons who provide advice related to veterans' benefits is inadequate to address unfair and deceptive practices that exist in the marketplace and has contributed to the unauthorized practice of law and the use and marketing of financial planning options that are potentially detrimental to the veteran, their spouse, and family. It is the intent of the legislature, through this chapter, to restrict how individuals receive compensation and remuneration for providing assistance with veterans' benefit-related services and to encourage certain disclosures from individuals offering veterans' benefit-related services.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Compensation" means money, property, or anything else of value, which includes, but is not limited to, exclusive arrangements or agreements for the provision of services or the purchase of products.

(2) "Person" includes, where applicable, natural persons, corporations, trusts, unincorporated associations, and partnerships.

(3) "Trade or commerce" includes the marketing or sale of assets, goods, or services, or any commerce directly or indirectly affecting the people of the state of Washington.

(4) "Veterans' benefit matter" means any preparation, presentation, or prosecution of a claim affecting a person who has filed or has expressed an intention to file an application for determination of payment, service, commodity, function, or status, entitlement to which is determined under laws administered by the United States department of veterans affairs or the Washington

state department of veterans affairs pertaining to veterans, dependents, and survivors.

NEW SECTION. Sec. 3. A person may not engage in the following acts or practices:

(1) Receiving compensation for advising or assisting another person with a veterans' benefit matter, except as permitted under Title 38 of the United States Code;

(2) Using financial or other personal information gathered in order to prepare documents for, or otherwise represent the interests of, another in a veterans' benefit matter for purposes of trade or commerce;

(3) Receiving compensation for referring another person to a person accredited by the United States department of veterans affairs;

(4) Representing, either directly or by implication, either orally or in writing, that the receipt of a certain level of veterans' benefits is guaranteed.

NEW SECTION. Sec. 4. (1) It is unlawful for any person to advertise or promote any event, presentation, seminar, workshop, or other public gathering regarding veterans' benefits or entitlements that does not include the following disclosure: "This event is not sponsored by, or affiliated with, the United States Department of Veterans Affairs, the Washington State Department of Veterans Affairs, or any other congressionally chartered or recognized organization of honorably discharged members of the Armed Forces of the United States or any of their auxiliaries. Products or services that may be discussed at this event are not necessarily endorsed by those organizations. You may qualify for benefits other than or in addition to the benefits discussed at this event."

(2) The disclosure required by subsection (1) of this section must be in the same type size and font as the term "veteran" or any variation of that term as used in the event advertisement or promotional materials.

(3) The disclosure required by subsection (1) of this section must be disseminated, both orally and in writing, at the beginning of any event, presentation, seminar, workshop, or other public gathering regarding veterans' benefits or entitlements.

(4) The disclosure required by subsection (1) of this section does not apply where the United States department of veterans affairs, the Washington state department of veterans affairs, or any other congressionally chartered or recognized organization of honorably discharged members of the armed forces of the United States or any of their auxiliaries have granted written permission to the advertiser or promoter for the use of its name, symbol, or insignia to advertise or promote such events, presentations, seminars, workshops, or other public gatherings.

The disclosure required by subsection (1) of this section also does not apply where the event, presentation, seminar, workshop, or gathering is part of an accredited continuing legal education course.

NEW SECTION. Sec. 5. Nothing in this chapter applies to officers, employees, or volunteers of the state, of any county, city, or other political subdivision, or of a federal agency of the United States, who are acting in their official capacity.

NEW SECTION. Sec. 6. The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for purposes of applying the consumer protection act, chapter 19.86 RCW.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This chapter may be known and cited as the "pension poacher prevention act."

NEW SECTION. Sec. 9. Sections 1 through 6 and 8 of this act constitute a new chapter in Title 19 RCW."

Correct the title.

Signed by Representatives Appleton, Chair; Sawyer, Vice Chair; Holy, Assistant Ranking Minority Member; Gregerson; Robinson; Santos and Young.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., February 25, 2014, the 44th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

5045-S	
Committee Report	1
5310	
Committee Report	1
5691-S	
Committee Report	1
5970	
Committee Report	1
6134	
Committee Report	3
6208	
Committee Report	3
SPEAKER OF THE HOUSE (Representative Orwall presiding)	
Speaker's Privilege.....	1