

## SIXTY SEVENTH LEGISLATURE - REGULAR SESSION

## FIFTY FIFTH DAY

House Chamber, Olympia, Saturday, March 6, 2021

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 Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Chris Corry, 14th Legislative District.

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

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

## MESSAGE FROM THE SENATE

March 5, 2021

Mme. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5004,  
 SENATE BILL NO. 5015,  
 SENATE BILL NO. 5043,  
 SENATE BILL NO. 5058,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5188,  
 SECOND SUBSTITUTE SENATE BILL NO. 5195,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5263,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5268,  
 SECOND SUBSTITUTE SENATE BILL NO. 5293,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5295,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5304,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5357,  
 SUBSTITUTE SENATE BILL NO. 5361,  
 SECOND SUBSTITUTE SENATE BILL NO. 5368,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5405,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

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

## INTRODUCTION &amp; FIRST READING

SB 5016 by Senators Warnick, Brown and Van De Wege

AN ACT Relating to tracked and wheeled all-terrain vehicles; amending RCW 46.10.300; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.10 RCW; and adding a new section to chapter 46.09 RCW.

Referred to Committee on Transportation.

SB 5031 by Senators Honeyford, Brown, Cleveland, Frockt, Holy, Mullet and Warnick

AN ACT Relating to a community aviation revitalization loan program; amending RCW 43.79A.040 and 47.68.020; reenacting and amending 2019 c 413 s 7037 (uncodified); adding new sections to chapter 47.68 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Capital Budget.

SSB 5082 by Senate Committee on Ways & Means (originally sponsored by Fortunato, Hunt and Kuderer)

AN ACT Relating to reestablishing the productivity board; amending RCW 41.60.020, 41.60.041, 41.60.050, 41.60.120, and 41.60.150; and reenacting and amending RCW 41.60.015.

Referred to Committee on Appropriations.

ESSB 5122 by Senate Committee on Human Services, Reentry & Rehabilitation (originally sponsored by Darneille, Das, Hasegawa, Kuderer, Nguyen, Pedersen, Robinson, Saldaña, Wilson and C.)

AN ACT Relating to the jurisdiction of juvenile court; amending RCW 9A.04.050, 13.04.030, 13.04.030, 13.40.020, 13.40.020, 13.40.0357, 13.40.0357, 13.40.080, 13.40.080, 13.40.193, 13.40.193, 13.40.300, 13.40.300, 13.40.511, 13.40.511, 13.40.590, 13.40.590, 13.40.600, and 13.40.600; reenacting and amending RCW 13.04.011 and 13.04.011; adding a new section to chapter 13.04 RCW; adding new sections to chapter 43.216 RCW; creating new sections; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

E2SSB 5128 by Senate Committee on Ways & Means (originally sponsored by Wellman, Wilson, C., Conway, Dhingra, Hunt, Keiser, Lovelett, Nguyen and Saldaña)

AN ACT Relating to student transportation funding during a local, state, or national emergency; amending RCW 28A.160.170 and 28A.160.192; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.710 RCW; adding a new section to

chapter 28A.715 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Education.

SB 5145 by Senators Van De Wege and Rolfes

AN ACT Relating to the prevention of seabed mining of hard minerals; and amending RCW 79.14.300, 79.140.190, and 90.58.160.

Referred to Committee on Rural Development, Agriculture & Natural Resources.

E2SSB 5160 by Senate Committee on Ways & Means (originally sponsored by Kuderer, Lias, Conway, Das, Lovelett, Saldaña, Wilson and C.)

AN ACT Relating to addressing landlord-tenant relations by providing certain tenant protections during the public health emergency, providing for legal representation in eviction cases, establishing an eviction resolution pilot program for nonpayment of rent cases, and authorizing landlord access to certain rental assistance programs; amending RCW 43.31.615, 59.18.057, 59.18.365, 59.12.040, and 59.20.040; reenacting and amending RCW 43.31.605 and 59.18.230; adding new sections to chapter 59.18 RCW; adding a new section to chapter 2.53 RCW; adding a new section to chapter 43.185C RCW; creating new sections; repealing RCW 59.18.375; prescribing penalties; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 5203 by Senate Committee on Health & Long Term Care (originally sponsored by Van De Wege, Carlyle, Frockt, Hasegawa, Keiser, Lias, Nguyen, Randall, Robinson, Salomon, Stanford, Wilson and C.)

AN ACT Relating to the production, distribution, and purchase of generic prescription drugs; amending RCW 70.14.060; and adding a new section to chapter 70.14 RCW.

Referred to Committee on Appropriations.

ESB 5220 by Senators Van De Wege and Rolfes

AN ACT Relating to the taxation of salmon recovery grants by updating the state business and occupation tax deduction for these grants, creating a sales and use tax exemption for grant proceeds received by recipients of these grants, and clarifying the sales and use tax obligations for goods and services purchased by recipients of these grants; amending RCW 82.04.4339 and 82.04.050; amending 2020 c 80 s 62 (uncodified); adding a new section to chapter 82.08 RCW; creating a new section; repealing 2020 c 80 s 58; and declaring an emergency.

Referred to Committee on Finance.

SB 5291 by Senators Conway and Randall

AN ACT Relating to the report deadline for the defense community compatibility account; and amending RCW 43.330.520.

Referred to Committee on Capital Budget.

ESSB 5321 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Nobles, Das, Dhingra, Frockt, Hasegawa, Lias, Lovelett, Nguyen, Randall, Saldaña, Stanford, Wilson and C.)

AN ACT Relating to the college bound scholarship; amending RCW 28B.118.040; reenacting and amending RCW 28B.118.010 and 28B.118.090; creating new sections; and declaring an emergency.

Referred to Committee on Appropriations.

E2SSB 5395 by Senate Committee on Ways & Means (originally sponsored by Hunt, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Randall, Saldaña, Wellman, Wilson and C.)

AN ACT Relating to use of state resources during periods where state employees are required to work from home; adding a new section to chapter 41.04 RCW; creating new sections; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## SECOND READING

**HOUSE BILL NO. 1210, by Representatives Morgan, Peterson, Kloba, J. Johnson, Ryu, Santos, Ortiz-Self, Ormsby, Simmons, Gregerson, Riccelli, Macri, Frame and Harris-Talley**

**Replacing the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1210 was substituted for House Bill No. 1210 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1210 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives MacEwen, Kloba and Morgan spoke in favor of the passage of the bill.

Representatives Klippert and Sutherland spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1210.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1210, and the bill passed the House by the following vote: Yeas, 77; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Cody, Corry, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Jacobsen, J. Johnson, Kirby, Kloba, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Morgan, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Vick, Walen, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Boehnke, Chandler, Chase, Dent, Dufault, Dye, Eslick, Graham, Hoff, Klicker, Klippert, Kraft, Kretz, Maycumber, McCaslin, McEntire, Mosbrucker, Schmick, Sutherland, Volz and Walsh.

SUBSTITUTE HOUSE BILL NO. 1210, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1326, by Representatives Lekanoff, Goodman, Ramel, Orwall, Klippert, Bateman, Lovick and Pollet**

#### Concerning coroners and medical examiners.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1326 was substituted for House Bill No. 1326 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1326 was read the second time.

With the consent of the House, amendments (200) and (114) were withdrawn.

Representative Pollet moved the adoption of striking amendment (152):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 36.24 RCW to read as follows:

Within 12 months of being elected or appointed to the office, a coroner or medical examiner must have a certificate of completion of medicolegal forensic investigation training that complies with the standards adopted for the medicolegal training academy adopted by the criminal justice training commission in conjunction with the Washington association of coroners and medical examiners and a practicing physician selected by the commission pursuant to section 3 of this act. This requirement does not apply to an elected prosecutor acting as the ex officio coroner in a county. All medicolegal investigative personnel employed by any coroner's or medical examiner's office must complete medicolegal forensic investigation training as required under section 3 of this act. A county in which the coroner or county medical examiner has not obtained such certification within 12 months of assuming office is ineligible to receive reimbursement from the death investigations account under RCW 68.50.104.

NEW SECTION. Sec. 2. A new section is added to chapter 36.24 RCW to read as follows:

Except those run by a county prosecutor, all county coroner's offices and medical examiner's offices must be accredited by either the international association of coroners and medical examiners or the national association of medical examiners no later than July 1, 2025, and maintain continued accreditation thereafter. A county that contracts for its coroner or medical examiner services with an accredited coroner or medical examiner's office in another county does not need to maintain accreditation.

NEW SECTION. Sec. 3. A new section is added to chapter 43.101 RCW to read as follows:

(1) (a) All elected coroners, appointed coroners, persons serving as coroners, medical examiners, and all other full-time medicolegal investigative personnel

employed by a county coroner's or medical examiner's office must successfully complete medicolegal forensic investigation training through the medicolegal training academy program within 12 months of being elected, appointed, or employed unless otherwise exempted by the commission. This section does not apply to elected prosecutors who are coroners in their counties.

(b) All part-time medicolegal investigative personnel employed by a county coroner's or medical examiner's office must successfully complete medicolegal forensic investigation training through the medicolegal training academy program within 18 months of being employed unless otherwise exempted by the commission.

(2) The commission, in conjunction with the Washington association of coroners and medical examiners and a practicing physician selected by the commission, shall develop the medicolegal forensic investigation training curriculum and adopt the standards for the medicolegal training academy and any exemption from the requirement to complete the medicolegal forensic investigation training. The commission shall exempt from this requirement any coroner, medical examiner, or medicolegal investigative personnel who has obtained training comparable to the medicolegal forensic investigation training by virtue of educational or professional training or experience.

(3) The commission must certify successful completion of the medicolegal forensic investigation training or exemption from the medicolegal training requirement within 60 days from the receipt of proof of completion or request for exemption.

(4) The medicolegal forensic investigation training required under this section must:

(a) Meet the recommendations of the national commission on forensic science for certification and accreditation; and

(b) Satisfy the requirements for training on the subject of sudden, unexplained child death including, but not limited to, sudden infant death syndrome developed pursuant to RCW 43.103.100 and missing persons protocols pursuant to RCW 43.103.110.

(5) Certification under this section is a condition of continued employment in a coroner's or medical examiner's office.

(6) A coroner's or medical examiner's office in which a coroner, person serving as coroner, medical examiner, or other medicolegal investigative employee, who has not otherwise been exempted by the commission, is not certified within 12 months of being elected, appointed, or employed as required by this section, is not eligible for reimbursement from the death investigations account under RCW 68.50.104 until the office is in compliance with all requirements under this section.

**Sec. 4.** RCW 36.16.030 and 2015 c 53 s 61 are each amended to read as follows:

Except as provided elsewhere in this section, in every county there shall be elected from among the qualified voters of the county a county assessor, a county auditor, a county clerk, a county coroner, three county commissioners, a county prosecuting attorney, a county sheriff, and a county treasurer, except that in each county with a population of less than forty thousand the county legislative authority may determine that no coroner shall be elected and ((the prosecuting attorney shall be ex officio coroner. Whenever the population of a county increases to forty thousand or more, the prosecuting attorney shall continue as ex officio coroner until a coroner is elected, at the next general election at which the office of prosecuting attorney normally would be elected, and assumes office as provided in RCW 29A.60.280. In any county where the population has once attained forty thousand people and a current coroner is in office and a subsequent census indicates less than forty thousand people, the county legislative authority may maintain the office of coroner by resolution or ordinance. If the county legislative authority has not passed a resolution or enacted an ordinance to maintain the office of coroner, the elected coroner shall remain in office for the remainder of the term for which he or she was elected, but no coroner shall be elected at the next election at which that office would otherwise be filled and the prosecuting attorney shall be the ex officio coroner)) instead appoint a coroner. In a county with a population of two hundred fifty thousand or more, the county legislative authority may replace the office of coroner with a

medical examiner system and appoint a medical examiner as specified in RCW 36.24.190. Any county may enter into an interlocal agreement under chapter 39.34 RCW with an adjoining county for the provision of coroner or medical examiner services. A noncharter county may have five county commissioners as provided in RCW 36.32.010 and 36.32.055 through 36.32.0558.

**Sec. 5.** RCW 36.16.030 and 2015 c 53 s 61 are each amended to read as follows:

Except as provided elsewhere in this section, in every county there shall be elected from among the qualified voters of the county a county assessor, a county auditor, a county clerk, a county coroner, three county commissioners, a county prosecuting attorney, a county sheriff, and a county treasurer, except that in each county with a population of less than forty thousand no coroner shall be elected and the prosecuting attorney shall be ex officio coroner. Whenever the population of a county increases to forty thousand or more, the prosecuting attorney shall continue as ex officio coroner until a coroner is elected, at the next general election at which the office of prosecuting attorney normally would be elected, and assumes office as provided in RCW 29A.60.280. In any county where the population has once attained forty thousand people and a current coroner is in office and a subsequent census indicates less than forty thousand people, the county legislative authority may maintain the office of coroner by resolution or ordinance. If the county legislative authority has not passed a resolution or enacted an ordinance to maintain the office of coroner, the elected coroner shall remain in office for the remainder of the term for which he or she was elected, but no coroner shall be elected at the next election at which that office would otherwise be filled and the prosecuting attorney shall be the ex officio coroner. In a county with a population of two hundred fifty thousand or more, the county legislative authority may replace the office of coroner with a medical examiner system and appoint a medical examiner as specified in RCW 36.24.190. Any county may enter into an interlocal agreement under chapter 39.34 RCW with an adjoining county for the provision of coroner or medical examiner services. A noncharter county may have five county commissioners as provided in RCW 36.32.010 and 36.32.055 through 36.32.0558.

**Sec. 6.** RCW 36.17.020 and 2008 c 309 s 2 are each amended to read as follows:

The county legislative authority of each county or a county commissioner or councilmember salary commission which conforms with RCW 36.17.024 is authorized to establish the salaries of the elected officials of the county. The state and county shall contribute to the costs of the salary of the elected prosecuting attorney as set forth in subsection (1) of this section. The annual salary of a county elected official shall not be less than the following:

(1) In each county with a population of one million or more: Auditor, clerk, treasurer, sheriff, members of the county legislative authority, and coroner, eighteen thousand dollars; and assessor, nineteen thousand dollars;

(2) In each county with a population of from two hundred ten thousand to less than one million: Auditor, seventeen thousand six hundred dollars; clerk, seventeen thousand six hundred dollars; treasurer, seventeen thousand six hundred dollars; sheriff, nineteen thousand five hundred dollars; assessor, seventeen thousand six hundred dollars; members of the county legislative authority, nineteen thousand five hundred dollars; and coroner, seventeen thousand six hundred dollars;

(3) In each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand: Auditor, sixteen thousand dollars; clerk, sixteen thousand dollars; treasurer, sixteen thousand dollars; sheriff, seventeen thousand six hundred dollars; assessor, sixteen thousand dollars; members of the county legislative authority, seventeen thousand six hundred dollars; and coroner, sixteen thousand dollars;

(4) In each county with a population of from seventy thousand to less than one hundred twenty-five thousand: Auditor, fourteen thousand nine hundred dollars; clerk, fourteen thousand nine hundred dollars; treasurer, fourteen thousand nine hundred dollars; assessor, fourteen thousand nine hundred dollars; sheriff, fourteen thousand nine hundred dollars; members of the county legislative authority, fourteen thousand nine hundred dollars; and coroner, fourteen thousand nine hundred dollars;

(5) In each county with a population of from forty thousand to less than

seventy thousand: Auditor, thirteen thousand eight hundred dollars; clerk, thirteen thousand eight hundred dollars; treasurer, thirteen thousand eight hundred dollars; assessor, thirteen thousand eight hundred dollars; sheriff, thirteen thousand eight hundred dollars; members of the county legislative authority, thirteen thousand eight hundred dollars; and coroner, thirteen thousand eight hundred dollars;

(6) In each county with a population of from eighteen thousand to less than forty thousand: Auditor, twelve thousand one hundred dollars; clerk, twelve thousand one hundred dollars; treasurer, twelve thousand one hundred dollars; sheriff, twelve thousand one hundred dollars; assessor, twelve thousand one hundred dollars; ~~((and))~~ members of the county legislative authority, eleven thousand dollars; and coroner, \$11,000 or on a per case basis as determined by the county legislative authority;

(7) In each county with a population of from twelve thousand to less than eighteen thousand: Auditor, ten thousand one hundred dollars; clerk, ten thousand one hundred dollars; treasurer, ten thousand one hundred dollars; assessor, ten thousand one hundred dollars; sheriff, eleven thousand two hundred dollars; ~~((and))~~ members of the county legislative authority, nine thousand four hundred dollars; and coroner, \$9,400 or on a per case basis as determined by the county legislative authority;

(8) In each county with a population of from eight thousand to less than twelve thousand: Auditor, ten thousand one hundred dollars; clerk, ten thousand one hundred dollars; treasurer, ten thousand one hundred dollars; assessor, ten thousand one hundred dollars; sheriff, eleven thousand two hundred dollars; ~~((and))~~ members of the county legislative authority, seven thousand dollars; and coroner, \$7,000 or on a per case basis as determined by the county legislative authority;

(9) In each county with a population of from five thousand to less than eight thousand: Auditor, nine thousand one hundred dollars; clerk, nine thousand one hundred dollars; treasurer, nine thousand one hundred dollars; assessor, nine thousand one hundred dollars; sheriff, ten thousand five hundred dollars; ~~((and))~~ members of the county legislative authority, six thousand five hundred dollars; and coroner, \$6,500 or

on a per case basis as determined by the county legislative authority;

(10) In each other county: Auditor, nine thousand one hundred dollars; clerk, nine thousand one hundred dollars; treasurer, nine thousand one hundred dollars; sheriff, ten thousand five hundred dollars; assessor, nine thousand one hundred dollars; ~~((and))~~ members of the county legislative authority, six thousand five hundred dollars; and coroner, \$6,500 or on a per case basis as determined by the county legislative authority;

(11) The state of Washington shall contribute an amount equal to one-half the salary of a superior court judge towards the salary of the elected prosecuting attorney. Upon receipt of the state contribution, a county shall continue to contribute towards the salary of the elected prosecuting attorney in an amount that equals or exceeds that contributed by the county in 2008.

**Sec. 7.** RCW 68.50.010 and 1963 c 178 s 1 are each amended to read as follows:

The jurisdiction of bodies of all deceased persons who come to their death suddenly when in apparent good health without medical attendance within the thirty-six hours preceding death; or where the circumstances of death indicate death was caused by unnatural or unlawful means; or where death occurs under suspicious circumstances; or where a coroner's autopsy or postmortem or coroner's inquest is to be held; or where death results from unknown or obscure causes, or where death occurs within one year following an accident; or where the death is caused by any violence whatsoever, or where death results from a known or suspected abortion; whether self-induced or otherwise; where death apparently results from drowning, hanging, burns, electrocution, gunshot wounds, stabs or cuts, lightning, starvation, radiation, exposure, alcoholism, narcotics or other addictions, tetanus, strangulations, suffocation or smothering; or where death is due to premature birth or still birth; or where death is due to a violent contagious disease or suspected contagious disease which may be a public health hazard; or where death results from alleged rape, carnal knowledge or sodomy, where death occurs in a jail or prison; where a body is found dead or is not claimed by relatives or friends, is hereby vested in the county coroner or

medical examiner, which bodies may be removed and placed in the morgue under such rules as are adopted by the coroner or medical examiner with the approval of the county commissioners, having jurisdiction, providing therein how the bodies shall be brought to and cared for at the morgue and held for the proper identification where necessary.

**Sec. 8.** RCW 68.50.104 and 2019 c 317 s 4 are each amended to read as follows:

(1) The cost of autopsy shall be borne by the county in which the autopsy is performed, except when requested by the department of labor and industries, in which case, the department shall bear the cost of such autopsy.

(2)(a) Except as provided in (b) of this subsection, when the county bears the cost of an autopsy, it shall be reimbursed from the death investigations account, established by RCW 43.79.445, as follows:

(i) Up to forty percent of the cost of contracting for the services of a pathologist to perform an autopsy;

(ii) Up to (~~twenty-five~~) 30 percent of the salary of pathologists who are primarily engaged in performing autopsies and are (A) county coroners or county medical examiners, or (B) employees of a county coroner or county medical examiner; and

(iii) One hundred percent of the cost of autopsies conducted under RCW 70.54.450.

(b) When the county bears the cost of an autopsy of a child under the age of three whose death was sudden and unexplained, the county shall be reimbursed for the expenses of the autopsy when the death scene investigation and the autopsy have been conducted under RCW 43.103.100 (4) and (5), and the autopsy has been done at a facility designed for the performance of autopsies.

(3) Payments from the account shall be made pursuant to biennial appropriation: PROVIDED, That no county may reduce funds appropriated for this purpose below 1983 budgeted levels.

(4) Where the county coroner's office or county medical examiner's office is not accredited pursuant to section 2 of this act, or a coroner, medical examiner, or other medicolegal investigative employee is not certified as required by

sections 1 and 3 of this act, the state treasurer's office shall withhold autopsy reimbursement funds until accreditation under section 2 of this act or compliance with sections 1 and 3 of this act is achieved.

NEW SECTION. Sec. 9. Sections 4 and 6 of this act take effect January 1, 2025.

NEW SECTION. Sec. 10. Section 5 of this act expires January 1, 2025."

Correct the title.

Representative Goehner moved the adoption of amendment (201) to the striking amendment (152):

On page 1, beginning on line 18 of the striking amendment, after "office" strike "is ineligible to receive" and insert "may have its"

On page 1, line 19 of the striking amendment, after "account" insert "reduced as provided"

On page 3, line 1 of the striking amendment, after "(6) A" strike "coroner's or medical examiner's office" and insert "county"

On page 3, beginning on line 5 of the striking amendment, after "section," strike "is not eligible for" and insert "may have its"

On page 3, line 6 of the striking amendment, after "account" insert "reduced as provided"

On page 8, line 28 of the striking amendment, after "withhold" insert "25 percent of"

Representatives Goehner and Pollet spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (201) to the striking amendment (152) was adopted.

Representative Walsh moved the adoption of amendment (199) to the striking amendment (152):

On page 3, line 33 of the striking amendment, after "coroner" insert "or direct that the prosecuting attorney shall serve as ex-officio coroner"

Representatives Walsh and Pollet spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (199) to the striking amendment (152) was adopted.

Representative Robertson moved the adoption of amendment (197) to the striking amendment (152):

On page 3, line 33 of the striking amendment, after "coroner." insert "Until such time as a coroner in a county with a population of less than 40,000 has been elected from among the qualified voters or a suitable candidate appointed by the county legislative authority, the prosecuting attorney may serve as ex-officio coroner."

Representative Robertson withdrew amendment (197) to the striking amendment (152).

Striking amendment (152) as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff, Goehner and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1326.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1326, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1326, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1445, by Representatives Thai, Cody, Ormsby, Pollet and Harris-Talley**

**Concerning the definition of compounding for purposes of the practice of pharmacy.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1445 was substituted for House Bill No. 1445 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1445 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Thai and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1445.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1445, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

SUBSTITUTE HOUSE BILL NO. 1445, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1472, by Representatives Slatter, Ortiz-Self, Sutherland, Goodman, Ormsby, Valdez, Eslick, Harris-Talley, Lekanoff, Pollet and Chopp**

**Adding a graduate student to the student achievement council.**

The bill was read the second time.



There being no objection, Substitute House Bill No. 1472 was substituted for House Bill No. 1472 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1472 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Slatter and Corry spoke in favor of the passage of the bill.

Representative Chambers spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1472.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1472, and the bill passed the House by the following vote: Yeas, 77; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chapman, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Hackney, Hansen, Harris, Harris-Talley, J. Johnson, Kirby, Kloba, Kretz, Leavitt, Lekanoff, Lovick, Macri, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rule, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Volz, Walen, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Chambers, Chandler, Chase, Dufault, Dye, Eslick, Griffey, Hoff, Jacobsen, Klicker, Klippert, Kraft, MacEwen, Maycumber, McCaslin, McEntire, Rude, Schmick, Steele, Vick and Walsh.

SUBSTITUTE HOUSE BILL NO. 1472, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1484, by Representatives Dolan and Lekanoff**

**Concerning the statewide first responder building mapping information system.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1484 was substituted for House Bill No. 1484 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1484 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dolan, Ybarra and Kraft spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1484.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1484, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

SUBSTITUTE HOUSE BILL NO. 1484, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1030, by Representatives Dent, Springer, Boehnke, Eslick, Callan and Slatter**

**Concerning a community aviation revitalization loan program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1030.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1030, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

HOUSE BILL NO. 1030, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1137, by Representatives McCaslin, Young, Barkis, Schmick and Graham**

**Elevating road maintenance and preservation in transportation planning.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1137 was substituted for House Bill No. 1137 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1137 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCaslin and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1137.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1137, and the bill passed the House by the following vote: Yeas, 88; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kraft, Kretz, Leavitt, Lekanoff, Lovick,

MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Berry, Chopp, Fitzgibbon, Frame, Harris-Talley, Kloba, Ramel, Ramos, Valdez and Wicks.

SUBSTITUTE HOUSE BILL NO. 1137, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1310, by Representatives J. Johnson, Lovick, Ryu, Simmons, Berry, Fitzgibbon, Hackney, Wylie, Sells, Wicks, Cody, Callan, Gregerson, Santos, Senn, Ortiz-Self, Chopp, Davis, Valdez, Dolan, Bateman, Ormsby, Bergquist, Morgan, Ramel, Ramos, Lekanoff, Frame, Harris-Talley, Pollet, Macri and Peterson**

**Concerning permissible uses of force by law enforcement and correctional officers.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1310 was substituted for House Bill No. 1310 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1310 was read the second time.

With the consent of the House, amendments (319), (325) and (383) were withdrawn.

Representative Mosbrucker moved the adoption of amendment (380):

On page 2, line 1, after "(1)" insert "Appropriate," "imminent," "minimal," "necessary," and "reasonable" must be interpreted according to an objective standard which considers all the facts, circumstances, and information known to the officer at the time to determine whether a similarly situated reasonable officer would have determined the action was appropriate, minimal, necessary, or reasonable, or the threat was imminent.

(2) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 37, after "circumstances," insert "a similarly situated reasonable officer would have determined that"

Representatives Mosbrucker and Klippert spoke in favor of the adoption of the amendment.

Representatives Hackney and Goodman spoke against the adoption of the amendment.

Amendment (380) was not adopted.

Representative Klippert moved the adoption of amendment (407):

On page 2, beginning on line 17, after "to" strike all material through "otherwise" on line 18 and insert ": Protect against criminal conduct where there is probable cause to make an arrest; effect an arrest; prevent an escape as defined under chapter 9A.76 RCW; or"

Representatives Klippert and Goodman spoke in favor of the adoption of the amendment.

Amendment (407) was adopted.

Representative Mosbrucker moved the adoption of amendment (379):

On page 2, beginning on line 22, after "when" strike all material through "person" on line 23 and insert "such use is justifiable under chapter 9A.16 RCW"

On page 3, beginning on line 29, beginning with "(5)" strike all material through "officer." on page 4, line 4

Representative Mosbrucker and Mosbrucker (again) spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (379) was not adopted.

Representative Klippert moved the adoption of amendment (320):

On page 2, line 22, after "against" strike "an imminent" and insert "a valid"

On page 3, beginning on line 31, strike all of subsection (a)

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Representatives Klippert and Graham spoke in favor of the adoption of the amendment.

Representative J. Johnson spoke against the adoption of the amendment.

Amendment (320) was not adopted.

Representative Klippert moved the adoption of amendment (321):

On page 3, line 24, after "law" insert ", except to protect his or her life or the life of another person"

Representatives Klippert and J. Johnson spoke in favor of the adoption of the amendment.

Amendment (321) was adopted.

Representative Griffey moved the adoption of amendment (382):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.101 RCW to read as follows:

(1) The criminal justice training commission, in consultation with the Washington association of sheriffs and police chiefs, representatives of law enforcement labor groups, and other agencies and organizations as deemed appropriate by the commission, must develop and adopt a statewide use of force standard built upon the cornerstone principle of the sanctity of human life. The statewide use of force standard built upon the cornerstone principle of the sanctity of human life takes effect one year following its adoption by the commission.

(2) The use of force standard built upon the cornerstone principle of the sanctity of human life must:

(a) Require any use of force to meet the test of proportionality to employ a degree of force that is objectively reasonable to gain control and compliance of persons, rather than a use of force continuum or "drawing a line in the sand";

(b) Emphasize the use of time, cover, and distance to mitigate the need to use force;

(c) Be informed by the data collection and related analysis conducted under chapter . . ., Laws of 2021 (Engrossed Second Substitute Senate Bill No. 5259);

(d) Utilize credible science to develop recommended techniques for law enforcement's response to scenes where an individual displays symptoms consistent with the medical condition known as excited delirium;

(e) Educate officers to recognize and address implicit bias;

(f) Educate officers on the history of race and law enforcement; and

(g) Allow for law enforcement agencies to adopt and implement policies, practices, procedures, and training that are more restrictive than the use of force standard built upon the cornerstone principle of the sanctity of human life adopted by the commission.

(3) The criminal justice training commission must review and modify its policies, practices, procedures, and trainings as necessary to fully incorporate and implement the statewide use of force standard built upon the cornerstone principle of the sanctity of human life, and ensure that any modifications necessary are fully implemented no later than one year after adoption of the standard by the commission.

(4) Each Washington law enforcement agency must review and modify its policies, practices, procedures, and trainings as necessary to fully incorporate and implement the statewide use of force standard built upon the cornerstone principle of the sanctity of human life, and ensure that any modifications necessary are fully implemented no later than one year after adoption of the standard by the commission. All Washington law enforcement agencies are prohibited from utilizing, whether formal or informal, a use of force standard inconsistent with this standard.

(5) The criminal justice training commission must reimburse law enforcement agencies for reasonable and necessary costs of implementing the provisions of RCW 43.101.450 and 43.101.452 and chapter . . . , Laws of 2021 (this act).

NEW SECTION. Sec. 2. A new section is added to chapter 43.101 RCW to read as follows:

All Washington law enforcement agencies must, no later than one year after the effective date of this section,

adopt and implement a policy requiring an agency supervisor to immediately respond to any scene where a weapon is reported, when a person is experiencing a behavioral health crisis, or when a dispatcher or other member of the law enforcement agency reports a potential for a significant use of force. Agencies are strongly encouraged to require higher level supervisors to respond to scenes where the potential for a significant use of force is greater.

NEW SECTION. Sec. 3. A new section is added to chapter 43.101 RCW to read as follows:

All Washington law enforcement agencies must, no later than one year after the effective date of this section, formally adopt de-escalation as part of the agency's policies.

NEW SECTION. Sec. 4. A new section is added to chapter 43.101 RCW to read as follows:

All Washington law enforcement agencies must, no later than one year after the effective date of this section, adopt policies and procedures to identify use of force incidents and conduct an internal administrative review to determine whether each incident was consistent with applicable laws and agency policies, procedures, and training.

NEW SECTION. Sec. 5. A new section is added to chapter 41.56 RCW to read as follows:

Notwithstanding any provisions of this chapter, the provisions of chapter . . . , Laws of 2021 (this act) and the implementation thereof do not constitute personnel matters, working conditions, or any other change that requires collective bargaining.

NEW SECTION. Sec. 6. To the extent that any provision of this act is in conflict with any local regulation, ordinance, collective bargaining agreement, memorandum of understanding, policy, or practice, the provisions of this act prevail and the conflicting provision is null and void.

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.** If specific and sufficient funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2021, in the omnibus appropriations act, this act is null and void."

Correct the title.

#### POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (382).

#### SPEAKER'S RULING

"The title of the bill is an act relating to permissible use of force by law enforcement and correctional officers.

The bill establishes a standard for use of physical force by peace officers.

Amendment 382 provides that development and implementation of a statewide use of force standard does not constitute any change in working or other conditions requiring collective bargaining and invalidates any local laws or collective bargaining agreements in conflict with the development and implementation of this standard.

Collective bargaining is a separate and distinct topic from the issue presented in the bill before us – whether to establish a standard for use of physical force by peace officers.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the bill.

The point of order is well taken."

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives J. Johnson, Wicks and Simmons spoke in favor of the passage of the bill.

Representatives Mosbrucker, Graham, Griffey, Walsh, Sutherland, Klippert and Maycumber spoke against the passage of the bill.

#### MOTION

On motion of Representative Riccelli, Representative Chopp was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1310.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1310, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Cody, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Hansen, Harris-Talley, J. Johnson, Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, Wylie and Mme. Speaker.

Voting nay: Representatives Abbarno, Barkis, Boehnke, Caldier, Chambers, Chapman, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, Ybarra and Young.

Excused: Representative Chopp.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1310, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

**HOUSE BILL NO. 1236, by Representatives Macri, Taylor, Dolan, Gregerson, Berry, Fitzgibbon, Frame, Simmons, Ramel, Bateman, J. Johnson, Hackney, Chopp, Thai, Peterson, Santos, Orwall, Ortiz-Self, Ryu, Wicks, Lekanoff, Slatter, Berg, Senn, Harris-Talley, Ormsby and Pollet**

**Protecting residential tenants from the beginning to end of their tenancies by penalizing the inclusion of unlawful lease provisions and limiting the reasons for eviction, refusal to continue, and termination.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1236 was substituted for House Bill No. 1236 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1236 was read the second time.

With the consent of the House, amendments (364), (369), (373), (388), (389) and (390) were withdrawn.

Representative Dufault moved the adoption of amendment (362):

On page 7, beginning on line 17, after "tenant" strike all material through "periodic tenancy" on line 18

On page 7, line 19, after "section" insert "and in RCW 59.12.030"

On page 13, beginning on line 33, strike all of section 4

Re-number the remaining sections consecutively and correct any internal

references accordingly. Correct the title.

Representatives Dufault, Walsh, Sutherland, Caldier and Chambers spoke in favor of the adoption of the amendment.

Representatives Peterson and Macri spoke against the adoption of the amendment.

Amendment (362) was not adopted.

Representative Dufault moved the adoption of amendment (351):

On page 7, beginning on line 17, after "tenant" strike ", refuse to continue the tenancy,"

Representatives Dufault and Walsh spoke in favor of the adoption of the amendment.

Representative Macri spoke against the adoption of the amendment.

Amendment (351) was not adopted.

Representative Caldier moved the adoption of amendment (359):

On page 7, line 19, after "in" strike "subsection (2)" and insert "subsections (2) and (3)"

On page 8, line 2, after "cause" insert "to evict"

On page 11, line 5, after "(3)" insert "The following reason listed in this subsection constitutes cause to refuse to continue a tenancy: The tenant has been required to register as a sex offender during the tenancy, or prior to the tenancy if not disclosed or otherwise known to the property owner at the beginning of the tenancy.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Caldier, Peterson, Kraft, Dufault and Rude spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

#### **ROLL CALL**

The Clerk called the roll on the adoption of amendment (359) and the amendment was adopted by the following vote: Yeas: 98; Nays: 0; Absent: 0; Excused: 0

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, Jinkins, Johnson, J., Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, and Young

Representative Caldier moved the adoption of amendment (360):

On page 7, line 19, after "in" strike "subsection (2)" and insert "subsections (2) and (3)"

On page 8, line 2, after "cause" insert "to evict"

On page 11, line 5, after "(3)" insert "The following reason listed in this subsection constitutes cause to refuse to continue a tenancy: The tenant has made unwanted sexual advances or other acts of sexual harassment directed at the property owner, property manager, property employee, or another tenant based on the person's race, gender, or other protected status.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Caldier, Peterson and Dufault spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

#### **ROLL CALL**

The Clerk called the roll on the adoption of amendment (360) and the amendment was adopted by the following vote: Yeas: 98; Nays: 0; Absent: 0; Excused: 0

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, Jinkins, Johnson, J., Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber,

McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, and Young

Representative Ybarra moved the adoption of amendment (377):

On page 7, line 19, after "in" strike "subsection (2)" and insert "subsections (2) and (3)"

On page 8, line 2, after "cause" insert "to evict"

On page 11, line 5, after "(3)" insert "The following reason listed in this subsection constitutes cause to refuse to continue a tenancy: The tenant has stated verbally or in writing any derogatory remarks directed at the property owner, property manager, property employee, or another tenant based on the person's race, gender, or other protected status.

(4) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Ybarra, Caldier, Walsh, Dufault, Hoff, Rude, Barkis and Dufault (again) spoke in favor of the adoption of the amendment.

Representatives Taylor and Peterson spoke against the adoption of the amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (377) and the amendment was not adopted by the following vote: Yeas: 47; Nays: 51; Absent: 0; Excused: 0

Voting yea: Representatives Abbarno, Barkis, Boehnke, Bronoske, Caldier, Chambers, Chandler, Chapman, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, Leavitt, MacEwen, Maycumber, McCaslin, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Schmick, Shewmake, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, Ybarra, and Young

Voting nay: Representatives Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cody, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Hansen, Harris-Talley, Jinkins, Johnson, J., Kirby, Kloba, Lekanoff, Lovick, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Riccelli, Ryu, Santos, Sells, Senn, Simmons, Slatter, Springer, Stonier,

Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, and Wylie

Representative Rude moved the adoption of amendment (378):

On page 7, line 19, after "section" insert "and RCW 59.12.030"

On page 8, line 1, after "The" strike "following reasons listed in this subsection" and insert "reasons listed in this subsection and in RCW 59.12.030"

On page 16, at the beginning of line 13, strike "~~(A)~~ Except as limited by section 2 of this act relating to tenancies under chapter 59.18 RCW, a" and insert "A"

On page 17, line 20, after "(5)" strike "When" and insert

"(~~When~~) Notwithstanding any provisions in section 2 of this act,  
when"

Representatives Rude and Dufault spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (378) was not adopted.

Representative Gilday moved the adoption of amendment (370):

On page 7, line 19, after "section" insert "and RCW 59.12.030"

On page 8, line 1, after "The" strike "following reasons listed in this subsection" and insert "reasons listed in this subsection and in RCW 59.12.030"

On page 16, at the beginning of line 13, strike "~~(A)~~ Except as limited by section 2 of this act relating to tenancies under chapter 59.18 RCW, a" and insert "A"

On page 17, line 26, after "(6)" strike "A" and insert "~~(A)~~ Notwithstanding any provisions in section 2 of this act, a"

Representatives Gilday, Caldier, Dufault, Walsh and Dufault (again) spoke in favor of the adoption of the amendment.

Representatives Macri and Peterson spoke against the adoption of the amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (370) and the amendment was not adopted by the following vote: Yeas: 44; Nays: 54; Absent: 0; Excused: 0

Voting yea: Representatives Abbarno, Barkis, Boehnke, Caldier, Chambers, Chandler, Chapman, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, Ybarra, and Young

Voting nay: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cody, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Hansen, Harris-Talley, Jinkins, Johnson, J., Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Riccelli, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slater, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, and Wylie

Representative Chambers moved the adoption of amendment (381):

On page 7, line 19, after "section" insert "and RCW 59.12.030"

On page 8, line 1, after "The" strike "following reasons listed in this subsection" and insert "reasons listed in this subsection and in RCW 59.12.030"

On page 16, at the beginning of line 13, strike "~~(A)~~ Except as limited by section 2 of this act relating to tenancies under chapter 59.18 RCW, a" and insert "A"

On page 17, line 32, after "(7)" strike "When" and insert

"~~(When)~~ Notwithstanding any provisions in section 2 of this act, when"

Representatives Chambers, Dufault, Robertson, Caldier, Barkis, Graham, Young, Caldier (again), Dufault (again), Chambers (again), Sutherland and Robertson (again) spoke in favor of the adoption of the amendment.

Representatives Hackney, Taylor and Macri spoke against the adoption of the amendment.

Amendment (381) was not adopted.

Representative Gilday moved the adoption of amendment (367):

On page 7, beginning on line 20, strike all of subsection (b)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 7, after line 38, insert the following:

"(e) The provisions of subsection (2) of this section shall apply only after the tenant has resided at the same property for more than two years."

Representatives Gilday, Dufault, Caldier and Walsh spoke in favor of the adoption of the amendment.

Representatives Kirby and Thai spoke against the adoption of the amendment.

Amendment (367) was not adopted.

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1236, and the bill held its place on the second reading calendar.

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. 1296  
HOUSE BILL NO. 1314

There being no objection, the House adjourned until 9:00 a.m., March 7, 2021, the 56th Legislative Day of the Regular Session.

LAURIE JINKINS, Speaker  
BERNARD DEAN, Chief Clerk



1030		5031	
Second Reading .....	9	Introduction & 1st Reading .....	1
Third Reading Final Passage .....	10	5043	
1137		Messages .....	1
Second Reading .....	10	5058	
1137-S		Messages .....	1
Second Reading .....	10	5082-S	
Third Reading Final Passage .....	10	Introduction & 1st Reading .....	1
1210		5122-S	
Second Reading .....	2	Introduction & 1st Reading .....	1
1210-S		5128-S2	
Second Reading .....	2	Introduction & 1st Reading .....	1
Third Reading Final Passage .....	3	5145	
1236		Introduction & 1st Reading .....	2
Second Reading .....	13	5160-S2	
1236-S		Introduction & 1st Reading .....	2
Second Reading .....	13	5188-S2	
Amendment Offered .....	13, 14, 15, 16	Messages .....	1
Other Action .....	16	5195-S2	
1296		Messages .....	1
Other Action .....	16	5203-S	
1310		Introduction & 1st Reading .....	2
Second Reading .....	10	5220	
1310-S2		Introduction & 1st Reading .....	2
Second Reading .....	10	5263-S	
Amendment Offered .....	10, 11	Messages .....	1
Third Reading Final Passage .....	13	5268-S	
1314		Messages .....	1
Other Action .....	16	5291	
1326		Introduction & 1st Reading .....	2
Second Reading .....	3	5293-S2	
1326-S		Messages .....	1
Second Reading .....	3	5295-S	
Amendment Offered .....	3, 7, 8	Messages .....	1
Third Reading Final Passage .....	8	5304-S2	
1445		Messages .....	1
Second Reading .....	8	5321-S	
1445-S		Introduction & 1st Reading .....	2
Second Reading .....	8	5357-S	
Third Reading Final Passage .....	8	Messages .....	1
1472		5361-S	
Second Reading .....	8	Messages .....	1
1472-S		5368-S2	
Second Reading .....	9	Messages .....	1
Third Reading Final Passage .....	9	5395-S2	
1484		Introduction & 1st Reading .....	2
Second Reading .....	9	5405-S	
1484-S		Messages .....	1
Second Reading .....	9	HOUSE OF REPRESENTATIVES (Speaker Orwall presiding)	
Third Reading Final Passage .....	9	Point of Order	
5004-S		Representative Stonier - Scope Amendment (382)...	13
Messages .....	1	SPEAKER OF THE HOUSE (Speaker Orwall presiding)	
5015		Speaker's Ruling	
Messages .....	1	Scope - Amendment (382).....	13
5016			
Introduction & 1st Reading .....	1		