

SIXTY SIXTH LEGISLATURE - REGULAR SESSION

SEVENTY THIRD DAY

House Chamber, Olympia, Wednesday, March 27, 2019

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

The flags were escorted to the rostrum by the Washington National Guard Joint Color Guard. The National Anthem will be performed by members of the 133rd Washington National Guard Band. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Chaplain Arthur Paine, Lieutenant Colonel, Washington Air National Guard.

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

RESOLUTION

HOUSE RESOLUTION NO. 2019-4630, by Representatives Ybarra, Barkis, Boehnke, Caldier, Chambers, Chandler, Corry, DeBolt, Dent, Dufault, Dye, Eslick, Gildon, Goehner, Graham, Griffey, Harris, Hoff, Irwin, Jenkin, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Rude, Schmick, Shea, Smith, Steele, Stokesbary, Sutherland, Van Werven, Vick, Volz, Walsh, Wilcox, Young, Tharinger, Pellicciotti, Slatter, Paul, Riccelli, Thai, Peterson, Sells, Kilduff, Fitzgibbon, Davis, Orwall, Bergquist, Lovick, Kloba, Walen, and Senn

WHEREAS, Ryan Shane Thompson was born and raised in Walla Walla, Washington, and was a graduate of Walla Walla High School and Central Washington University; and

WHEREAS, Deputy Ryan Thompson served our state and his community with dedication, professionalism, and honor; and

WHEREAS, Deputy Ryan Thompson began his career in law enforcement as a reserve deputy with Kittitas County in 2004; and

WHEREAS, Ryan Thompson also served as a corrections officer. He joined the Central Washington University Police Department in 2007, returning to the Kittitas County Sheriff's Office in 2013 where he spent the remainder of his career; and

WHEREAS, Deputy Ryan Thompson was a radiant and loving family man, dedicated to his family first, and always; and

WHEREAS, Deputy Ryan Thompson protected his community with the same vigilance. He was known for his

positive attitude regardless of the situation, treating all with an innate kindness, and being one who would do anything for a friend; and

WHEREAS, Deputy Ryan Thompson was known for his generosity of spirit and enjoyed spending time with friends and colleagues at the Roslyn Fire Department, especially when pancakes were on the menu; and

WHEREAS, Deputy Ryan Thompson leaves behind a legacy of fond memories with those who knew and loved him. He is survived by his wife Sara and three children, Madison, Pepper, and Archer;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives express its deepest condolences to the family, friends, colleagues, and community that have lost Deputy Ryan Thompson; and

BE IT FURTHER RESOLVED, That the House of Representatives join the people of the State of Washington in expressing our gratitude for the dedicated service of Deputy Ryan Thompson and remember the man, father, and husband who gave his life for the community he cherished; and

BE IT FURTHER RESOLVED, That the House of Representatives express its appreciation to the brave women and men who protect our state every day as members of local law enforcement and particularly Deputy Ryan Thompson's brothers and sisters at the Kittitas County Sheriff's Office; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the surviving family members of Deputy Ryan Thompson, Kittitas County Sheriff Gene Dana, and members of the Kittitas County Sheriff's Office.

There being no objection, HOUSE RESOLUTION NO. 4630 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 2019-4620, by Representatives Chopp, Wilcox, Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, Jinkins, Kilduff, Kirby,

Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Morris, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Pellicciotti, Peterson, Pettigrew, Pollet, Ramos, Reeves, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wylie, Ybarra, and Young

WHEREAS, More than eight thousand men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts to protect lives and property, and recently mobilized more than one thousand Guardsmen to serve at multiple wildfires in Washington last summer and to King County to assist first responders after massive snow storms; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security, including cyber threats; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its Washington Youth Academy; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for community and youth activities, and uses these facilities to enhance education, add to quality of life, and increase economic vitality; and

WHEREAS, Washington National Guard soldiers and airmen continue to provide critical support to federal missions around the world and are willing to make the ultimate sacrifice to protect our freedoms and enhance our safety;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state House of Representatives express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen and airwomen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Adjutant General of the Washington National Guard, the Governor of the state of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Representative Leavitt moved adoption of HOUSE RESOLUTION NO. 4620

Representatives Leavitt and Klippert spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4620 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) recognized the National Guard delegation comprised of Land Component Commander, Brigadier General Bryan Grenon, Colonel Kevin McMahan, Colonel Dan Dent, and Senior Enlisted Leader, Command Chief Master Sergeant Trish Almond. He thanked them for their service and asked the Chamber to acknowledge them.

The Speaker also recognized members of the Washington National Guard seated in the galleries and asked them to stand and be recognized.

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

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1354
HOUSE BILL NO. 1997

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

REPORTS OF STANDING COMMITTEES

April 6, 2019

SSB 5089 Prime Sponsor, Committee on Ways & Means: Increasing early learning access for children ages three and older. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services & Early Learning.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the inclusion of children in the early childhood education and assistance program whose family income is above one hundred ten percent of the federal poverty level if the number of such children equals not more than twenty-five percent of total statewide enrollment.

(2) ~~((Children included in the early childhood education and assistance program under this section must be homeless or impacted by specific developmental or environmental risk factors that are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129.))~~ The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(3) Children included in the early childhood education and assistance program under this section are not to be considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

Sec. 2. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the ~~((inclusion))~~ enrollment of children in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment, whose family income is:

(a) Above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level ~~((if the number of such children equals not more than twenty-five)); or~~

(b) Above one hundred thirty percent but less than or equal to two hundred percent of ~~((total statewide enrollment))~~ the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section.

(2) Children ~~((included))~~ enrolled in the early childhood education and assistance program ~~((under))~~ pursuant to subsection (1)(b) of this section must be ~~((homeless or impacted by specific developmental or environmental))~~ prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that ~~((are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129))~~ have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(4) Children ~~((included))~~ enrolled in the early childhood education and assistance program under this section are not ~~((to be))~~ considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

NEW SECTION. **Sec. 3.** (1) Section 2 of this act takes effect only if chapter . . . (Second Substitute Senate Bill No. 5437), Laws of 2019 is enacted by the effective date of this section.

(2) Section 1 of this act takes effect only if section 2 of this act does not take effect by the effective date of this section."

Correct the title.

Signed by Representatives Ormsby, Chair; Stokesbary, Ranking Minority Member; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier; Cody; Dolan; Fitzgibbon; Hansen; Hoff; Hudgins; Jinkins; Macri; Mosbrucker; Pollet; Ryu; Schmick; Senn; Springer; Stanford; Steele; Sullivan; Tarleton; Tharinger; Volz and Ybarra.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler; Dye; Kraft and Sutherland.

Referred to Committee on Appropriations.

April 6, 2019

SSB 5175 Prime Sponsor, Committee on Labor & Commerce: Concerning firefighter safety. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Stokesbary, Ranking Minority Member; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier; Chandler; Cody; Dolan; Dye; Fitzgibbon; Hansen; Hoff; Hudgins; Jinkins; Kraft; Macri; Mosbrucker; Pollet; Ryu; Schmick; Senn; Springer; Stanford; Steele; Sullivan; Sutherland; Tarleton; Tharinger; Volz and Ybarra.

Referred to Committee on Appropriations.

April 6, 2019

2SSB 5437 Prime Sponsor, Committee on Ways & Means: Expanding eligibility to the early childhood education and assistance program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services & Early Learning.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that the family income eligibility limit of one hundred ten percent of the federal poverty level for the early childhood education

and assistance program hinders the state's ability to recruit and enroll qualified families, particularly in rural areas of the state and in tribal communities. This income barrier results in unused preschool slots and growing waiting lists of children who are from low-income families but who are over the established income limits. Therefore, the legislature intends to keep the qualifying income for the early childhood education and assistance program at one hundred ten percent of the federal poverty level for the purposes of entitlement caseload forecasting and allow for the flexibility to serve additional children with family incomes up to two hundred percent of the federal poverty level.

Sec. 2. RCW 43.216.505 and 2017 3rd sp.s. c 6 s 210 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.216.500 through 43.216.559, 43.216.900, and 43.216.901.

(1) "Advisory committee" means the advisory committee under RCW 43.216.520.

(2) "Approved programs" means those state-supported education and special assistance programs which are recognized by the department as meeting the minimum program rules adopted by the department to qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and 43.216.901 and are designated as eligible for funding by the department under RCW 43.216.530 and 43.216.540.

(3) "Comprehensive" means an assistance program that focuses on the needs of the child and includes education, health, and family support services.

(4) "Eligible child" means a three to five-year old child who is not age-eligible for kindergarten ((whose)), is not a participant in a federal or state program providing comprehensive services, and who:

(a) Has a family income ((is)) at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services(~~(-and includes a child whose family is eligible for public assistance, and who is not a participant in a federal or state program providing comprehensive services)); ((a child))~~

(b) Is eligible for special education due to disability under RCW 28A.155.020; (~~(and may include children who are eligible)) or~~

(c) Meets criteria under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the early childhood program. (~~(Priority)) Preference~~ for enrollment in this group shall be given to children from families with the lowest income, children in foster care, or to eligible children from families with multiple needs.

(5) "Family support services" means providing opportunities for parents to:

- (a) Actively participate in their child's early childhood program;
- (b) Increase their knowledge of child development and parenting skills;
- (c) Further their education and training;
- (d) Increase their ability to use needed services in the community;
- (e) Increase their self-reliance.

Sec. 3. RCW 43.216.556 and 2017 3rd sp.s. c 22 s 1 are each amended to read as follows:

(1) Funding for the program of early learning established under this chapter must be appropriated to the department. ~~((Allocations must be made))~~ The department shall distribute funding to approved early childhood education and assistance program contractors on the basis of eligible children enrolled ((with eligible providers)).

(2) The program shall be implemented in phases, so that full implementation is achieved in the 2022-23 school year.

(3) ~~((For the initial phase of the early learning program in school years 2011-12 and 2012-13, the legislature shall appropriate funding to the department for implementation of the program in an amount not less than the 2009-2011 enacted budget for the early childhood education and assistance program. The appropriation shall be sufficient to fund an equivalent number of slots as funded in the 2009-2011 enacted budget.~~

(4) ~~Beginning in the 2013-14 school year, additional funding for the program must be phased in beginning in school districts providing all day kindergarten programs under RCW 28A.150.315.~~

~~(5))~~ Funding shall continue to be phased in each year until full statewide implementation of the early learning program is achieved in the 2022-23 school year, at which time any eligible child ~~((shall be))~~ is entitled to be enrolled in the program.

~~((6))~~ (4) School districts and approved community-based early learning providers may contract with the department to provide services under the program. The department shall collaborate with school districts, community-based providers, and educational service districts to promote an adequate supply of approved providers.

Sec. 4. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the ~~((inclusion))~~ enrollment of children in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment, whose family income is:

(a) Above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level ((if the number of such children equals not more than twenty-five)); or

(b) Above one hundred thirty percent but less than or equal to two hundred percent of ((total statewide enrollment)) the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section.

(2) Children ~~((included))~~ enrolled in the early childhood education and assistance program ~~((under))~~ pursuant to subsection (1)(b) of this section must be ((homeless or impacted by specific developmental or environmental)) prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that ((are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129)) have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) Children ~~((included))~~ enrolled in the early childhood education and assistance program under this section are not ~~((to be))~~ considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

Sec. 5. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the ~~((inclusion))~~ enrollment of children in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment, whose family income is:

(a) Above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level ((if the number of such children equals not more than twenty five)); or

(b) Above one hundred thirty percent but less than or equal to two hundred percent of ((total statewide enrollment)) the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section.

(2) Children ((included)) enrolled in the early childhood education and assistance program ((under)) pursuant to subsection (1)(b) of this section must be ((homeless or impacted by specific developmental or environmental)) prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that ((are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129)) have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(4) Children ((included)) enrolled in the early childhood education and assistance program under this section are not ((to be)) considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

NEW SECTION. Sec. 6. (1) The department of children, youth, and families must consult with the state's federally recognized tribes as described in chapter 43.376 RCW to explore creating a pathway or funding stream within the early childhood education and assistance program to address the unique characteristics of tribal nations in order to substantially close the opportunity gap for tribal children.

(2) By December 1, 2020, the department of children, youth, and families must report related recommendations to the legislature that may include the modification of early childhood education and assistance program eligibility criteria and performance standards.

(3) This section expires December 31, 2020.

Sec. 7. RCW 43.216.514 and 2018 c 155 s 3 are each amended to read as follows:

(1) The department shall prioritize children for enrollment in the early childhood education and assistance program who are eligible pursuant to RCW 43.216.505.

(2) As space is available, children may be included in the early childhood education and assistance program pursuant to RCW 43.216.512. Priority within this group must be given first to children ((who are experiencing homelessness, child welfare system involvement, or a developmental delay or disability that does not meet the eligibility criteria for special education adopted under RCW 28A.155.020)) with incomes up to one hundred thirty percent of the federal poverty level.

NEW SECTION. Sec. 8. A new section is added to chapter 43.216 RCW to read as follows:

(1) Within resources available under the federal preschool development grant birth to five grant award received in December 2018, the department shall develop a plan for phased implementation of a birth to three early childhood education and assistance program pilot project for eligible children under thirty-six months old. Funds to implement the pilot project may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the pilot project and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements. Any

deviations from early head start standards, rules, or regulations must be identified and explained by the department in its annual report under subsection (6) of this section.

(3)(a) Upon securing adequate funds to begin implementation, the pilot project programs must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for programs participating in the pilot project.

(4) When selecting pilot project locations for service delivery, the department may allow each pilot project location to have up to three classrooms per location. When selecting and approving pilot project locations, the department shall attempt to select a combination of rural, urban, and suburban locations. The department shall prioritize locations with programs currently operating early head start, head start, or the early childhood education and assistance program.

(5) To be eligible for the birth to three early childhood education and assistance program, a child's family income must be at or below one hundred thirty percent of the federal poverty level and the child must be under thirty-six months old.

(6) Beginning November 1, 2020, and each November 1st thereafter during pilot project activity, the department shall submit an annual report to the governor and legislature that includes a status update that describes the planning work completed, the status of funds secured, and any implementation activities of the pilot project. Implementation activity reports must include a description of the participating programs and number of children and families served.

Sec. 9. RCW 43.216.555 and 2018 c 155 s 4 are each amended to read as follows:

(1) (~~Beginning September 1, 2011,~~) An early learning program to provide voluntary preschool opportunities for children ages three ~~(and four)~~ to five years ~~(of)~~ old who are not age-eligible for kindergarten shall be implemented according to the funding and implementation plan in RCW 43.216.556. The program must offer a comprehensive program of early childhood education and family support, including parental involvement and health information, screening, and referral services, based on family need. Participation in the program is voluntary. On a space available basis, the program may allow enrollment of children who are not otherwise eligible by assessing a fee.

(2) The program shall be implemented by utilizing the program standards and eligibility criteria in the early childhood education and assistance program in RCW 43.216.500 through 43.216.550.

(3)(a) (~~Beginning in the 2015-16 school year,~~) The program implementation in this section shall prioritize early

childhood education and assistance programs located in low-income neighborhoods within high-need geographical areas.

(b) Following the priority in (a) of this subsection, preference shall be given to programs meeting at least one of the following characteristics:

(i) Programs offering an extended day program for early care and education;

(ii) Programs offering services to children diagnosed with a special need; or

(iii) Programs offering services to children involved in the child welfare system.

(4) The secretary shall adopt rules for the following program components, as appropriate and necessary during the phased implementation of the program, consistent with early achievers program standards established in RCW 43.216.085:

(a) Minimum program standards;

(b) Approval of program providers; and

(c) Accountability and adherence to performance standards.

(5) The department has administrative responsibility for:

(a) Approving and contracting with providers according to rules developed by the secretary under this section;

(b) In partnership with school districts, monitoring program quality and assuring the program is responsive to the needs of eligible children;

(c) Assuring that program providers work cooperatively with school districts to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(d) Providing technical assistance to contracted providers.

Sec. 10. RCW 43.216.080 and 2017 c 178 s 2 are each amended to read as follows:

(1) The foundation of quality in the early care and education system in Washington is the quality rating and improvement system entitled the early achievers program. In an effort to build on the existing quality framework, enhance access to quality care for children, and strengthen the entire early care and education systems in the state, it is important to integrate the efforts of state and local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations.

(2) Local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations are encouraged to collaborate with the department when establishing and strengthening early learning programs for residents.

(3) Local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations may contribute funds to the department for the following purposes:

(a) Initial investments to build capacity and quality in local early care and education programming;

(b) Reductions in copayments charged to parents or caregivers;

(c) To expand access and eligibility in the early childhood education and assistance program.

(4) Funds contributed to the department by local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations must be deposited in the early start account established in RCW (~~(43.215.195)~~) 43.216.165.

(5) Children enrolled in the early childhood education and assistance program with funds contributed in accordance with subsection (3)(c) of this section are not considered to be eligible children as defined in RCW (~~(43.215.405)~~) 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW (~~(43.215.456)~~) 43.216.556.

Sec. 11. RCW 43.216.540 and 1994 c 166 s 10 are each amended to read as follows:

For the purposes of RCW (~~(28A.215.100)~~) 43.216.500 through (~~(28A.215.200)~~) 43.216.550 and (~~(28A.215.900 through 28A.215.908)~~) 43.216.900 and 43.216.901, the department may award state support under RCW (~~(28A.215.100)~~) 43.216.500 through (~~(28A.215.160)~~) 43.216.530 to increase the numbers of eligible children assisted by the federal or state-supported early childhood programs in this state. Priority shall be given to those geographical areas which include a high percentage of families qualifying under the "eligible child" criteria. The overall program funding level shall be based on an average grant per child consistent with state appropriations made for program costs: PROVIDED, That programs addressing special needs of selected groups or communities shall be recognized in the department's rules.

Sec. 12. RCW 43.216.550 and 1994 c 166 s 11 are each amended to read as follows:

The department may solicit gifts, grants, conveyances, bequests and devises for the use or benefit of the early childhood state education and assistance program established by RCW (~~(28A.215.100)~~) 43.216.500 through (~~(28A.215.200)~~) 43.216.550 and (~~(28A.215.900 through 28A.215.908)~~) 43.216.900 and 43.216.901. The department shall actively solicit support from business and industry and from the federal government for the state early childhood education and assistance program and shall assist local programs in developing partnerships with the community for eligible children.

NEW SECTION. Sec. 13. (1) Section 5 of this act takes effect only if chapter . . . (Substitute Senate Bill No. 5089), Laws of 2019 is enacted by the effective date of this section.

(2) Section 4 of this act takes effect only if section 5 of this act does not take effect by the effective date of this section."

Correct the title.

Signed by Representatives Ormsby, Chair; Stokesbary, Ranking Minority Member; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier; Chandler; Cody; Dolan; Fitzgibbon; Hansen; Hoff; Hudgins; Jinkins; Macri; Mosbrucker; Pollet; Ryu; Schmick; Senn; Springer; Stanford; Steele; Sullivan; Tarleton; Tharinger; Volz and Ybarra.

MINORITY recommendation: Do not pass. Signed by Representatives Dye; Kraft and Sutherland.

Referred to Committee on Appropriations.

March 25, 2019

ESB 5439 Prime Sponsor, Senator Keiser: Concerning confidentiality of employment security department records and data. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Chapman, Vice Chair; Mosbrucker, Ranking Minority Member; Gregerson; Hoff and Ormsby.

Referred to Committee on Rules for second reading.

March 25, 2019

ESSB 5478 Prime Sponsor, Committee on Labor & Commerce: Concerning restraints on persons engaging in lawful professions, trades, or businesses. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Chapman, Vice Chair; Gregerson and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member and Hoff.

Referred to Committee on Rules for second reading.

April 6, 2019

SSB 5089 Prime Sponsor, Committee on Ways & Means: Increasing early learning access for children ages three and older. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services & Early Learning.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the inclusion of children in the early childhood education and assistance program whose family income is above one hundred ten percent of the federal poverty level if the number of such children equals not more than twenty-five percent of total statewide enrollment.

(2) ~~((Children included in the early childhood education and assistance program under this section must be homeless or impacted by specific developmental or environmental risk factors that are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129.))~~ The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(3) Children included in the early childhood education and assistance program under this section are not to be considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

Sec. 2. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the ~~((inclusion))~~ enrollment of children in the early childhood education and assistance program, as space is available if the

number of such children equals not more than twenty-five percent of total statewide enrollment, whose family income is:

(a) Above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level ((if the number of such children equals not more than twenty-five)); or

(b) Above one hundred thirty percent but less than or equal to two hundred percent of ((total statewide enrollment)) the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section.

(2) Children ~~((included))~~ enrolled in the early childhood education and assistance program ~~((under))~~ pursuant to subsection (1)(b) of this section must be ((homeless or impacted by specific developmental or environmental)) prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that ((are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129)) have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(4) Children (~~(included)~~) enrolled in the early childhood education and assistance program under this section are not (~~(to be)~~) considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

NEW SECTION. Sec. 3. (1) Section 2 of this act takes effect only if chapter . . . (Second Substitute Senate Bill No. 5437), Laws of 2019 is enacted by the effective date of this section.

(2) Section 1 of this act takes effect only if section 2 of this act does not take effect by the effective date of this section."

Correct the title.

Signed by Representatives Ormsby, Chair; Stokesbary, Ranking Minority Member; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier; Cody; Dolan; Fitzgibbon; Hansen; Hoff; Hudgins; Jinkins; Macri; Mosbrucker; Pollet; Ryu; Schmick; Senn; Springer; Stanford; Steele; Sullivan; Tarleton; Tharinger; Volz and Ybarra.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler; Dye; Kraft and Sutherland.

Referred to Committee on Appropriations.

April 6, 2019

SSB 5175 Prime Sponsor, Committee on Labor & Commerce: Concerning firefighter safety. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Stokesbary, Ranking Minority Member; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier; Chandler; Cody; Dolan; Dye; Fitzgibbon; Hansen; Hoff; Hudgins; Jinkins; Kraft; Macri; Mosbrucker; Pollet; Ryu; Schmick; Senn; Springer; Stanford; Steele; Sullivan; Sutherland; Tarleton; Tharinger; Volz and Ybarra.

Referred to Committee on Appropriations.

April 6, 2019

2SSB 5437 Prime Sponsor, Committee on Ways & Means: Expanding eligibility to the early childhood education and assistance

program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services & Early Learning.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the family income eligibility limit of one hundred ten percent of the federal poverty level for the early childhood education and assistance program hinders the state's ability to recruit and enroll qualified families, particularly in rural areas of the state and in tribal communities. This income barrier results in unused preschool slots and growing waiting lists of children who are from low-income families but who are over the established income limits. Therefore, the legislature intends to keep the qualifying income for the early childhood education and assistance program at one hundred ten percent of the federal poverty level for the purposes of entitlement caseload forecasting and allow for the flexibility to serve additional children with family incomes up to two hundred percent of the federal poverty level.

Sec. 2. RCW 43.216.505 and 2017 3rd sp.s. c 6 s 210 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.216.500 through 43.216.559, 43.216.900, and 43.216.901.

(1) "Advisory committee" means the advisory committee under RCW 43.216.520.

(2) "Approved programs" means those state-supported education and special assistance programs which are recognized by the department as meeting the minimum program rules adopted by the department to qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and 43.216.901 and are designated as eligible for funding by the department under RCW 43.216.530 and 43.216.540.

(3) "Comprehensive" means an assistance program that focuses on the needs of the child and includes education, health, and family support services.

(4) "Eligible child" means a three to five-year old child who is not age-eligible for kindergarten (~~(whose)~~), is not a participant in a federal or state program providing comprehensive services, and who:

(a) Has a family income (~~(is)~~) at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services(~~(, and includes a child whose family is eligible for public assistance, and who is not a participant in a federal or state program providing comprehensive services)~~); (~~a child~~)

(b) Is eligible for special education due to disability under RCW 28A.155.020; ((and may include children who are eligible)) or

(c) Meets criteria under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the early childhood program. ~~((Priority)) Preference~~ for enrollment in this group shall be given to children from families with the lowest income, children in foster care, or to eligible children from families with multiple needs.

(5) "Family support services" means providing opportunities for parents to:

(a) Actively participate in their child's early childhood program;

(b) Increase their knowledge of child development and parenting skills;

(c) Further their education and training;

(d) Increase their ability to use needed services in the community;

(e) Increase their self-reliance.

Sec. 3. RCW 43.216.556 and 2017 3rd sp.s. c 22 s 1 are each amended to read as follows:

(1) Funding for the program of early learning established under this chapter must be appropriated to the department. ~~((Allocations must be made))~~ The department shall distribute funding to approved early childhood education and assistance program contractors on the basis of eligible children enrolled ~~((with eligible providers))~~.

(2) The program shall be implemented in phases, so that full implementation is achieved in the 2022-23 school year.

~~(3) ((For the initial phase of the early learning program in school years 2011-12 and 2012-13, the legislature shall appropriate funding to the department for implementation of the program in an amount not less than the 2009-2011 enacted budget for the early childhood education and assistance program. The appropriation shall be sufficient to fund an equivalent number of slots as funded in the 2009-2011 enacted budget.~~

~~(4) Beginning in the 2013-14 school year, additional funding for the program must be phased in beginning in school districts providing all day kindergarten programs under RCW 28A.150.315.~~

~~(5))~~ Funding shall continue to be phased in each year until full statewide implementation of the early learning program is achieved in the 2022-23 school year, at which time any eligible child ~~((shall be))~~ is entitled to be enrolled in the program.

~~((6))~~ (4) School districts and approved community-based early learning providers may contract with the department to provide services under the program. The department shall collaborate with school districts, community-based providers, and educational service

districts to promote an adequate supply of approved providers.

Sec. 4. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the ~~((inclusion))~~ enrollment of children in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment, whose family income is:

(a) Above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level ~~((if the number of such children equals not more than twenty five)); or~~

(b) Above one hundred thirty percent but less than or equal to two hundred percent of ~~((total statewide enrollment))~~ the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section.

(2) Children ~~((included))~~ enrolled in the early childhood education and assistance program ~~((under))~~ pursuant to subsection (1)(b) of this section must be ~~((homeless or impacted by specific developmental or environmental))~~ prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that ((are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129)) have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) Children ~~((included))~~ enrolled in the early childhood education and assistance program under this section are not ~~((to be))~~ considered eligible children as

defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

Sec. 5. RCW 43.216.512 and 2018 c 155 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the ~~((inclusion))~~ enrollment of children in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment, whose family income is:

(a) Above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level ~~((if the number of such children equals not more than twenty-five))~~; or

(b) Above one hundred thirty percent but less than or equal to two hundred percent of ~~((total statewide enrollment))~~ the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section.

(2) Children ~~((included))~~ enrolled in the early childhood education and assistance program ~~((under))~~ pursuant to subsection (1)(b) of this section must be ~~((homeless or impacted by specific developmental or environmental))~~ prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that ((are linked by research to school performance. "Homeless" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title III, September 7, 1974, 88 Stat. 1129)) have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is

not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(4) Children ~~((included))~~ enrolled in the early childhood education and assistance program under this section are not ~~((to be))~~ considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

NEW SECTION. Sec. 6. (1) The department of children, youth, and families must consult with the state's federally recognized tribes as described in chapter 43.376 RCW to explore creating a pathway or funding stream within the early childhood education and assistance program to address the unique characteristics of tribal nations in order to substantially close the opportunity gap for tribal children.

(2) By December 1, 2020, the department of children, youth, and families must report related recommendations to the legislature that may include the modification of early childhood education and assistance program eligibility criteria and performance standards.

(3) This section expires December 31, 2020.

Sec. 7. RCW 43.216.514 and 2018 c 155 s 3 are each amended to read as follows:

(1) The department shall prioritize children for enrollment in the early childhood education and assistance program who are eligible pursuant to RCW 43.216.505.

(2) As space is available, children may be included in the early childhood education and assistance program pursuant to RCW 43.216.512. Priority within this group must be given first to children ~~((who are experiencing homelessness, child welfare system involvement, or a developmental delay or disability that does not meet the eligibility criteria for special education adopted under RCW 28A.155.020))~~ with incomes up to one hundred thirty percent of the federal poverty level.

NEW SECTION. Sec. 8. A new section is added to chapter 43.216 RCW to read as follows:

(1) Within resources available under the federal preschool development grant birth to five grant award received in December 2018, the department shall develop a

plan for phased implementation of a birth to three early childhood education and assistance program pilot project for eligible children under thirty-six months old. Funds to implement the pilot project may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the pilot project and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements. Any deviations from early head start standards, rules, or regulations must be identified and explained by the department in its annual report under subsection (6) of this section.

(3)(a) Upon securing adequate funds to begin implementation, the pilot project programs must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for programs participating in the pilot project.

(4) When selecting pilot project locations for service delivery, the department may allow each pilot project location to have up to three classrooms per location. When selecting and approving pilot project locations, the department shall attempt to select a combination of rural, urban, and suburban locations. The department shall prioritize locations with programs currently operating early head start, head start, or the early childhood education and assistance program.

(5) To be eligible for the birth to three early childhood education and assistance program, a child's family income must be at or below one hundred thirty percent of the federal poverty level and the child must be under thirty-six months old.

(6) Beginning November 1, 2020, and each November 1st thereafter during pilot project activity, the department shall submit an annual report to the governor and legislature that includes a status update that describes the planning work completed, the status of funds secured, and any implementation activities of the pilot project. Implementation activity reports must include a description of the participating programs and number of children and families served.

Sec. 9. RCW 43.216.555 and 2018 c 155 s 4 are each amended to read as follows:

(1) ~~((Beginning September 1, 2011;))~~ An early learning program to provide voluntary preschool opportunities for children ages three ((and four)) to five years ((of)) old who are not age-eligible for kindergarten shall be implemented according to the funding and implementation plan in RCW 43.216.556. The program

must offer a comprehensive program of early childhood education and family support, including parental involvement and health information, screening, and referral services, based on family need. Participation in the program is voluntary. On a space available basis, the program may allow enrollment of children who are not otherwise eligible by assessing a fee.

(2) The program shall be implemented by utilizing the program standards and eligibility criteria in the early childhood education and assistance program in RCW 43.216.500 through 43.216.550.

(3)(a) ~~((Beginning in the 2015-16 school year;))~~ The program implementation in this section shall prioritize early childhood education and assistance programs located in low-income neighborhoods within high-need geographical areas.

(b) Following the priority in (a) of this subsection, preference shall be given to programs meeting at least one of the following characteristics:

(i) Programs offering an extended day program for early care and education;

(ii) Programs offering services to children diagnosed with a special need; or

(iii) Programs offering services to children involved in the child welfare system.

(4) The secretary shall adopt rules for the following program components, as appropriate and necessary during the phased implementation of the program, consistent with early achievers program standards established in RCW 43.216.085:

(a) Minimum program standards;

(b) Approval of program providers; and

(c) Accountability and adherence to performance standards.

(5) The department has administrative responsibility for:

(a) Approving and contracting with providers according to rules developed by the secretary under this section;

(b) In partnership with school districts, monitoring program quality and assuring the program is responsive to the needs of eligible children;

(c) Assuring that program providers work cooperatively with school districts to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(d) Providing technical assistance to contracted providers.

Sec. 10. RCW 43.216.080 and 2017 c 178 s 2 are each amended to read as follows:

(1) The foundation of quality in the early care and education system in Washington is the quality rating and

improvement system entitled the early achievers program. In an effort to build on the existing quality framework, enhance access to quality care for children, and strengthen the entire early care and education systems in the state, it is important to integrate the efforts of state and local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations.

(2) Local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations are encouraged to collaborate with the department when establishing and strengthening early learning programs for residents.

(3) Local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations may contribute funds to the department for the following purposes:

(a) Initial investments to build capacity and quality in local early care and education programming;

(b) Reductions in copayments charged to parents or caregivers;

(c) To expand access and eligibility in the early childhood education and assistance program.

(4) Funds contributed to the department by local governments, school districts, institutions of higher education as defined in RCW 28B.10.016, and nonprofit organizations must be deposited in the early start account established in RCW ((43.215.195)) 43.216.165.

(5) Children enrolled in the early childhood education and assistance program with funds contributed in accordance with subsection (3)(c) of this section are not considered to be eligible children as defined in RCW ((43.215.405)) 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW ((43.215.456)) 43.216.556.

Sec. 11. RCW 43.216.540 and 1994 c 166 s 10 are each amended to read as follows:

For the purposes of RCW ((28A.215.100)) 43.216.500 through ((28A.215.200)) 43.216.550 and ((28A.215.900 through 28A.215.908)) 43.216.900 and 43.216.901, the department may award state support under RCW ((28A.215.100)) 43.216.500 through ((28A.215.160)) 43.216.530 to increase the numbers of eligible children assisted by the federal or state-supported early childhood programs in this state. Priority shall be given to those geographical areas which include a high percentage of families qualifying under the "eligible child" criteria. The overall program funding level shall be based on an average grant per child consistent with state appropriations made for program costs: PROVIDED, That programs addressing special needs of selected groups or communities shall be recognized in the department's rules.

Sec. 12. RCW 43.216.550 and 1994 c 166 s 11 are each amended to read as follows:

The department may solicit gifts, grants, conveyances, bequests and devises for the use or benefit of the early childhood state education and assistance program established by RCW ((28A.215.100)) 43.216.500 through ((28A.215.200)) 43.216.550 and ((28A.215.900 through 28A.215.908)) 43.216.900 and 43.216.901. The department shall actively solicit support from business and industry and from the federal government for the state early childhood education and assistance program and shall assist local programs in developing partnerships with the community for eligible children.

NEW SECTION. Sec. 13. (1) Section 5 of this act takes effect only if chapter . . . (Substitute Senate Bill No. 5089), Laws of 2019 is enacted by the effective date of this section.

(2) Section 4 of this act takes effect only if section 5 of this act does not take effect by the effective date of this section."

Correct the title.

Signed by Representatives Ormsby, Chair; Stokesbary, Ranking Minority Member; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier; Chandler; Cody; Dolan; Fitzgibbon; Hansen; Hoff; Hudgins; Jinkins; Macri; Mosbrucker; Pollet; Ryu; Schmick; Senn; Springer; Stanford; Steele; Sullivan; Tarleton; Tharinger; Volz and Ybarra.

MINORITY recommendation: Do not pass. Signed by Representatives Dye; Kraft and Sutherland.

Referred to Committee on Appropriations.

March 25, 2019

ESB 5439 Prime Sponsor, Senator Keiser: Concerning confidentiality of employment security department records and data. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Chapman, Vice Chair; Mosbrucker, Ranking Minority Member; Gregerson; Hoff and Ormsby.

Referred to Committee on Rules for second reading.

March 25, 2019

ESSB 5478 Prime Sponsor, Committee on Labor & Commerce: Concerning restraints on persons engaging in lawful professions, trades, or businesses. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Chapman, Vice Chair; Gregerson and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member and Hoff.

Referred to Committee on Rules for second reading.

March 21, 2019

SSB 5710 Prime Sponsor, Committee on Transportation: Establishing the Cooper Jones active transportation safety council. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Chapman; Doglio; Entenman; Gregerson; Kloba; Lovick; Mead; Orcutt; Ortiz-Self; Paul; Pellicciotti; Ramos; Shewmake and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Boehnke; Chambers; Dufault; Eslick; Goehner; McCaslin and Shea.

MINORITY recommendation: Without recommendation. Signed by Representatives Fey, Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member and Irwin.

Referred to Committee on Rules for second reading.

March 25, 2019

SB 5831 Prime Sponsor, Senator Keiser: Concerning an employer's payment of indebtedness. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Chapman, Vice Chair; Mosbrucker, Ranking Minority Member; Gregerson; Hoff and Ormsby.

Referred 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 adjourned until 10:00 a.m., March 28, 2019, the 74th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk